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| **Description/ Scope of Work** | "The provision of continuous threat exposure management (CTEM) professional managed services for a period of five (5) years." |
| **Duration of the Project** | 5 years |

**Section 1: Specific Goals**

A maximum of 10/20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, the contract must be awarded to the tenderer scoring the highest points.

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| **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 |

**NB: The following documents are required to claim preference points,**

* Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPS affidavit

**Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but’**

* May only score point out of 90/80 for price
* Scores 0 points out of 10/20 for specific goals

**Section 2: Objective criteria**

The inclusion of objective criteria is not mandatory but a condition for contract award. If the tenderer does not meet objective criteria; it may lead to the second-ranked tenderer being recommended for

award.

**2.4 Mandatory Subcontracting as condition of award: APPLICABLE**

Subcontracting is not mandatory at tender closing for contracts above R30 million but is a condition for contract award, where feasible.

Tenderers shall subcontract a minimum of 30% of the contract value to the following designated groups:

* an EME or QSE which is at least 51% black owned. Preference will be given to black people living in rural or underdeveloped area or townships.

**NOTE 1:** Tenderers shall submit the following mandatory returnable for Subcontracting:

* Subcontracting agreement signed by both with subcontractors’ company registration documents (CK and B-BBEE certificate or sworn affidavit) or
* Copies of sub-contracting contracts (agreements) or copies of letters from the tenderer to the sub-contractors, stating the intent to sub-contract. The Tenderer should sign both documents and the Sub-contractor(s) earmarked.

Potential scope to be subcontracted and/or outsourced:

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| Activities for subcontracting in the local scope of work | Percentage of local scope of work |
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Subcontracting, in this instance, will be treated as a condition for contract award. A supplier awarded a contract may not subcontract more than 25% of the value of the contract to any other entity that does not have an equal or higher B-BBEE status level of a contributor than the supplier concerned unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract

**Section 3:** **SDL&I Objectives in line with Reconstruction and Development Programme (RDP) Goals**

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| Tenderers who complete and submit the objectives as required, but who do not meet Eskom’s targets, will not be disqualified. SDL&I objectives do not form part of scoring but commitments will form part of contractual obligations |
| 1. **Transformation – BBBEE Improvement or Retention Plan:**   Transformation remains an area of focus, where Eskom continuously strives to align itself with national transformation imperatives to unlock growth, drive industrialization, create employment and contribute to skills development.  Eskom encourages its suppliers to constantly strive to improve their B-BBEE rating. Whereas Tenderer/s will be allocated points in terms of a preference point system based on specific goals, Eskom also requests that tenderer/s submits their B-BBEE improvement or retention plan within 30 days of signing the contract.  Tenderer/s are therefore requested to indicate the extent to which they will maintain (only if the respondent is a Level 1) or may improve/maintain their B-BBEE status over the contract period if their B-BBEE status is level 2 or 3. Tenderer/s with a B-BBEE status level 4 at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of B-BBEE Level 3 by the end of the first year of the contract and thereafter improve their B-BBEE status level or migrate by one level higher.  Tenderer/s with a B-BBEE recognition status of Level 5 to Level 8 or non-compliant at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of Level 4 by the end of the first year of the contract and thereafter improve at least one B-BBEE Level higher of each year from the second year of the contract.  Tenderer/s are requested to submit their B-BBEE Improvement Plan as an essential document within 30 days of signing the contract and to submit the following documents as a condition for contract award:  • Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown  • Certified ID copies of shareholder(s)  • Proof of Disability (where applicable)  **NB:** A valid B-BBEE certificate or Sworn Affidavit is a condition for contract award, if your company’s annual Total Revenue is R10 Million or less you qualify as an Exempted Micro Enterprise therefore you can submit Sworn Affidavit. If your annual Total Revenue is R50 Million or less, you qualify as Qualifying Small Enterprise and must comply with all the elements of QSE score card relevant to your sector unless an entity is at least 51% Black owned you are required to obtain a Sworn affidavit. If your Annual Total Revenue is above R50m you need to submit a Valid B-BBEE certificate   1. **Local Procurement Content**   “Local Procurement Content” refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spending minus the imported component.  Tenderers are required to submit their proposals in the table below.   |  |  |  | | --- | --- | --- | | **Local Procurement Content** | **Eskom target** | **Tenderer Proposal** | | 50% |  |   The proposal above should consider the source of origin (e.g. Country of software copyright registration; country of hardware manufacturing plant; citizenship of resources deployed) of the scope of work as detailed below:   |  |  |  | | --- | --- | --- | | **Scope of Work** | **Import content percentage** | **Local content percentage** | | Professional services |  |  | | Hardware |  |  | | Software licenses subscription |  |  | | Software maintenance and support |  |  | | Other expenses |  |  |  1. **Jobs.** Tenderers are required to submit proposals for the type and number of jobs that will be created and retained in South Africa as a direct result of being awarded a contract.  |  |  | | --- | --- | | **Type of Jobs to be created** | **Number of Jobs to be created** | |  |  |  |  |  | | --- | --- | | **Type of Jobs to be retained** | **Number of Jobs to be retained** | |  |  |  1. **Skills development**   Tenderers are required to submit proposals in a table below for developing the skills of unemployed candidates in the country. Skills development is intended to address Eskom’s core, scarce and critical skills and the Mict SETA scarce and critical skills. These skills are also included in a 2024 list of occupations in high demand as stipulated in the Government Gazette 50510. Candidates shall be from all provinces in the country, and their composition shall be representative of the population demographics of South Africa   |  |  |  | | --- | --- | --- | | **Skill type / Occupation** | **Eskom target** | **Proposed Number of Candidates** | | Cloud security analyst | 10 |  | | CompTIA SecOT+ | 10 |  | | Certified Web application security testing | 10 |  | | Cyber security analyst | 5 |  | | Cloud security engineer | 5 |  |   The process of developing these skills shall involve the participation by tenderers directly and through their supply network. In certain cases, the SETA’s accredited training providers can be approached to participate in developing critical and scarce skills.  Note: Tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives. |

**Section 4: SDL&I Retention and Performance Security**

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| Eskom will apply a retention of 2.5% of the invoice amount for failure to meet SDL&I obligations. |
| As security for the fulfilment of SDL&I obligations, Eskom will apply a retention of 2.5% on every invoice amount (excluding VAT) for failure to submit SDL&I performance reports every quarter; or failure to meet the SDL&I obligations in this contract. The retained amounts shall only be released to the contractor upon:   * The tenderer will be expected to submit their performance reports on a quarterly basis towards SDL&I obligations. * SDL&I will assess the submitted performance report against the Implementation plan then issue a compliance report. * Should the report yield non-compliance results, Eskom will retain 2.5% of the invoice amount. * Should the compliance results be positive, Eskom will release the retained funds to the tenderer. |

**Section 5: Reporting and Monitoring**

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| * The suppliers shall on a half yearly 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 30 (thirty) 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. This will be used as a reference document for monitoring, measuring and reporting on the supplier’s progress in delivering on their stated SDL&I commitments |

**Section 6: General Information on Validity of Sworn Affidavits**

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

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| |  |  |  | | --- | --- | --- | | Name of tenderer: |  |  | | Tenderer representative:  Representative signature: |  |  | |  |  |  | | Date: | |  |  |
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