	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER


FOR

The provision of Substation Building Maintenance Services and Tower Foundation repairs on an as and when required basis in Newcastle Zone in the KwaZulu Natal Operating Unit, Bethlehem Zone and Bloemfontein Zone in the Free State in the Central East Cluster for a period of 36 months for BBBEE compliant EME,QSE and LME Level 1 and 2 Contractors.

Tender number	KZN056
Issue date	11 November 2022
Closing date and time	13 December 2022 at 10h00
Tender validity period	Twenty-four (24) weeks from the closing date and time
Clarification meeting	MS Teams Clarification Meeting 21 November 2022 @ 10H00 Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 389 727 412 267 Passcode: QX7owP Download Teams Join on the web
Tenders are to be delivered to the following address on the stipulated closing date and time:	THE TENDER OFFICE Eskom Commercial Services Procurement Offices 25 Valley View Road New Germany 3620

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		Effective Date	18 February 2022		
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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for the:

The provision of Substation Building Maintenance Services and Tower Foundation repairs on an as and when required basis in Newcastle Zone in the KwaZulu Natal Operating Unit, Bethlehem Zone and Bloemfontein Zone in the Free State in the Central East Cluster for a period of 36 months for BBBEE compliant EME,QSE and LME Level 1 and 2 Contractors

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 by you in response to this *Invitation* will be deemed as your acceptance of the Eskom Standard Conditions of Tender (to be accessed via www.eskom.co.za).

Queries relating to these Invitation may be addressed to the Eskom *Representative*.

Yours faithfully



Thandi Xaba


Acting Procurement Manager

KZNOU4829

Date: 11 November 2022

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		Effective Date	18 February 2022		
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Note:

Contractors will be selected as follows:

This tender is for all companies that are B-BBEE EME, QSE and LME level 1 and 2 compliant. These companies can be based anywhere within the boundaries of South Africa.

All Contractors that meet the minimum threshold of 75% will proceed to stage of price and preference scoring.

In the event that one Contractor is the highest Ranked in more than one Area/Zone, they will get first preference to select the area of their choice.


- One (1) Invitation to tender (ITT) is issued with three (3) sets of NEC 3 Term Service Short Contracts detailing the scope of services. Tenderers will have an option to submit the tender and offer the rates/prices for the zone that they are interested in.
- The 80/20 preference points system (Price evaluation and B-BBEE points scoring) will be applied per zone.

The zones as included in the different NEC 3 Term Services Short Contract are reflected below and tenderers are requested to indicate by a tick (✓) the zone/scope they are tendering on:

<u>Zone</u>	<u>Indicate with a tick (✓) the Zone and scope that you are tendering for</u>
Newcastle	
Bethlehem	
Bloemfontein	

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		Effective Date	18 February 2022		
		Review Date	February 2027		

The following documents listed hereunder are attached to this enquiry.


Number	Description	Annexures	Attached (Y/N/ N/A)
6.1	*Acknowledgement form	Annexure A	Y
6.2	*Tenderer's particulars	Annexure B	Y
6.3	*Integrity Declaration Form	Annexure C	Y
6.4	SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure E	Y
6.5	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure F	Y
6.6	Standard Bidding Form - SBD4	Annexure G	Y
6.7	Supplier Development & Localisation (SDL&I) Undertaking		Y

- 1.2 The Tender Data makes several references to the **Eskom Standard Conditions of Tender** and in those instances, the clause numbers are referenced hereunder. If the **Eskom Standard Conditions of Tender** is not attached to the **Invitation to Tender**; then the tenderers are required to download this from www.eskom.co.za. The **"Tender Data"** as detailed herein shall take precedence over the **Standard Conditions of Tender** in the event of any ambiguity or inconsistency between the two documents.

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Anita Rickhoff Tel: 031 710 5436 E-mail: anita.rickhoff@eskom.co.za</p>
1.3 Enquiry documents	<p>The Invitation to tender number is : KZN056</p> <p>See the content list above for the enquiry documents. All relevant documentation for this tender will be uploaded onto the Eskom Tender Portal, it is the responsibility of the tendering party to</p>

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	<p>ensure all the required documentation is downloaded and completed.</p> <p>The tender must be submitted in the following format:</p> <table><tr><th>SECTION</th><th>ORIGINAL</th><th>COPY</th></tr><tr><td>SECTION 1 – will comprise of the Commercial Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 2 - will comprise of the SD & L Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 3 – will comprise of the Technical Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 4 – will comprise of the SHE Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 5 – will comprise of the Quality Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 6 – will comprise of the Environmental Requirements</td><td>✓</td><td>✓</td></tr></table>	SECTION	ORIGINAL	COPY	SECTION 1 – will comprise of the Commercial Requirements	✓	✓	SECTION 2 - will comprise of the SD & L Requirements	✓	✓	SECTION 3 – will comprise of the Technical Requirements	✓	✓	SECTION 4 – will comprise of the SHE Requirements	✓	✓	SECTION 5 – will comprise of the Quality Requirements	✓	✓	SECTION 6 – will comprise of the Environmental Requirements	✓	✓
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1.4 Type of Invitation to Tender	<p>This invitation to tender is:</p> <p>1. An open Invitation to tender</p>																					
1.6 Eskom's rights to accept or reject any tender	<p>The tender shall be for the whole or part of the contract.</p>																					
2.1 Eligible tenders	<p>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.</p> <p>Tenderers are deemed ineligible to submit a tender if</p> <ul style="list-style-type: none">• 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.• Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium• [Tenders/proposals] 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																					

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	<p>severally liable for the execution of the Contract in accordance with the Contract terms.</p> <ul style="list-style-type: none"> • 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"> ○ (a)they have a controlling partner/majority shareholder in common; or ○ (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; • Tenders signed by non- authorized persons • Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers) • 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 • Any tenderer that is restricted by National Treasury • A tenderer that sub-contracts 100% Scope of Work. <p>Ineligible tenderers will be disqualified.</p>
2.2 -2.5 Tender Closing	<p>The deadline for Tender submission is : Date 13 December 2022 Time 10h00 AM Late Tenders will not be accepted Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address: THE TENDER OFFICE Eskom Commercial Services Procurement Offices 25 Valley View Road New Germany 3620</p>
2.9 Copy of original tender	<p>The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline.</p>

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	<p><i>Where a Tenderer does not submit a complete original tender plus 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</i></p>
2.13 Tender Validity Period	The tender validity period is twenty-four (24) weeks from the closing date and time
2.16 Site/clarification meetings	<p>A non-compulsory “Online Meeting” will take place on Microsoft Teams, whereby a Presentation will be made in order to assist all contractors in complying with Eskom’s tender requirements. Although this will not be a Compulsory Meeting, Suppliers are encouraged to attend this MS Team Meeting to ensure that all Contracting Companies clearly understand the Technical and Contractual Requirements and are able to submit a responsive tender.</p> <p>The Technical Requirements will be discussed at the MS Teams Meeting, however should the contractors request a Technical Representative to take them to a site (as there are various), arrangements will be made for a Technical Representative to conduct the site visit.</p> <p>Tenderers can also submit clarification questions via email to anita.rickhoff@eskom.co.za.</p> <p>The deadline for the submission of Clarification Questions is 5 days prior to tender closing.</p> <p>All Clarification Questions with Answers will be published on Eskom’s Tender Bulletin and the National Treasury e-Tender Publication Portal.</p> <p>Tenderers can access the MS Teams meeting on the following link: Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 389 727 412 267 Passcode: QX7owP Download Teams Join on the web</p> <p>An “Online MS Teams Meeting” with representatives of the <i>Employer</i> will take place as follows: Date: 21 November 2022 Time: 10h00AM Venue: MS Teams Meeting</p>
2.17 Clarification on enquiry documents	The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is five (5) working days before the deadline for tender submission.
2.23 Alternative tenders	Alternative tenders are <i>not allowed</i> .
2.25 Conditions of contract	The conditions of contract will be the NEC Term Service Short Contract

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2.31 Provision of security for performance	Security Bonds are not applicable
3.4 Opening of tenders	Tenders will be opened at the same date and time as the tender deadline
3.5 Prices to be read out	Prices will <i>not be read out.</i>
3.9 Basic Compliance	<p>Basic compliance for this invitation to tender are:</p> <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer • Submit one (1) original plus one (1) complete hard copy of the original tender to Eskom • Submit a complete original tender with Commercial, SD & L Technical information and SHEQ.
3.10 Mandatory tender returnables	<p>A tenderer that does not submit mandatory documents/information in required in mandatory documents by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.</p> <p><u>Commercial:</u></p> <ul style="list-style-type: none"> • CSD Registration – Companies are required to provide a valid CSD (MAAA) number. • Valid proof of CIDB with a GB or GB PE class of works at a CIDB grade 3 or higher. Where valid proof of CIDB registration is not available at tender closing deadline, tenderers are at a minimum expected to provide valid proof of application for registration and proof of actual registration by contract award. •  Supplier Bid Declaration Form (SBD 4) - Annexure G • Eskom Suppliers Integrity Pact - Annexure C • SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations Supplier Declaration of Interest - Annexure F <p><u>SDL&I:</u></p> <ul style="list-style-type: none"> • Companies will be required to provide fully completed affidavits in line with the guidelines (for EME, QSE & LME Level 1 & 2 companies)/ SANAS accredited certified certificates (for QSE Level 1 & 2 companies).

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	<p>B-BBEE Evaluation</p> <p>Tenderers shall be allocated points in accordance with the B-BBEE Evaluation Scorecard shown below 80/20 preference point system will be applicable.</p> <p>The tenderers shall as a minimum retain their BBEE contributor level throughout the contract period. Companies will be required to provide fully completed affidavits in line with the guidelines and Certified SANAS accredited BBEE Certificates (for EME, QSE & LME Level 1 and 2 companies)</p> <p>This is a Mandatory requirement.</p> <table><tr><th>Preference Points Scorecard BBEE Level</th><th>Number of points (80/20 system)</th></tr><tr><td>1</td><td>20</td></tr><tr><td>2</td><td>18</td></tr><tr><td>3</td><td>14</td></tr><tr><td>4</td><td>12</td></tr><tr><td>5</td><td>8</td></tr><tr><td>6</td><td>6</td></tr><tr><td>7</td><td>4</td></tr><tr><td>8</td><td>2</td></tr><tr><td>Non-compliant</td><td>0</td></tr></table>	Preference Points Scorecard BBEE Level	Number of points (80/20 system)	1	20	2	18	3	14	4	12	5	8	6	6	7	4	8	2	Non-compliant	0
Preference Points Scorecard BBEE Level	Number of points (80/20 system)																				
1	20																				
2	18																				
3	14																				
4	12																				
5	8																				
6	6																				
7	4																				
8	2																				
Non-compliant	0																				
3.11 Pre-qualification criteria	<p>Pre-qualification criteria are applicable. BBEE Level 1 and 2. Tender Returnables as the above elements are requirements.</p> <ul style="list-style-type: none">Valid copy of sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), orValid copy of B-BBEE Certificate issued by CIPC for EME's. ORValid certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency/valid copy of sworn affidavit in the case of QSE's& LME's must be submitted, or																				

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	<ul style="list-style-type: none">For JV's only valid certified copy of B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV.												
3.12 Designated materials and thresholds	Designated material thresholds are not applicable												
3.13 Functionality requirements	<p>Functionality requirements <i>are applicable</i></p> <p>The following criteria will be applicable for this transaction under functionality criteria:</p> <p><u>Technical Tender Criteria</u></p> <p>A weighted score-card approach is used to evaluate the technical compliance of the tenderers against the specification.</p> <p>The minimum threshold is 75% to qualify for further evaluation and will be scored out of 100.</p> <table><tr><th>Criteria</th><th>Part Marks</th><th>Total Score</th></tr><tr><td>NHBRC Registration, provide certificate of Registration.</td><td>No Part Marks</td><td>50%</td></tr><tr><td>1 Logbook for 2 x 4 Vehicle or provide a letter that the Vehicle will be leased. LDV</td><td>No Part Marks</td><td>10%</td></tr><tr><td>Supply at least one reference for each of the categories of work listed below. The references must be contactable, include a description of the works and an indication that the work was completed satisfactorily. A minimum of one reference is required per category to score full points. One reference that covers more than one category shall be deemed sufficient to cover all categories of work mentioned in the reference. A minimum score of 80% or</td><td>No references is 0</td><td>40%</td></tr></table>	Criteria	Part Marks	Total Score	NHBRC Registration, provide certificate of Registration.	No Part Marks	50%	1 Logbook for 2 x 4 Vehicle or provide a letter that the Vehicle will be leased. LDV	No Part Marks	10%	Supply at least one reference for each of the categories of work listed below. The references must be contactable, include a description of the works and an indication that the work was completed satisfactorily. A minimum of one reference is required per category to score full points. One reference that covers more than one category shall be deemed sufficient to cover all categories of work mentioned in the reference. A minimum score of 80% or	No references is 0	40%
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	32 points is required to comply with this requirement.		
	Bricklaying	2	
	Plastering	4	
	Waterproofing	2	
	Painting	4	
	Fencing – Diamond mesh	2	
	Fencing – Steel palisade	4	
	Plumbing	3	
	Glazing	3	
	Repair or replace doors and windows including frames	4	
	Install gabions (site preparation, foundation, geotextiles, compacting)	12	
	Total		100%
	The tender will be disqualified if an overall score of less than 75% is not achieved, and the tender will not be evaluated further.		
3.15 Evaluation of price	Prices will be evaluated as follows: <ul style="list-style-type: none"> • Inclusive of VAT • Making the specified correction for arithmetical errors • Excluding contingencies in any bill of quantities or activity schedule. • Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted. • Making a comparison of the Net Present Value of each adjusted tender based on the tendered programme (if provided) and prices, on the estimated effect of Price Adjustment Factors and rate of exchange fluctuations (if applicable) and on other evaluation parameters relating to uncertainty and risk, where applicable. • Unconditional discounts must be taken into account for evaluation purposes. • Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected. Prices will be scored out of 80 points		
3.17 Evaluation of B-BBEE	B-BBEE status will be scored out of 20 points in accordance with PPPFA. An Open tender will be issued to the market and the tender preferences are for EME, QSE & LME level 1 and 2 compliant		

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	tenderers who will be eligible to tender, these companies can be based anywhere within the boundaries of South Africa.												
3.18 Ranking of tenders	<p>Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder]:-</p> <ul style="list-style-type: none"> 80/20 (for estimated values above R30 000 and up to R50M inclusive of VAT) Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest. 												
3.19 Objective Criteria (if applicable)	<ul style="list-style-type: none"> Objective criteria not applicable 												
3.20 Reverse e-auction (if applicable)	Reverse e-auction is not applicable												
Contractual Requirements	<p>The following requirements form part of the <i>contractual requirements</i>, the criteria for which is attached hereto:</p> <p>The recommended supplier/suppliers still in consideration for this contract will be evaluated in terms of their contractual requirements. Should they not pass initially they will be advised of their shortcomings and have 7 working days in which to correct their shortcomings. Failure to correct the shortcomings within the stipulated time period will result in the supplier being deemed unacceptable in terms of their contractual requirements and will not be considered for the contract.</p> <p><u>SAFETY:</u></p> <table border="1"> <thead> <tr> <th>Item</th><th>Description</th></tr> </thead> <tbody> <tr> <td>1.</td><td>Annexure B Is the acknowledgement of Eskom's OHS rules and requirements form (Annexure B) signed by the Owner / CEO / MD and 2 witnesses?</td></tr> <tr> <td>2.</td><td>OH&S Organogram</td></tr> <tr> <td>3.</td><td>Occupational, Health and Safety Plan (OHS Plan) This must be relevant to the Scope of work, addressing the Eskom Health and Safety Specification.</td></tr> <tr> <td>4.</td><td>Baseline Risk Assessment to be in line with the Scope of Work (include Driving)</td></tr> <tr> <td>5.</td><td>Valid Letter of Good Standing or equivalent, i.e. COID, RMA or FEMA, (Nature of Business to be applicable) The letter of good standing must state the relevant services rendered by the company, e.g. Electrical</td></tr> </tbody> </table>	Item	Description	1.	Annexure B Is the acknowledgement of Eskom's OHS rules and requirements form (Annexure B) signed by the Owner / CEO / MD and 2 witnesses?	2.	OH&S Organogram	3.	Occupational, Health and Safety Plan (OHS Plan) This must be relevant to the Scope of work, addressing the Eskom Health and Safety Specification.	4.	Baseline Risk Assessment to be in line with the Scope of Work (include Driving)	5.	Valid Letter of Good Standing or equivalent, i.e. COID, RMA or FEMA, (Nature of Business to be applicable) The letter of good standing must state the relevant services rendered by the company, e.g. Electrical
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		related General Building work in line with the Scope of Work
	6.	Health and Safety Policy signed by the Owner / CEO or MD
	7.	SHE Competency; proof of the following training certificates and appointment letters for each of the following. <ul style="list-style-type: none"> • Health and Safety Representative, • First aid level 2, • Fire fighters, • Risk Assessor • Safety Officer (SACPCMP) Ref:32-136, 32-726 • Fall protection planner/developer • Fall rescuer • Incident investigator
	8.	Medical Fitness Certificate Certificates for the individuals listed for the above competencies. These may be completed by the Occupational Health Practitioner (ONLY)
	9.	Fall Protection Plan
	10.	Substance Abuse Procedure

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

ENVIRONMENTAL:

1	Environmental Management Plan for the Scope of work addressing the following as a minimum: Applicable to medium risk: <ul style="list-style-type: none"> • Waste management (reduction, re-use, recycling, disposal). • A WMP should include a description of the different waste streams expected on site, how these will be stored, transported and disposed off • The WMP should also deal with prevention of pollution, littering and waste minimization methods such as reuse, recycle and reduce • The WMP must be aligned with the National Environmental Management Waste Act 59 of 2008
2	Provide evidence of the discussion of the following (signed register): <ul style="list-style-type: none"> • Eskom Generic EMP for Operations and Maintenance, 240-7155318 • Eskom Requirements for safe processing, handling, storing, disposal and phase-out of asbestos and asbestos containing material, Equipment, and articles (asbestos Management), 32-303.
3	Applicable to medium risk: Identification of Environmental Aspects and Impacts: Identification, assessment, and control of activities that have or may have an impact on the environment. The methodology used must be provided together with the identified activities (if applicable) that have been identified, based on

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
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		<p>the scope of work, that have an impact on the environment and the controls that will be in place in contract execution.</p>																						
	4	<p>Environmental Competency (Consider scope of work, risks, Environmental Management Plan and applicability) CV's and qualifications / certificates e.g.</p> <ul style="list-style-type: none"> - Environmental Officer - Environmental Control Officer <p>Examples of evidence of Environmental competencies. <u>PROVIDE ONE OF THE FOLLIWIING:</u></p> <ul style="list-style-type: none"> • Internal Eskom training for Environmental Legislation, EA and EMP; • Tertiary degrees for Environmental studies • SHE REP; • SHEMTRAC 																						
<p>Or</p> <p>Part B</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;">1</td> <td>Annexure B Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?</td> </tr> <tr> <td style="text-align: center;">2</td> <td>ISO 14001 Environmental Management Standard certificate.</td> </tr> </table> <p><u>QUALITY:</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Category 4 : Quality Requirements</td> <td style="width: 40%;"> Deliverables to be evaluated indicator = 1 A : Quality Management System ments ISO 9001 </td> <td style="width: 20%;"></td> </tr> <tr> <td colspan="2" style="text-align: center;"> Objective evidence of documented QMS that is not certified but complies with ISO 9001 </td> <td style="text-align: center;"> Apply =1 </td> </tr> <tr> <td colspan="2">A.1 Quality Method statement based on scope.(Method Statement Template-Ref 240-126469599)</td> <td style="text-align: center;">1</td> </tr> <tr> <td colspan="2">A.2 Quality Policy Approved by top management.</td> <td style="text-align: center;">1</td> </tr> <tr> <td colspan="2">A.3 Quality Objectives Approved by top management.</td> <td style="text-align: center;">0</td> </tr> <tr> <td colspan="2">A.4 Control of documented information (i.e. document and record control)</td> <td style="text-align: center;">1</td> </tr> </table>			1	Annexure B Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?	2	ISO 14001 Environmental Management Standard certificate.	Category 4 : Quality Requirements	Deliverables to be evaluated indicator = 1 A : Quality Management System ments ISO 9001		Objective evidence of documented QMS that is not certified but complies with ISO 9001		Apply =1	A.1 Quality Method statement based on scope.(Method Statement Template-Ref 240-126469599)		1	A.2 Quality Policy Approved by top management.		1	A.3 Quality Objectives Approved by top management.		0	A.4 Control of documented information (i.e. document and record control)		1
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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

	A.5 Documented information for Control of nonconforming outputs	0
	A.6 Documented information for Nonconformity and Corrective action	1
	A.7 Documented information for Internal audit	1
	Section A Score Option 2	5
	SECTION B : Evidence of QMS in operation (Tender Quality Requirements - Ref 240-105658000)	Apply =1
	B.1 Documented information for defined roles, responsibilities and authorities - Organization chart and Responsibility matrix (must include but not limited to quality management function/role) (Clause 5.3 of ISO 9001:2015)	1
	B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)	1
	Section B Score	2
	SECTION C: Contract Quality Plan Requirements (Ref 240-105658000 and 240-109253698). Draft Contract Quality Plan specific to the scope of work as described in the tender documents (Ref ISO 10005)	
	NB! Draft Contract/Project Quality Plan has important QA deliverables	Apply (Yes=1) 1
	Section C Score	1
	SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be listed and evaluated here	
	E.1 Form A is completed and signed.	Apply (Yes=1) 1
	Section E Score	1

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

Financial Evaluation

- Public Interest Score (PIS) and the calculations to arrive at the score.
- Latest approved financial statements. AFS must be valid and not outdated, received within 18 months after year-end.
- A signed director's / member's report.
- Signed Auditors/ independent reviewers / accounting Officer's / compiler's report whichever is applicable.

Approved Annual Financial statements must comprise :

- o Statement of financial position (Balance Sheet)
- o Statement of comprehensive income (income statement)
- o Statement of changes in Equity
- o Statement of cash flows
- o Notes to the financial statements

- Name of Holding company if company is a subsidiary company.

Note:

Draft, bi-annual, management accounts and unsigned financial statements will NOT be accepted

SD & L:

Section 1: Pre-qualification Criteria for Preferential Procurement

SDL&I will apply the following pre-qualification criteria as envisaged in PPPFA 2017 regulation 4

a) Minimum BBBEE status level of contributor?

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

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
Level 1 and 2	

YES	NO
-----	----

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	<div style="border: 1px solid black; padding: 5px;"> <p>b) Is there BBEE category targeted for this enquiry?</p> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> </div> <div style="text-align: center;"> <input type="checkbox"/> </div> </div> <p style="text-align: center;">If Yes, BBEE category</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> EME, QSE and LME </div> </div> <div style="margin-top: 10px;"> <p>Tender Returnable if the above elements are requirements;</p> <ul style="list-style-type: none"> Valid copy of sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or Valid copy of B-BBEE Certificate issued by CIPC for EME's. OR Valid certified copy of the B-BBEE certificate / valid copy of sworn affidavit in the case of QSE's must be submitted, or Valid 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 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. <p>Tender Returnable if the above element is a requirement;</p> <ul style="list-style-type: none"> 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 </div> <div style="margin-top: 10px;"> <p>Section 3: SDL&I Undertaking</p> <div style="border: 1px solid black; padding: 5px;"> <p>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</p> </div> <div style="margin-top: 10px;"> <p><u>Enterprise or Supplier Development</u></p> <p>The main contractor will be required to propose development in the following areas;</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:50%;">Support Description</th> <th style="width:50%;">Tenderer Proposal</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"></td> <td></td> </tr> </tbody> </table> </div> </div>	Support Description	Tenderer Proposal		
Support Description	Tenderer Proposal				

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

	<p><u>Job Opportunities</u> Tenderer to indicate number of Jobs to be created and/or retained from this contract;</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <th style="width: 50%;">Number of Jobs to be created</th> <th style="width: 50%;">Number of Jobs to be retained</th> </tr> <tr> <td style="height: 40px;"></td> <td></td> </tr> </table> <p><u>Skills Development</u> Tenderers are required to propose against the following training initiatives;</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 50%;">Category</th> <th style="width: 20%;">Eskom Target</th> <th style="width: 30%;">Tenderer Proposal</th> </tr> </thead> <tbody> <tr> <td>N3/Matric Electrical engineering technician/Learnership (Course Certificate)</td> <td style="text-align: center;">3</td> <td></td> </tr> <tr> <td>N3/Matric Civil Engineering Technician/Learnership (Course Certificate)</td> <td style="text-align: center;">3</td> <td></td> </tr> </tbody> </table> <p><u>Note:</u> 1 student must be trained for every R2 million invoiced until the proposed tendered/negotiated skills figures are met.</p>	Number of Jobs to be created	Number of Jobs to be retained			Category	Eskom Target	Tenderer Proposal	N3/Matric Electrical engineering technician/Learnership (Course Certificate)	3		N3/Matric Civil Engineering Technician/Learnership (Course Certificate)	3	
Number of Jobs to be created	Number of Jobs to be retained													
Category	Eskom Target	Tenderer Proposal												
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N3/Matric Civil Engineering Technician/Learnership (Course Certificate)	3													
<p>Section 4: SDL&I Penalty and Performance Security</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations.</td> </tr> <tr> <td style="padding: 5px;"> <p><u>One of the following options will apply for SDL&I performance security:</u></p> <ul style="list-style-type: none"> 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. </td> </tr> </table>		Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations.	<p><u>One of the following options will apply for SDL&I performance security:</u></p> <ul style="list-style-type: none"> 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. 											
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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

Section 5: Reporting and Monitoring

- The suppliers shall on a bi-annual 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.

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)**

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

	<ul style="list-style-type: none"> 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. <u>(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)</u> 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.
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	Valid proof of CIDB with an GB or GB PE class of works at a CIDB grade 3 or higher.

Please note:

Eskom reserves the right to negotiate with preferred bidders after a competitive bidding process or price quotations; should the tendered prices not be deemed market-related.

Main contractors/ suppliers are discouraged from subcontracting with their subsidiary companies as this may be interpreted as subcontracting with themselves and / or using their subsidiaries for fronting. Where a main contractor subcontracts with a subsidiary this must be declared in tender documents.


A report containing a list of potential sub-contractors may be drawn by accessing the following link: www.csd.gov.za

“proof of B-BBEE status level of contributor” means-

- (a) the B-BBEE status level certificate issued by an authorized 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;**

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	Invitation to Tender Enquiry Number:KZN056	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	Mandatory returnable for evaluation	Mandatory returnable for contract award
Basic Compliance	The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline.	✓	
Pre-qualification criteria : <ul style="list-style-type: none"> B-BBEE levels (EME/QSE/LME Level 1 and 2) 	<i>B-BBEE certificate</i> <i>Affidavit/CSD number</i> <i>If not submitted by tender submission deadline, the tenderer will be disqualified</i>	✓ ✓	
Annexure A	Acknowledgement Form		✓
Annexure B	Tenderers Particulars	✓	
Annexure C	Integrity Pact Declaration form	✓	
Annexure D	Confirmation of receipt of addenda to enquiry document		✓
Annexure E (applicable for all suppliers including Foreign suppliers)	SBD 1- to be submitted with the tender at tender submission deadline	✓	
Annexure F	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	✓	
Annexure G	Standard Bidding Form - SBD4	✓	
	(SD&L) Undertaking		✓
*B-BBEE Certificates	The tenderers are required to provide relevant proof of same CSD report and copy of B-BBEE certificate at tender submission deadline; failing which the tenders will be deemed unacceptable and disqualified.	✓	
Tax Clearance Certificates	Foreign suppliers (who have answered yes to any of the questions in the relevant		✓

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

	section of SBD 1 and who have not provided a CSD or SARS e-filing pin number as per Annexure A, will need to provide a copy of a current valid tax compliance certificate		
• Tax Questionnaire	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE		✓
Compliance with Employment Equity Act	To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)		✓
Financial statements	<ul style="list-style-type: none"> Public Interest Score (PIS) and the calculations to arrive at the score. Latest approved financial statements. AFS must be valid and not outdated, received within 18 months after year-end. <p>A signed director's / member's report.</p> <ul style="list-style-type: none"> Signed Auditors/ independent reviewers / accounting Officer's / compiler's report whichever is applicable. <p>Approved Annual Financial statements must comprise:</p> <ul style="list-style-type: none"> Statement of financial position (Balance Sheet) Statement of comprehensive income (income statement) Statement of changes in Equity Statement of cash flows Notes to the financial statements <ul style="list-style-type: none"> Name of Holding company if company is a subsidiary company. <p>Note: Draft, bi-annual, management accounts and unsigned financial statements will NOT be accepted</p>	✓	

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

CSD	CSD Registration / Proof of registration to be submitted with your tender. This is mandatory	✓	
Shareholding	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)	✓	
NEC Documentation	Completed NEC3 Term Services Short Contract (TSSC) pricing schedule and contract data.	✓	
Additional documents required	<i>As per the required documentation stated in the tender documentation loaded on the Eskom Tender Bulletin</i>		

DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS

Safety	COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed compensation insurer (South African tenderers only)		✓
Quality	Documents that may be required per scope of work		✓
Environmental -	Documents that may be required as per scope of work		✓
Due Diligence	Financial statements etc. that may be required for due diligence purposes.		✓

DOCUMENTS REQUIRED FOR TECHNICAL UNDER FUNCTIONALITY

Technical (required for functionality scoring)	As stated in 3.13 above The Pass Mark is 75% of the Total Score	✓	
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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
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ANNEXURE A

ACKNOWLEDGEMENT FORM

Acknowledgement:

We are in receipt of the Invitation to Tender/Proposal from Eskom Holdings SOC Ltd and the following addenda issued by Eskom:

 -

We confirm that the documentation received by us is: ***(Indicate by ticking the box)***

Correct as stated in the Invitation to Tender / RFP Content List, and that each document is complete. ☐

Or: Incorrect or incomplete for the following reasons: ☐

Cataloguing Acknowledgement:

[Please select the relevant statement by ticking the appropriate box below]:

1. We agree to provide the cataloguing information as described in the *tender submission*. ☐
2. We have already supplied Eskom with the cataloguing information pertaining to this enquiry in a previous contract/order [***insert previous invitation to tender/RFQ number***] ☐ _____
3. We do not intend to provide the cataloguing information for the required scope / specifications. for the reasons stated hereunder: ☐

4. I confirm that I am a Distributor/Importer/Agent and my Principal, being the Original Equipment Manufacturer (OEM) is or is not in the position to supply cataloguing information for items. See attached letter from OEM confirming his position. ☐

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

Invitation to Tender : **KZN056**

Name of company/JV: _____

Country of registration_____

Name of contact person:_____

Contact details of contact person:


Tel (landline) _____

Cell phone_____

e-mail address_____

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

ANNEXURE B

TENDERER'S PARTICULARS

The *tenderer* must furnish the following particulars where applicable:

Indicate the type of tendering structure by marking with an 'X' (where applicable provide registration number):	
Individual tenderer	
Unincorporated Joint venture (registration number for each member of the JV)	
Incorporated JV	
Other	


Please complete the following:

Name of lead partner/member in case of JV	
CIPC Registration Number (for each individual company / JV member)	
VAT registration number (for each individual company / JV member)	
CIDB registration number (for each individual company/JV member if applicable)	
Shareholding information (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entity shareholders (provide full legal/trading name and respective identifying registration/trust numbers)	Include as separate tender returnable if required.
Contact person	
Telephone number	
E-mail address	
Postal address (also of each member in the case of a JV)	
Physical address (also of each member of the JV)	

If subcontractors are to be used, indicate the following for the main sub-contractor(s). Add to the list of applicable.

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

Name of contractor	
CIPC Registration number	
VAT registration number	
CIDB Registration number (if applicable)	
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_____
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
5. Alternatively, you may contact :Babalwa Mhlophe Tel: 011 800-3478.
6. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status_____

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

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 compete 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:-
 - 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
 - Cooperatives which are 51% owned by Black people
 - 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 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

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

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.

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

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

ANNEXURE C

INTEGRITY DECLARATION FORM

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.

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

Full Name & Capacity/ Position within tenderer (e.g. employee/Director/member/ owner/shareholder)	Identity Number	Confirm and provide details (including employee number) if you are a State/State owned entity employee/contractor/ director.	Full Names & Capacity/Position of Eskom employee/ director/ consultant and details of the relationship or interest(marital/ familial/personal/ financial etc.)	To your knowledge is this person involved in the evaluation/ adjudication/ negotiation of tenders

1. If any employee/director/member/shareholder/owner of tenderer/s is also currently employed by Eskom, state whether this has been declared and whether there is authorisation(Y/N) to undertake remunerative work outside public sector employment, and attach proof to this declaration.

2. Do the tenderer/s and other tenderer in this tendering/RFP process share a controlling partner or have any relationship with each other, directly or through common third parties? (Y/N) If Yes, attach proof to this declaration._____

2. DECLARATION OF FAIR TENDERING PRACTICES

This serves as a declaration that when goods/services are being procured, all reasonable steps have been taken to address and/or prevent the exploitation of the procurement process and the use of any unfair tendering practices.

A tender will be disqualified if the *tenderer/s*, or any of its directors have:


- abused the institution's procurement process (e.g. bid rigging/collusion)
- committed fraud or any other improper conduct in relation to such system.

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

Item	Question	Yes/No	No
1.1	Is the <i>tenderer/s(or any of its directors/members/shareholders)</i> listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector, or listed on the Register for Tender Defaulters		

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

	in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004) The Database of Restricted Suppliers and the Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.2	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?		
1.2.1	Provide details.		
1.3	Was the tenderer/s(or any of its directors/members/shareholders) prohibited from doing business with any International Financial Development/funding Agency or Lending Institution		

I, the undersigned, _____ 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)

I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is correct, that it is understood that the tenderer's tender/proposal may be rejected, and that Eskom will act against the tenderer should any aspect of this this declaration prove to be false.


Signature:	
Designation and capacity in which signing:	
Date:	

Joint Ventures

I, the undersigned, _____ hereby confirm that acting in the capacity of lead partner, I am duly authorised to sign all documents in connection with the tender and any contract resulting from it on behalf of _____ (insert the full legal name of the JV).

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is correct, that it is understood that the JV's tender/proposal may be rejected, and that Eskom will act against the JV should any aspect of this this declaration prove to be false.

Signature:	
Designation and capacity in which signing :	
Date:	

(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).

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

ANNEXURE D



CONFIRMATION OF RECEIPT OF ADDENDA TO THE ENQUIRY

We confirm that the following communications received from the *Employer* before the submission of this **tender**, amending the tender documents, have been taken into account in the **tender**.

Item	Date Received	Title or Description
1.		
2.		
3.		
4.		
5.		
6.		


(Attach additional pages if more space is required)

Name and Designation

Signature

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

ANNEXURE E

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)					
SUPPLIER INFORMATION					
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:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		


PART B TERMS AND CONDITIONS FOR BIDDING

1.	BID SUBMISSION:
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
1.3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
2.	TAX COMPLIANCE REQUIREMENTS
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
2.6	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3.	QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS
3.1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
<p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</p>	

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

ANNEXURE F

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 not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 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

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

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:-


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

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

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		
OR		
Any EME		
Any QSE		

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
☐ One person business/sole propriety
☐ Close corporation
☐ Company
☐ (Pty) Limited
 [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
☐ Supplier
☐ Professional service provider
☐ Other service providers, e.g. transporter, etc.
 [TICK APPLICABLE BOX]


8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- 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;

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

- 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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>	<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p>
--	---

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

ANNEXURE G

SBD4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise,

employed by the state?


YES/NO

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**


2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

other related enterprise whether or not they are bidding for this contract?

YES/NO

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, _____ the _____ undersigned,
(name)..... in submitting the
accompanying bid, do hereby make the following statements that I certify to be true
and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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	Invitation to Tender Enquiry Number:KZN056	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

Date

.....

Position

Name of bidder

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