

Section 1: Pre-qualification Criteria

Failure to meet Pre-qualification at tender stage will lead to disqualification

1.1 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	

1.2 Is there BBBEE category targeted for this enquiry?

If Yes, BBBEE category

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
EME/QSE	

Tender Returnable if the above elements are requirements;

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

1.3 Minimum subcontracting requirement for this?

If Yes, what is the minimum percentage?

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Tender Returnable if the above element is a requirement;

- Letter of intent or any other requested document indicating commitment and the percentage required must be submitted as a tender returnable.
- Sub-contracting can only be concluded with 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

Section 2: Mandatory Compliance for Contract Award

The following requirements are mandatory compliance for contract award and submissions can be clarified during evaluations or negotiated before contract is awarded

2.1 Local Content Designation

a) Is this Commodity or part of it a Designated Sector?

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Material	Components	Local Content Threshold
N/A	N/A	N/A

Any Exemption to the above Designation Requirement must be obtained from The Dtic prior to tender close.

NOTE 1: If applicable SBD 6.2 Declaration Form and Annex C (Local Content Declaration-Summary Schedule) are a tender returnable and will be mandatory for contract award.

2.2 CIDB Skills Development

a) Is there CIDB compulsory training?

If Yes, what is the % of the Construction Skills Development Goal % (CSDG)

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the answer above is Yes, it will then be mandatory for the supplier to match Eskom's targets

Criteria	Eskom Target	Tenderer Commitment
CSDG Percentage	N/A	
Description	N/A	

Mandatory Compliance for Contract Award continues.....

2.3 BBBEE Compliance

Is there minimum BBBEE level targeted?

If Yes, what is the BBBEE status targeted for this transaction (contractor/s will be required to submit plans to achieve the target level if not met at contract award)

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
Successful tenderer to maintain a B-BBEE Recognition Level of 1 for the duration of the contract.	

2.4 Subcontracting Requirements

Is there a requirement for subcontracting?

If Yes, what is the targeted subcontracting percentage

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>
N/A	

2.5 Enterprise Development

Are there specific ED requirements? (This ED intervention can either be separate or additional to subcontracting requirements, but duplication should be avoided)	YES	NO
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes, the main contractor is required propose development in the following areas or against the following Eskom's targets:

Eskom's Target	Tenderer Proposal
N/A	

2.6 Skills Development

Are there Skills Development targets?	YES	NO
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes, the contractors are required to propose skills development against Eskom's targets:
 Busaries Opportunites

Eskom Target	Number	Entry Level	Outcome
N/A	N/A	N/A	N/A

Section 3: SDL&I Penalty and Performance Security

<p>Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations.</p> <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. Panels- Eskom will apply 2.5% retention on every invoice (excluding VAT) after all cumulative task orders awarded to the Contractor/Service Provider that have reached a stipulated threshold as security for the fulfilment of the SDL&I obligations.

Section 4: Reporting and Monitoring

--

- The suppliers shall on a monthly/quarterly 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 30 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)**
- 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.