

	<div>Clarification Meeting Minutes</div> <div>For</div> <div>THE PROVISION OF GOVERNANCE, COMPLIANCE AND ASSURANCE (GC&A) SERVICES FOR INFRASTRUCTURE CONSTRUCTION PROJECTS ACROSS ESKOM ON BEHALF OF GROUP CAPITAL DIVISION (GCD) FOR A PERIOD OF FIVE (5) YEARS</div>	Template Identifier	240-54076329	Rev	8
		Effective Date	September 2022		
		Next review date	September 2025		
		Group Capital Division			

Meeting Name: THE PROVISION OF GOVERNANCE, COMPLIANCE AND ASSURANCE (GC&A) SERVICES.			
Date:	Time:	Venue:	Meeting No.:
28 November 2025	10h00-12h00	MS Teams	01/2025

Item	Subject & salient points	Decisions & Action items	Responsibility	Target date
1.	Safety and Emergency Evacuation Procedure The emergency evacuation procedure was presented procurement representative, who informed attendees to ensure they were in safe environments. She advised that should anyone experience any safety issue, they should raise their hand or communicate via the meeting chat.		Procurement representative	
2.	Opening: 2.1 Welcome Thandiwe welcomed all attendees to the briefing session for the tender issued on the 18th. The tender is for the provision of governance, compliance and assurance		Thandiwe Gxabuza Eskom representative	

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	<p>services for infrastructure projects across Eskom on behalf of Group Capital.</p> <p>2.2 Apologies and quorum</p> <p>No apologies received</p> <p>2.3 Attended the meeting</p> <p><u>Eskom Team</u></p> <ul style="list-style-type: none"> • Technical Representative • Contract Management • Environmental Representative • Health and Safety Representative • Quality Representative • SDL&I Representative • QS(Price) Representative • Commercial Representative <p><u>Tenderers</u></p> <p>Open tender</p>			
3.	Declaration of interest		ALL	

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	<p>Eskom representative advised the tenderers that her cross functional team has confirmed that they have no conflict in this tender</p> <p>For tenderers there is a declaration of interest issued out with the tender and they should complete the DOI when they submit their tender</p> <p>If any tenderer has a need to declaration a conflict during the meeting, they were requested to feel free and do declare such conflict.</p>			
4.	<p>Eskom team presented the requirements on the high-level and presentations will be loaded on both website.</p> <p>Topics for discussion:</p> <ul style="list-style-type: none"> Technical, NEC, SHEQ requirements, Supplier Development Localisation and Industrialisation (SDL&I) obligations, Pricing schedule and the Invitation to tender. 	<p>The Provision of Governance, Compliance and Assurance (GC&A) services for infrastructure construction projects across Eskom on behalf of Group Capital Division (GCD) for a period of five (5) years.</p>		

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	<p><u>Technical Presentation:</u></p> <p>Technical Representative provided a detailed technical clarification of the scope. She outlined the purpose of the required services, which is to articulate the services expected from the contract partner over a five-year period. Resources will be engaged on a task-order basis, fully aligned with Eskom's strategic objectives for capital projects</p> <p>She explained that the Group Capital Division (GCD) is responsible for planning, developing, and executing capital projects across Eskom. The division manages complex relationships with the shareholder, regulatory bodies, stakeholders, and internal clients.</p> <p>She stated that the GCD client offices include real estate, group technology, renewables generation, distribution and eskom subsidiaries</p> <p>Technical Representative explained that the GC&A Business Unit has been established to provide independent project reviews, data</p>		Technical Representative	

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	<p>validation, assurance to the eskom board and executive, centralised oversight to support accountability and continuous improvement</p> <p>Technical Representative described that capital projects typically involve technologies such as coal-fired power, hydro and pumped storage, open and combined-cycle gas turbines, nuclear, renewables, energy storage, emissions abatement and distribution and transmission infrastructure</p> <p>These projects involve multiple disciplines including project and programme management, procurement, engineering, construction, commissioning, project controls (cost, schedule, risk), and support functions such as finance, QS, SHEQ, and legal compliance.</p> <p>The tender requires resources with minimum electricity-utility expertise, with experience levels defined as senior Level: 15–20 years, expert Level: 20–25 years, local and international exposure.</p>			

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	<p>The skills needed include data management, report writing, project management, engineering disciplines (mechanical, electrical, power plant, commissioning, construction, cost engineering, claims, etc.) and industrial engineering and business integration</p> <p>Technical Representative reminded bidders that mandatory criteria must be clearly marked, all references must be relevant to the scope, compliance with mandatory criteria is required to progress to functional evaluation and that a minimum score of 70% functionality is required to qualify for further evaluation</p> <p>She concluded by saying that the contract will run for five years, with resources deployed as needed.</p> <p><u>Question from Tenderer</u></p> <p>Tenderer asked whether an organisation that has both project management advisory services and an engineering consulting</p>			

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	<p>division might be perceived as having a conflict of interest. She sought clarity on whether such a business structure is acceptable to Eskom, and whether any mitigation measures would be required.</p> <p>Technical Representative referred the question to the Contracts Management Team and requested that they respond formally to ensure accuracy and compliance. A formal response will be provided to the bidder and be posted on both websites.</p> <p><u>Question from Tenderer:</u></p> <p>Tenderer then raised a question regarding the term “assurance” as used in the tender. He requested clarity on whether assurance referred to providing an independent opinion on the project or whether it implied reviews aligned to a prescribed standard.</p> <p><u>Eskom Response:</u></p>		<p>Technical Representative</p> <p>Procurement Representative</p>	

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	<p>Technical Representative responded that assurance relates to the independence of the GC&A business unit, which does not participate in project delivery. She further explained that the methodologies, tools and processes to be used will be provided by Eskom as part of the contract, and the service provider will be expected to propose improvements and support transfer of skills.</p> <p>Procurement Representative clarified that Eskom intends to appoint a single company, not a panel, as indicated in the invitation to tender.</p> <p><u>Question from Tenderer:</u></p> <p>Another question from Tenderer sought clarity on the reference to “international” resources in the schedule of resources. He questioned whether this referred to individuals based outside South Africa or those with international experience.</p>		<p>Technical Representative</p> <p>Procurement Representative</p>	

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	<p>work will not be held to full internal audit standards.</p> <p><u>Question from Tenderer:</u></p> <p>Tenderer also questioned whether the levels of seniority stated in the tender specifically the 20 to 25 years' experience range were fixed. He pointed out that such seniority levels may limit the available talent pool.</p> <p><u>Eskom Response:</u></p> <p>Technical Representative responded that the experience levels were envisaged based on the nature of the work, but flexibility is required as it is not possible to forecast exact needs over a five-year period. She noted that variations may be acceptable, for instance by combining more junior resources over a longer period instead of a single highly experienced resource. She confirmed that final clarification would be supported by the Contracts Management Team.</p>		Technical Representative	

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	<p>Technical Representative returned with a question regarding subcontracting requirements. He sought clarity on whether the tender obliges the main service provider to subcontract specifically with a small environmental services consulting firm, based on wording in the tender documents.</p> <p>SDL&I Representative responded, clarifying that the reference to a “small environmental services firm” resulted from a copying error. The correct requirement is that the main contractor must mentor and develop a small firm of similar nature, specifically one involved in governance, compliance, assurance or management consulting services. He noted that such a firm may also operate in legal, project management, quality assurance or related multidisciplinary fields, as long as the mentorship aligns with the scope of work.</p>		SDL&I Representative	

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	<p><u>NEC Presentation:</u></p> <p>Contract management Representative provided an overview of the contracting approach. He confirmed that the contract to be used for this service is the NEC Professional Services Contract. The contract duration is five years from appointment. The main option under the NEC is Option G, which is a term contract. The contract will be rate-based, informed by the final negotiated and contracted rates submitted through the pricing schedule. These rates will be applied to individual task orders issued throughout the contract period.</p> <p>Contract management Representative clarified that services will be requisitioned through task orders, each containing its own scope, costing, timelines, and resourcing requirements. Proposed resources will require approval from the relevant discipline or functional managers before a task order is finalized. He further noted that secondary</p>		Contract management Representative	

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	<p>requirement aligns with the five-year contract duration.</p> <p><u>Eskom Response:</u></p> <p>SDL&I Representative responded, explaining that it can be unemployed graduates. Training may be linked to task orders or run across the full contract duration. Service providers may register graduates for learnerships or skills programmes with the relevant SETAs, qualifying for reimbursements where applicable. He emphasised that tenderers must price for this requirement upfront and that Eskom seeks transparency to avoid later claims of unpriced obligations.</p> <p><u>Question from Tenderers:</u></p> <p>Tenderer asked whether the subcontracting requirement was a minimum or maximum of 30%.</p> <p><u>Eskom Response:</u></p>		SDL&I Representative	

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	<p>SDL&I Representative clarified that subcontracting must be at least 30%, but tenderers may subcontract more for empowerment purposes, provided the technical capability is not compromised.</p> <p><u>Question from Tenderer:</u></p> <p>Tenderer then asked about the 1% CSI spend, specifically whether tenderers could use their existing corporate CSI plans.</p> <p><u>Eskom Response:</u></p> <p>SDL&I Representative responded that Eskom will be prescriptive regarding CSI funded through the contractual 1% requirement. Such spend must be approved by Eskom and aligned to the contract. However, tenderers may use their broader corporate CSI plans separate from the contractual CSI requirement, provided these initiatives are aligned with the contract and discussed with Eskom. He explained that the contractual CSI</p>		SDL&I Representative	

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	<p>spend relates to local expenditure, while the “philanthropic” CSI of the tenderer may exceed the 1% and is at the discretion of the service provider.</p> <p><u>SDL&I Presentation:</u></p> <p>SDL&I Representative acknowledged that attendees had already familiarized themselves with the requirements related to SDL&I. He emphasized that public procurement in South Africa is highly regulated, referencing Section 217(1) of the Constitution, which mandates fair, equitable, transparent, competitive, and cost-effective procurement processes. He further highlighted Section 217(2) and (3), which enable preferential procurement as a mechanism to address historical inequalities. This constitutional foundation informs the Procurement Policy Framework Act and the application of the Preferential Procurement Policy Framework Act (PPPFA).</p>		SDL&I Representative	

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	<p>SDL&I Representative explained that all procurement processes should leverage opportunities for empowerment and development. Within the context of this consulting services tender, opportunities for skills development and sub-consulting are prioritized, particularly ensuring that any expertise sourced internationally is paired with local skills transfer. He outlined the preferential point-scoring system applicable under BBBEE requirements: South African or locally based entities with valid B-BBEE certificates from SANAS accredited agencies will score according to their level, while non-compliant foreign companies will score zero. He said that affidavits may be submitted in place of certificates for entities with turnover below the prescribed thresholds, provided all legal requirements of affidavits are met at tender close.</p> <p>Regarding objective criteria, SDL&I Representative stated that these criteria may justify awarding the contract to a tenderer</p>			

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	<p>who is not the highest ranked, in accordance with Clause 2(1)(f) of the PPPFA. This may occur if the highest-ranked tenderer fails to meet mandatory commitments relating to sub-consulting or skills development. He clarified that non-compliance at tender close does not immediately render a tender non-responsive; bidders will be granted five working days to correct omissions.</p> <p>SDL&I Representative detailed the requirement for a minimum sub-consulting commitment of 30% to an EME or QSE that is at least 51% black-owned or black-women-owned. Foreign companies, although non-compliant in B-BBEE terms, must still commit to this requirement. Failure to commit at tender close will trigger the five-day clarification period. He then presented the skills development obligations, noting that Eskom, as a learning organization, uses procurement expenditure to facilitate professional development. Skills development commitments must align with</p>			

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	<p>professional registration pathways and be relevant to the scope of work. A total of 50 graduates or trainees over the contract term is expected, including both Eskom employees and unemployed graduates.</p> <p>SDL&I Representative also outlined the National Industrial Participation Programme (NIPP), which becomes applicable when imported human capital reaches or exceeds a cost-to-company of USD 5 million, whether through a single task order or cumulatively over the contract term. In such cases, suppliers must commit to offset obligations. He noted that existing commitments under SDL&I, particularly sub-consulting and skills development, would typically satisfy NIPP requirements.</p> <p>SDL&I Representative confirmed that three objective criteria apply, which include skills development, sub-consulting, and NIPP (where applicable). Bidders failing to comply</p>		SDL&I Representative	

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	<p>at tender close will receive a five-day period to rectify their submissions. Once awarded, contractors are required to maintain or improve their B-BBEE level. If a bidder's B-BBEE status declines before contract award, they will be granted six months to restore their previous level.</p> <p>SDL&I Representative addressed the reporting and performance monitoring requirements. Within 30 days of contract award, contractors must submit an implementation schedule covering sub-consulting and skills development commitments. Quarterly progress reports will be submitted using Eskom provided templates. Variances from commitments will trigger corrective action processes. Persistent non-performance, despite early warnings, may result in Eskom retaining 1.5% of each invoice until corrective measures are implemented. Monitoring will continue throughout the contract duration.</p>			

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	<p><u>Health and Safety Presentation</u></p> <p>Health and safety representative began by reinforcing Eskom's core health and safety values, emphasizing the organization's commitment to "Zero Harm." He reiterated that this principle underpins Eskom's approach to ensuring that employees, contractors, partners, members of the public, and the environment are protected from harm arising from Eskom's operations. Eskom's priorities include achieving zero fatalities, zero injuries, and zero environmental incidents, supported by a culture of doing things correctly the first time and delivering projects on time, within budget, and to the required quality standards.</p> <p>Health and safety representative highlighted that Eskom maintains formalized management systems across its operations, including ISO 45001 for occupational health and safety. Leadership commitment plays a</p>		Health and safety representative	

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	<p>critical role in reinforcing Eskom's SHE culture from the highest levels of the organization down to operational teams. Bidders were reminded that their proposals and operational methodologies must align with this culture and demonstrate clear commitment to health and safety compliance when engaging with Eskom.</p> <p>Health and safety representative noted that a detailed health and safety requirements document had been included in the tender pack. He explained that Eskom may conduct oversight activities during the course of the contract to verify compliance, and such oversight will be carried out through an agreed, collaborative process. As part of the tender submission, suppliers must complete and sign the Health and Safety Requirements Template (HRP). By signing, bidders acknowledge Eskom's OHS legal and operational requirements and commit to aligning with them. This document must be</p>			

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	<p>signed by the organization's most senior executive, preferably the CEO.</p> <p>Health and safety representative further outlined additional submission requirements, including an organizational structure showing key SHE roles and a health and safety resource plan detailing appointees such as safety personnel and first aiders. Bidders must submit a risk assessment and a risk register relevant to the scope of work, using either existing registers or new ones developed once Eskom provides site specific information. He noted that new risks arising in Eskom's working environment must be incorporated into updated registers.</p> <p>A valid Letter of Good Standing from the Compensation Fund or an equivalent recognized institution is mandatory. Additionally, bidders must submit their organizational SHE policy, signed by their CEO. Health and safety representative also noted that a Section 37(2) Agreement</p>		Health and safety representative	

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	<p>template had been included in the pack; this legal document must be signed before contract award by the successful bidder.</p> <p><u>Environmental Representative Presentation:</u></p> <p>Environmental Representative introduced the environmental compliance obligations required for the project. He stated that bidders must submit a signed Environmental Acknowledgement Form, confirming their commitment to comply with all applicable environmental regulations relevant to the contract.</p> <p>Environmental Representative noted that Eskom is ISO 14001 certified and integrates environmental considerations into all operational activities. Accordingly, bidders must submit either an integrated SHEQ policy or a standalone environmental policy, signed by their most senior company representative. If the bidder maintains an ISO 14001–certified environmental management system, proof of</p>		Environmental Representative	

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	<p>certification and conformance to the standard will meet the minimum requirements.</p> <p>Environmental Representative confirmed that these requirements are considered minimum expectations for this contract and are essential for ensuring alignment with Eskom's environmental management practices.</p> <p><u>Quality Presentation:</u></p> <p>Quality Representative introduced the Eskom Supplier Quality Requirements, referring to the comprehensive documentation provided in the enquiry pack. He explained that Eskom operates under an ISO 9001–certified quality management system, and Clause 8.4 of the standard requires Eskom to control outsourced processes and ensure that suppliers maintain adequate quality management controls. As an SOE, Eskom must also ensure that its supplier evaluation processes comply with the PPPFA, ensuring fairness, transparency, and risk-based selection.</p>		Quality Representative	

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	<p>Quality Representative emphasized that quality at Eskom is defined as “zero deviation from requirements,” as deviations lead to cost overruns, delays, and operational risks. Therefore, suppliers must demonstrate structured and functional quality systems aligned with Eskom’s standards.</p> <p>Quality Representative outlined the governance frameworks guiding Eskom’s supplier quality requirements, including the SHEQ Policy, procurement specifications, ISO 9001, and ISO 10005 guidelines for quality plans. He explained that projects are categorized based on value and risk, and this contract falls under Category 2—high value, low risk. Category 2 does not require full ISO 9001 certification; however, bidders must demonstrate that their quality management system is aligned with ISO 9001 and supported by adequate documentation and evidence of implementation.</p> <p>For Category 2, bidders must submit specific documents including QMS Manual, quality Policy and Objectives, document Control</p>			

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	<p>Procedure, records Register aligned with ISO 9001, Internal Audit Procedure and Non-conformance and Corrective Action Procedures</p> <p>These documents must demonstrate that the supplier has a functioning and structured QMS. Additionally, evidence of QMS implementation is required, including a quality organogram, responsibility matrix, criteria for managing providers, recent internal audit reports, management review minutes, and related registers.</p> <p>Quality Representative also outlined the requirement for a draft Contract Quality Plan developed in accordance with ISO 10005, using templates provided in the enquiry pack. Bidders must also submit a draft Quality Control Plan identifying inspection points, hold points, and acceptance criteria.</p> <p>Finally, bidders must complete and sign Form A, acknowledging all quality obligations and committing themselves to compliance. This</p>			

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	<p>signed form must be submitted with the tender documents.</p> <p><u>Pricing Schedule:</u></p> <p>Pricing Representative explained that the tender is strictly a rate-based contract, requiring bidders to provide hourly rates per resource category as specified for each business unit. It was emphasised that the “international resources” category refers to resources with international experience and not necessarily individuals currently based overseas. Bidders may price using the foreign currency options provided in the system’s dropdown menu, though all prices will be converted to South African Rand because it is a South African contract.</p> <p><u>Question from Tenderer:</u></p> <p>Tenderer raised a question regarding the minimum years of experience, asking whether Eskom requires only senior</p>		Pricing Representative	

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	<p>resources with more than 15 years of experience or if blended teams comprising both senior and junior personnel would be acceptable.</p> <p><u>Eskom Response:</u></p> <p>Technical Representative explained that the experience requirement was driven by the level of expertise needed for the work at Eskom. While the aim is to deploy highly experienced individuals, the requirement is not entirely rigid.</p> <p>Contract Management Representative advised that bidders should not submit blended rates. Blended rates would make evaluation difficult and inconsistent across suppliers. Instead, bidders must submit per-resource rates exactly as listed in the pricing schedule.</p> <p>Pricing Representative added that deviation from the schedule would hinder Eskom's ability to conduct a fair evaluation.</p>		<p>Technical Representative</p> <p>Contract Management Representative</p> <p>Pricing Representative</p>	

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	<p><u>Invitation to Tender:</u></p> <p>Eskom Representative proceeded to the final presentation on the Invitation to Tender (ITT). It was noted that the ITT was first issued on 18 November, with an amended version released on 21 November on both websites. Suppliers were reminded to regularly check the websites for clarifications, which will be posted until five working days before the tender closing date.</p> <p>Eskom Representative announced a revised closing date for the tender: 19 January at 10:00. A detailed walk-through of the ITT was provided, highlighting key sections such as Annexure 1.1 and 1.3, the tendering instructions, and the mandatory returnable documents. Suppliers were urged to read the ITT carefully, including the “Guide to Tendering” and the acknowledgement form, both of which must be submitted.</p>		Thandiwe Gxabuza	

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	<p>Eskom Representative emphasised that all documents marked as mandatory must be submitted at the time of tender closing. Failure to submit these will result in disqualification, as Eskom will not request disqualifiable items after closing. For non-disqualifiable items, bidders will have five working days to respond to clarification requests during evaluation. Suppliers were encouraged to start preparing these documents early.</p> <p>Eskom Representative highlighted the performance bond list of approved institutions and requested the bidders to select any two institutions from the list. Bidders must also submit the pro forma acceptance of Eskom's standard performance bond template as part of their submission.</p> <p><u>Question from Tenderer:</u></p> <p>Tenderer raised a question regarding the required professional bodies for expert engineers.</p>			

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	<p><u>Eskom Response:</u></p> <p>Pricing Representative confirmed that the primary bodies required are ECSA and SACPCMP, as reflected in the pricing schedule.</p> <p>The Chairperson concluded the session by thanking all attendees and encouraging them to submit complete and compliant tenders</p>		Pricing Representative	
5.	<p>Closure</p> <p>The meeting was adjourned at 11h40</p>		Thandiwe Gxabuza	

Signed as a correct record: Thandiwe Gxabuza 02/12/2025
Chairman **Date**

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