

	<b>Invitation to Tender</b>  <b>KZN130</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

**ESKOM HOLDINGS SOC LTD**

**INVITATION TO TENDER**

**FOR**

**The Provision of Technical Facilities Management Services for the award of a panel contract consisting of nine (9) contractors in the Central East Cluster - KZN Operating Unit for a period of forty-one (41) months.**

<b>Tender number</b>	<b>KZN130</b>
<b>Issue date</b>	<b>4 April 2024</b>
<b>Closing date and time</b>	<b>3 May 2024</b>
<b>Tender validity period</b>	<b>8 months from the closing date and time</b>
<b>Clarification meeting</b>	<p><b>DATE: 15 April 2024</b>  <b>TIME: 10h00 AM.</b></p> <p><b>Refer to 2.16 for detailed information with regards to the MS Teams Clarification Meeting</b>  <b>Join on your computer, mobile app or room device</b></p> <p><b><a href="#">Join the meeting now</a></b></p> <p>Meeting ID: 325 536 408 100  Passcode: Xi8hvx  <a href="#">Download Teams</a>   <a href="#">Join on the web</a></p> <p><b>Dial-in by phone</b></p> <p><a href="#">+27 21 834 0825,711170343#</a> South Africa, Cape Town  <a href="#">Find a local number</a>  Phone conference ID: 711 170 343#  For organizers: <a href="#">Meeting options</a>   <a href="#">Reset dial-in PIN</a></p>
<b>Tenders are to be delivered to the following address on the stipulated closing date and time:</b>	<p><b>THE TENDER OFFICE</b>  <b>Eskom Commercial Services</b>  <b>25 Valley View Road</b>  <b>New Germany</b>  <b>3620</b></p>

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**Notes:**

The contractors may be allocated to home centres within their preferred area *but will be able* to work across the Operating Unit. Travelling costs will be calculated from the home centres e.g., Contractors who have selected Mkondeni Area Office as their home centre will calculate the transport rates from Mkondeni Area Office.

The purpose of specifying home centres is to enable standardised calculations of travel cost and time, as well as to allow contractors to price more accurately based on their proximity to the home centres.

There are four (4) home centres identified i.e.:

1. New Germany Area Office
2. Mkondeni Area Office
3. Empangeni Area Office
4. Newcastle Area Office.

Tenderers will be required to select their preferred home centres in **order of preference**.

**Contractors can select more than one home centre stating their order of preference.**

The principles that will be applied to this contract are as follows:

- Only Contractors with any GB (general building) CIDB grading will be considered.
- One Enquiry will be issued with 1 NEC document and 1 price list detailing the activities required (Rates column will be blanked out) tenderers are not required to submit prices as the prices will be proposed post tender with the successful tenderers and will result in 9 contractors being appointed to the panel.
- The tender will be issued to the market with the price list detailing the activities required (Rates column will be blanked out), all responses will be evaluated for commercial compliance, functionality, SDL & I, Health, Environment & Quality (SHEQ). Tenderers will automatically score 80 for price and be scored out of 20 for the BBBEE component.
- The rates will be proposed to the recommended service providers post tender.

**Contractors will be selected as follows:**

All Contractors that pass Functionality will proceed to the stage of price and preference scoring.

The contractor ranked highest will be allocated based on their selection to the home centre of their first preference.

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**There are two possible scenarios that will be applied:**

There are nine (9) contractors that will be selected.

**First Scenario**

If there are enough tenderers per area this scenario will apply. The drawing of lots will be applied per area.

The tenderers will be sorted as per the tenderers area of preference.

If there are enough tenderers and available home centres this scenario will apply.

**Second Scenario**

In the event there are insufficient tenderers in any of area's then this scenario will apply for the required tenderers.

Drawing of lots will be conducted for the nine (9) contractors. They will be ranked and placed in their area of preference, should it still be available. Should the area of preference not be available they will be afforded an opportunity to confirm acceptability of an alternative home centre.

**Listed below are the home centers and number of contractors required in each home center:**

**The order of home centres**

<b><u>Area/Home Centre</u></b>	<b><u>Number of Contractors</u></b>	<b><u>Indicate area based on preference (1 is most preferred and 4 is least preferred)</u></b>
(1) New Germany	3	
(2) Mkondeni	2	
(3) Empangeni	2	
(4) Newcastle	2	

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**Invitation to Tender**

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

**The Provision of Technical Facilities Management Services for the award of a panel contract consisting of nine (9) contractors in the Central East Cluster - KZN Operating Unit for a period of forty-one (41) months.**

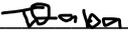
The enquiry documents are supplied to you on the following basis:

1. 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.

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

Yours faithfully

  
\_\_\_\_\_

Thandi Xaba  
Acting Procurement Manager **CEC KZN5438**

Date: 04 April 2024

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1.1 The following documents listed hereunder are attached to this enquiry.

Number	Description	Annexures	Attached (Y/N/ N/A)
1.1.1	*Acknowledgement form	Annexure A	Y
1.1.2	*Tenderer's particulars	Annexure B	Y
1.1.3	*Integrity Declaration Form	Annexure C	Y
1.1.7	*SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure D	Y
1.1.8	*SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure E	Y
1.1.9	*SBD 4 – Bidders Disclosure	Annexure F	Y
1.1.10	Technical criteria	Annexure G	Y
1.1.11	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE	Refer to the commercial folder located on the Eskom Tender Bulletin.	Y

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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.

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 <b>Eskom Holdings SOC Ltd</b></p> <p>The Eskom <i>Representative</i> is:  Name: Anita Rickhoff  Tel: <b>031 710 5436</b>  E-mail: <a href="mailto:anita.rickhoff@eskom.co.za">anita.rickhoff@eskom.co.za</a></p>																					
1.3 Enquiry documents	<p>The Invitation to tender number is : <b>KZN130</b></p> <p>All Relevant tender documents will be uploaded onto:</p> <ul style="list-style-type: none"> <li>• Eskom Tender Portal</li> <li>• National Treasury E-Tender Portal</li> <li>• CIDB I Tender Portal</li> </ul> <p>It is the responsibility of the tendering party to ensure all required documentation is downloaded, completed and submitted as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Section</th> <th style="text-align: center;">Original</th> <th style="text-align: center;">Copy</th> </tr> </thead> <tbody> <tr> <td>Section 1- will comprise of the commercial and financial requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Section 2- will comprise of the SDL &amp; I requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Section 3- will comprise of the Technical requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Section 4- will comprise of the Safety requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Section 5- will comprise of the Quality requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Section 6- will comprise of the Environmental requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> </tbody> </table>	Section	Original	Copy	Section 1- will comprise of the commercial and financial requirements	✓	✓	Section 2- will comprise of the SDL & I requirements	✓	✓	Section 3- will comprise of the Technical requirements	✓	✓	Section 4- will comprise of the Safety requirements	✓	✓	Section 5- will comprise of the Quality requirements	✓	✓	Section 6- will comprise of the Environmental requirements	✓	✓
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Section 3- will comprise of the Technical requirements	✓	✓																				
Section 4- will comprise of the Safety requirements	✓	✓																				
Section 5- will comprise of the Quality requirements	✓	✓																				
Section 6- will comprise of the Environmental requirements	✓	✓																				
1.4 Type of Invitation to Tender/RFP	This invitation to tender is: An open Invitation to tender																					
1.6 Eskom's rights to accept or reject any tender	The tender shall be for the whole of the works.																					
2.1 Eligible tenders	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>																					

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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.

Tenderers are deemed **ineligible** to submit a **tender** if

1. 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.
2. Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium
3. [Tenders] 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 severally liable for the execution of the Contract in accordance with the Contract terms.
4. 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] process, if :
  1. (a)they have a controlling partner/majority shareholder in common; or
  2. (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;
5. Tenders signed by non- authorized persons
6. Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers)
7. Any tenderer that is restricted by National Treasury
8. Any tenderer on the Tender Defaulters list.
9. A tenderer that sub-contracts 100% Scope of Work.

**Ineligible tenderers will be disqualified.**

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2.2 -2.5 Tender Closing	<p>The deadline for <b>Tender</b> submission is:  <b>Date :3 May 2024</b>  <b>Time 10h00 AM</b>  <b>Late Tenders will not be accepted</b>  Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:</p> <p><b>THE TENDER OFFICE</b>  <b>25 Valley View Road</b>  <b>New Germany</b>  <b>3620</b></p>
2.9 Copy of original tender	<p>The tenderer must submit the tender as a complete original tender, plus one (1) <b>hard copy</b> of the original tender at tender submission deadline.</p> <p><b>Where a Tenderer does not submit One (1) hard copy of the original tender plus One (1) hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</b></p>
2.13 Tender Validity Period	The tender validity period 8 months from the closing date and time.
2.16. 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 <a href="mailto:anita.rickhoff@eskom.co.za">anita.rickhoff@eskom.co.za</a>.</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:</p> <p><b><a href="#">Join the meeting now</a></b></p> <p>Meeting ID: 325 536 408 100  Passcode: Xi8hvx  <a href="#">Download Teams</a>   <a href="#">Join on the web</a></p>

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	<p><b>Dial-in by phone</b></p> <p>+27 21 834 0825,,711170343# South Africa, Cape Town  <a href="#">Find a local number</a>  Phone conference ID: 711 170 343#  For organizers: <a href="#">Meeting options</a>   <a href="#">Reset dial-in PIN</a>  <b>Online MS Teams Meeting</b>” with representatives of the <i>Employer</i> will take place as follows:  <b>Date: 15 April 2024</b>  <b>Time:10h00</b>  Venue: <b>MS Teams Meeting</b></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 5 working days before the deadline for tender submission.
2.23 Alternative tenders	Alternative tenders are <b>not allowed</b>
3.4 Opening of tenders	There will be no public opening
3.5 Prices to be read out	Prices will <b>not be read out</b>
3.9 Basic Compliance	<p><u>Basic compliance</u></p> <ul style="list-style-type: none"> <li>Meet the eligibility criteria for a tenderer</li> <li>Submit one (1) the original and 1 hard copy of the original tender to Eskom at tender submission deadline.</li> </ul>
3.10 Mandatory tender returnables	<p><b><u>Step 1: Basic Compliance/Commercial Evaluation</u></b></p> <p><b><u>Commercial Mandatory Returnable (Disqualifiable)</u></b></p> <p><b>These returnables are required to be submitted with the tender at Tender closing date and time. If not submitted by tender closing the tender must be disqualified.</b></p> <ul style="list-style-type: none"> <li>Meet the eligibility criteria for a tenderer.</li> <li>Submit one (1) original plus one (1) complete hard copy of the original tender to Eskom.</li> </ul> <p><b><u>Evaluation Mandatory Requirements</u></b></p> <ul style="list-style-type: none"> <li>CSD Registration – Companies are required to provide a valid CSD (MAAA) number.</li> <li>Valid proof of CIDB (Construction Industry Development Board) Registration with any level of CIDB <b>GB grading</b>. However, where valid proof of CIDB Registration is not</li> </ul>

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	<p>available at tender closing deadline, tenderers are at minimum expected to provide valid proof of application for Registration with the CIDB by tender closing deadline and submission of actual registration within 21 days of tender closing.</p> <p><b><u>Commercial Mandatory Returnable (Non - Disqualifiable)</u></b></p> <p><b>These returnable are also required to be fully completed, signed and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners will request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable (s) are not fully completed, signed and/or received by the Procurement Practitioner within 5 working days of the request; the tender will be disqualified.</b></p> <ul style="list-style-type: none"> <li>• Fully complete and sign the SBD1 Invitation to bid form in the invitation to tender.</li> <li>• Fully complete and sign the SBD 6.1 preference claim form in the invitation to tender.</li> <li>• Fully complete and sign the SBD 4 Bidders Disclosure form in the invitation to tender.</li> <li>• Annexure C – Integrity Declaration form acceptance of the terms and conditions of the enquiry (i.e., return of the NEC 3 TSC offer and acceptance as well as deviations)</li> </ul>
<p>3.13 Functionality requirements</p>	<p><b><u>STEP 2- Functionality</u></b></p> <p>Tenderer must pass both criteria in Part 1 - Mandatory Section, and Tenderer to achieve a minimum threshold of 73% and not receive a 0% in any of the criteria in Part 2 - Qualitative Section and Tenderer to pass all criteria in Part 3 - Onsite Section. Tenderer will be deemed successful in the technical evaluation if Part 3 - Onsite Section is passed. To be evaluated for Part 2 the tenderer will need achieve a pass in Part 1. To be evaluated for Part 3 the tenderer will need to be meet the threshold and requirement in Part 2.</p> <p>In the event that an employee is no longer in the employ of the tenderer or tenderer's sub-contractor and such employee's information was submitted for technical evaluation, the tenderer will be required to prove such employee's employment up until the tender closing date and will need to provide the necessary supporting documents for another employee that has been identified to replace</p>

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	<p>the employee that the tenderer indicated at the time of tender closing. In order to pass Part 3 tenderer must pass every criteria listed below which is C1 to C5. Should the tenderer fail any of the KPIs below, the tenderer will fail the technical evaluation.</p> <p>An onsite evaluation will be done to verify items in Part 3, The supplier may be requested to provide the proof of evidence at the Eskom premises i.e., documents tool, vehicles, personnel etc. Should any info not be available at the time of onsite evaluation, the tenderer will be given one opportunity to provide the outstanding info.</p> <p><b><u>Please refer to the attached Annexure A for a complete breakdown of the technical criteria:</u></b></p>								
3.15 Evaluation of price	<p>Rates will be negotiated, post tender.</p> <p>Prices will be scored out of 80 points</p>								
3.17 Evaluation of Specific Goals	<p><b><u>Step 3: PPPFA 80/20 evaluation</u></b></p> <p>Price and preference will be applied as follows:</p> <p><b><u>Price:</u></b></p> <p>Suppliers will be ranked by applying the preferential point scoring based on 80/20 (for estimated values below R50M inclusive of VAT).</p> <p>The value of the task orders will not exceed 50M therefore 80/20 preference scoring system will be applied.</p> <p><b><u>Preference:</u></b></p> <p>The specific goals</p> <table border="1" data-bbox="643 1451 1422 1823"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th> <th>Number of points (80/20 system)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>20</td> </tr> <tr> <td>2</td> <td>18</td> </tr> <tr> <td>3</td> <td>14</td> </tr> </tbody> </table>	B-BBEE Status Level of Contributor	Number of points (80/20 system)	1	20	2	18	3	14
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	<table border="1"> <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 contributor</td> <td>0</td> </tr> </table> <p>A maximum of 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.</p>	4	12	5	8	6	6	7	4	8	2	Non-compliant contributor	0
4	12												
5	8												
6	6												
7	4												
8	2												
Non-compliant contributor	0												
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> <ol style="list-style-type: none"> <li>80/20 for tender with rand value equal to or below R50 million Eskom will then add the score from Pricing and Specific goals together and rank the suppliers from the highest to the lowest</li> </ol>												
Contractual Requirements	<p><b><u>STEP 4</u></b></p> <p><b><u>Contractual requirements</u></b></p> <p>Contractual requirements are mandatory for contract award.</p> <p>The recommended contractor/contractors still in the running for this contract will be evaluated in terms of their contractual requirements. Should they not pass the initial evaluation they will be advised of their shortcomings and have a maximum period of seven (7) days in which to correct their shortcomings.</p> <p>Failure to meet “Contractual Requirements “by the stipulated deadlines, will result in the tenderer being regarded as non-responsive and ineligible for contract award.</p> <p><b><u>Quality:</u></b></p> <table border="1"> <tr> <td></td> <td><b>Supplier Quality Management:</b></td> <td><b>Unique Identifier List of</b></td> <td>240-12248652</td> </tr> </table>		<b>Supplier Quality Management:</b>	<b>Unique Identifier List of</b>	240-12248652								
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		<b>Tender</b> <b>Returnables Documents</b>	Revision	7
			Effective Date	2022/01/26
			Specific ation	240-105658000
<b>Category 4 : Quality Requirements</b>		<b>Deliverables to be evaluated indicator = 1</b>		
<b>SECTION A : Quality Management System Requirements ISO 9001</b>				
<b>SECTION A : Quality Management System Requirements ISO 9001</b> <b>Objective evidence of documented QMS that is not certified but complies with ISO 9001</b>				
				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.4 Control of documented information (i.e. document and record control) Clause 7.5 of ISO 9001:2015				1
A.6 Documented information for Nonconformity and Corrective action Clause 10.2 of ISO 9001:2015				1
A.7 Documented information for Internal audit Clause 9.2 of ISO 9001:2015				1
<b>Section A Score Option 2</b>				5
<b>SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000)</b>				
				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
<b>Section B Score</b>				2
<b>SECTION E: User defined additional Requirements &amp; miscellaneous (Ref 240-105658000) Customer specific requirements &amp; other standards and required can be listed and evaluated here</b>				
				Apply (Yes=1)
E.1 Form A is completed and signed.				1
<b>Section E Score</b>				1
<b><u>SAFETY:</u></b>				
<b>Ref.</b>	<b>OHS Tender Returnable</b>			
1	<b>Annexure B</b> Is the acknowledgement of Eskom's OHS legal and other requirements form signed and submitted by the tenderer?			

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	2	<b>Health and Safety Plan</b> (must address the project /scope of work OHS risk(s) and aligned with the health and safety specification or requirements)				
	3	<b>Costing for Health and Safety management</b> Has the tenderer submitted detailed costing for OHS (the cost should be broken down not provided as a lump sum).  <ul style="list-style-type: none"> <li>The costing must be based on the overall scope of work/service to be performed.</li> <li>The scope of work and the risk assessment may serve as a guideline.</li> </ul>				
	4	<b>Baseline OHS Risk Assessment (BRA)</b> Identification, assessment, and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA				
	5	<b>Valid Letter of Good Standing</b> (COIDA or equivalent)				
	6	<b>OHS policy signed by CEO</b> The submitted policy must comply to OHS Act Section 7				
	7	<b>OHS Competency</b> (Consider scope of work, risks, OHS plan and applicability) CV, s and qualifications / certificates (List competencies required)				
	<p><b><u>ENVIRONMENTAL REQUIREMENTS</u></b></p> <p><b><u>Medium Category.</u></b></p> <table border="1"> <thead> <tr> <th><u>Ref.</u></th> <th><u>KPIs</u></th> </tr> </thead> <tbody> <tr> <td>1</td> <td><b>Pre-requisite</b>  Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and a copy thereof attached to this tender submissions by the tenderer?</td> </tr> </tbody> </table>			<u>Ref.</u>	<u>KPIs</u>	1
<u>Ref.</u>	<u>KPIs</u>					
1	<b>Pre-requisite</b>  Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and a copy thereof attached to this tender submissions by the tenderer?					

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	2	<b>Environmental Management Plan for the Scope of work addressing the following as a minimum:</b>  <b>Applicable to medium risk:</b>  Waste management (reduction, re-use, recycling, disposal). Environmental induction. Environmental incident management. <ul style="list-style-type: none"> <li>Emergency planning for environmental incidents. (HCS / MSDS, Water &amp; Wastewater treatment plant maintenance, Generator Maintenance)</li> </ul> Environmental competency, training, appointments.
	3	<b>Medium and High Risk Only: Identification of Environmental Aspects and Impacts:</b>  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 the scope of work, that have an impact on the environment and the controls that will be in place in contract execution.
	4	<b>All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD:</b>  Commitment to: (1) compliance to environmental compliance obligations; and (2) environmental duty of care.
		<b>TOTAL</b>

**OR**

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<u>Ref</u>	<u>KPIs</u>
1	Annexure B Is the acknowledgement of <b>Eskom's SHE rules</b> and requirements form ( <b>Annexure B</b> ) signed and submitted by the tenderer?
2	ISO 14001 Environmental Management Standard certificate.
	<b>TOTAL</b>

**Financial Evaluation**

Financial evaluations will be conducted on the recommended suppliers' financial statements to determine if the supplier is financially viable to execute the scope of work.

**Requirements for Financial Evaluation of Companies**

- Public Interest Score (PIS) and the calculations to arrive at the score (refer to annexure attached for calculation of PIS). The PIS letter must specify whether:
  1. Whether the AFS were internally or externally prepared.
  2. Whether the company was owner managed or not owner managed.
- Latest approved financial statements including comparative amounts.

AFS must be valid and not outdated, received within 18 months after year-end.

- A signed director's / member's report.
- Signed Compilers / Accounting Officers / Independent Reviewers / Audit report whichever is applicable, based on the PIS above.

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Where the PIS requires an Audit or Independent Reviewers report, the Compilers / Accounting Officers report must still be submitted.

- o • Approved Annual Financial statements must comprise:
  - o o Statement of financial position (Balance Sheet )
  - o o Statement of comprehensive income (income statement )
  - o o Statement of changes in Equity
  - o o Statement of cash flows
  - o o Notes to the financial statements
  - o o ITA 34C Income Tax Assessment for companies that have NOT been AUDITED

- The notes to the AFS specifically referring to Accounts Receivable and Accounts Payable must give a complete breakdown of the amounts. A clear distinction must be made between Trade Debtors and other receivables as well Trade Creditors and other payables. The note must clearly show the amounts subject to interest and the terms and condition of interest.

- The notes to the AFS must clearly specify the current and non-current liabilities that are subject to interest.

- Member / Directors loans must be accompanied by a note specifying the terms of the loan, whether secured or unsecured, terms of repayment and interest rates.

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

- Where there is a Holding company the Latest Signed Group Annual Financial Statements of the Holding Company may be requested at a later stage.

- Information requested from companies via Procurement Office not received within five working days from date of Finance request will result in the financial evaluation being closed. Finance will issue a 1-page report stating that an opinion could not be expressed due to insufficient information.

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Note:

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

Soft copies of the AFS submitted with the tender documents may be requested at a later stage.

Any of the following mitigating factors may be implemented if the result of the contractor is negative:

- Obtaining a performance bond from a financial institution that has been pre-approved by Eskom Treasury department.
- a parent Company Guarantee, provided that the parent company is financially sound enough to stand as surety for the subsidiary tendering for the contract. The parent company's latest and approved AFS must be submitted for financial analysis.
- a reduced contract may be recommended, or payment upon delivery of a milestone activity or milestone goods.

As per recommendation from the Delegation Authority. (Tender Committee).

**SDL & I:**

**Section 1: Specific Goals**

A maximum of 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.

<b>B-BBEE Status Level of Contributor</b>	<b>Number of points (80/20 system)</b>
1	20

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	2	18
	3	14
	4	12
	5	8
	6	6
	7	4
	8	2
	Non-compliant contributor	0

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

- **Valid** BBBEE certificate issued by a SANAS accredited verification agency **or** a **valid** sworn affidavit **or** a **valid** BBBEE Certificate issued by CIPC for EME companies.

**NB: Supporting documents may be requested during evaluation (This list is not exhaustive):**

- Proof of ownership / shareholding (CIPC registration documentation) inclusive of shareholding breakdown
- ID copies of shareholder(s) or owner(s) of the business
- Proof of Disability of owner(s) of the business (where applicable)

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

- May only score point out of 80 for price.
- Scores 0 points out of 20 for specific goals

**Section 2: 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. **BBBEE requirements:** All tenderers are required at a minimum to maintain their BBBEE status throughout the contract period:

2. **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.

<b>Local Procurement Content</b>	<b>Eskom target</b>	<b>Tenderer Proposal</b>
	100%	

3. **Procurement spend on entities with a minimum 51% black ownership**

The winning tenderer is encouraged to procure/spend on designated groups on the following paid invoices for both:

- the indirect expenses (e.g. overheads) on goods and services supplied to the contractor/supplier by designated groups; and

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- direct spend on goods and services supplied by the subcontractors for the execution of the scope of work.

Activities, as a proportion of the local procurement content, which may be subcontracted to designated black owned enterprises must be submitted in a table below.

Procurement from Designated Group	Eskom Target	Tenderer Proposal
Black Owned	4.0%	
Black Women Owned	3.0%	
Black Youth Owned	2.0%	
Black Persons with Disability	1.0%	

- 4. 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.

Jobs to be created	Jobs to be retained

**5. Skills development**

Tenderers are required to submit proposals in a table below for developing the skills of unemployed candidates in the

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country. Skills development is intended to address Eskom's core, scarce and critical skills and the scarce and critical skills. These skills are also included in a 2020 list of occupations in high demand as stipulated in the Government Gazette 43937. Candidates shall be from Kwa Zulu Natal, and their composition shall be representative of the population demographics of South Africa

Skill type / Occupation	Eskom target	Proposed Number of Candidates
N4 Civil/Electrical Engineering (FET/TVET)	1	
N5 Civil/Electrical Engineering (FET/TVET)	1	
N6 Civil/Electrical Engineering (FET/TVET)	1	
Bricklaying Course	3	
Plumbing Course	3	
Electrical Wiring Course	1	

**Note: 10 skills x 9 contractors = 90 skills in total**

**A target of ninety (90) skills for the complete contract has been requested. This will equal an amount of 1 skill per R1.5 million invoiced by each contractor. (Based on cumulative invoice value)**

Eskom reserves the right to negotiate with the tenderer on Eskom's requirements. The outcome of the negotiations will be a contractual obligation. If negotiations are not required,

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the tenderer's SDL&I undertaking will become a contractual condition.

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:** That these targets for skills development candidates categorically exclude Eskom employees and registered learners. The 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 Penalty and Performance Security**

Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations.

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:

- Eskom receives the SDL&I progress report/s from the contractor.
- Fulfilment of all SDL&I obligations by the contractor.

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	<ul style="list-style-type: none"> <li>Submission of an approved compliance report by SDL&amp;I Department.</li> </ul>
	<p><b>Section 5: Reporting and Monitoring</b></p>
	<ul style="list-style-type: none"> <li>The suppliers shall on a <b>yearly</b> basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&amp;I obligations described above.</li> <li>Eskom shall review the SDL&amp;I reports submitted by the suppliers within 30 (thirty) days of receipt of the reports and notify the suppliers in writing if their SDL&amp;I obligations have not been met.</li> <li>Upon notification by Eskom that the suppliers have not met their SDL&amp;I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&amp;I obligations before the commencement of the following report, failing which Retention clauses shall be invoked.</li> <li>Every contract shall be accompanied by the SDL&amp;I Implementation Schedule, which must be completed by the suppliers and returned to SDL&amp;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&amp;I commitments</li> </ul>
	<p><b>Section 7: General Information on Validity of Sworn Affidavits</b></p> <p>The following must be considered when it comes to validity of Affidavits;</p> <p><b>Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:</b></p> <ul style="list-style-type: none"> <li>Name/s of deponent as they appear in the identity document and the identity number.</li> <li>Designation of the deponent as the <b>director, owner</b> or <b>member</b> must be indicated in order to know that person is duly authorised to depose of an affidavit. <b>(Mark the applicable option).</b></li> <li>Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.</li> <li>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. <b>(No blank spaces to be left).</b></li> <li>Indicate total revenue for the year under review and whether it is based on <b>audited financial statements</b> or <b>management account</b>. <b>(Mark the applicable option).</b></li> <li>Financial year end as per the <b>enterprise's registration documents</b>, which was used to determine the total revenue. <b>(Financial year end to be stipulated by day/month/year).</b></li> <li>B-BBEE Status level. An enterprise can only have one status level. <b>(Tick applicable level)</b></li> <li>Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Date deponent signed and date of Commissioner of Oath must be the same. <b><u>(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)</u></b></li> <li>• 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.</li> </ul>	
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**Please note:**

**Tenderers are requested to bear in mind Eskom's standard payment terms as stipulated hereunder when submitting tenders and concluding contracts with Eskom:**

**For contracts valued below R50 000 000 (Fifty Million Rand) including VAT, Eskom is committed to paying Suppliers within 30 days of receipt of undisputed invoices.**

**For contracts valued above R50 000 000 (Fifty Million Rand) including VAT, Eskom is committed to paying suppliers within 60 days of receipt of undisputed invoices.**

**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](http://www.csd.gov.za)**

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

- (a) the B-BBEE status level certificate issued by an authorised 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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### 1.3 TENDER RETURNABLES

The tenderer must submit the returnable set out hereunder as part of its tender at the stipulated deadline.

#### NOTE:

**\* Returnable required at Tender closing (disqualifiable) - These returnable are required to be fully completed, signed (if required on the returnable) and submitted with the tender at Tender closing date and time. If not fully completed, signed and/or submitted by tender closing the tender must be disqualified.**

**\*\* Returnable required at Tender closing. (Non-disqualifiable) – These returnable are also required to be fully completed, signed and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners must request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable are not fully completed, signed) and/or received by the Procurement Practitioner within 5working days of the request; the tender must be disqualified. The 5 working days requirement does not apply to CIDB proof of grading. (Refer to the returnable table under CIDB reference for prescribed period)**

**# These returnable are mandatory for evaluation and therefore required at tender closing time and date. These will not be requested by the Procurement Practitioner, however the tenderer will not be disqualified but score zero.**

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
<b>Basic Compliance</b>	Meet the eligibility criteria for a tenderer Submit one (1) the original and 1 hard copy of the original tender to Eskom at tender submission deadline.	✓		
<b>Annexure A</b>	Acknowledgement Form		✓	
<b>Annexure B</b>	Tenderers Particulars		✓	
<b>Annexure C</b>	Integrity Pact Declaration form		✓	

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
<b>Annexure G</b> (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		✓	
<b># Annexure H</b>	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations		✓	
<b>Annexure I</b>	SBD 4 – Bidders Disclosure	✓		
<b>Additional Documents required in event of JV:-</b>	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		✓	
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract or this may be included as an obligation within the JV agreement.		✓	
	proof of compliance to the stipulated Specific goals.	✓		
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.			✓
<b>Specific Goals</b>	Failure on the part of the supplier to submit “ <b>proof of specific goals</b> ” for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects ). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking.		✓	
<b>Tax Clearance Certificates</b>	A certified copy of a tax clearance certificate is still required by Foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number ) and Local suppliers (who have not provided their SARS e-filing PIN			✓

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	number for verification by Eskom and/or their CSD profile / CSD number) . Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required.			
<b>Compliance with Employment Equity Act</b>	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)			✓
<b>NEC Documentation</b>	Completed <b>NEC Term Services Contract</b> pricing schedule and contract data.	✓		
	<b><u>DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS (WHERE CONTRACTUAL REQUIREMENTS ARE STIPULATED)</u></b>			
<b>Safety</b>	As per the criteria (page 14/15 of 50)-			✓
<b>Quality</b>	Documents that may be required per scope of work – as per the attached Category 3 requirements (page 15/16/17 of 50)			✓
<b>Environmental</b>	Documents that may be required as per scope of work (page 17/18 of 50)			✓

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<b>Reference</b>	<b>Returnable From Suppliers</b>	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.														
<b>Skills development</b>	<p><b>Skill Development Targets are as follows:</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;">Skill type / Occupation</th> <th style="width: 40%;">Eskom target</th> </tr> </thead> <tbody> <tr> <td>N4 Civil/Electrical Engineering (FET/TVET)</td> <td style="text-align: center;">1</td> </tr> <tr> <td>N5 Civil/Electrical Engineering (FET/TVET)</td> <td style="text-align: center;">1</td> </tr> <tr> <td>N6 Civil/Electrical Engineering (FET/TVET)</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Bricklaying Course</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Plumbing Course</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Electrical Wiring Course</td> <td style="text-align: center;">1</td> </tr> </tbody> </table> <p><b>6. Skills development</b></p> <p>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 scarce and critical skills. These skills are also included in a 2020 list of occupations in high demand as stipulated in the Government Gazette 43937. Candidates shall be from all provinces in the country, and their composition shall be representative of the population demographics of South Africa</p> <p>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.</p>	Skill type / Occupation	Eskom target	N4 Civil/Electrical Engineering (FET/TVET)	1	N5 Civil/Electrical Engineering (FET/TVET)	1	N6 Civil/Electrical Engineering (FET/TVET)	1	Bricklaying Course	3	Plumbing Course	3	Electrical Wiring Course	1			✓
Skill type / Occupation	Eskom target																	
N4 Civil/Electrical Engineering (FET/TVET)	1																	
N5 Civil/Electrical Engineering (FET/TVET)	1																	
N6 Civil/Electrical Engineering (FET/TVET)	1																	
Bricklaying Course	3																	
Plumbing Course	3																	
Electrical Wiring Course	1																	

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.				
	<p><b>Note:</b> That these targets for skills development candidates categorically exclude Eskom employees and registered learners. The 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</p> <p><b>Jobs</b> 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.</p> <table border="1" data-bbox="379 1261 995 1361"> <tr> <td><b>Jobs to be created</b></td> <td><b>Jobs to be retained</b></td> </tr> <tr> <td></td> <td></td> </tr> </table>	<b>Jobs to be created</b>	<b>Jobs to be retained</b>					
<b>Jobs to be created</b>	<b>Jobs to be retained</b>							
	<p><b>DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA</b></p>							
<p>Technical (required functionality scoring) for</p>	<p><b>As stated in 3.13 above</b></p> <p>Tenderer must pass both criteria in Part 1 - Mandatory Section, and Tenderer to achieve a minimum threshold of 73% and not receive a 0% in any of the criteria in Part 2 - Qualitative Section and Tenderer to pass all criteria in Part 3 - Onsite Section. Tenderer will be deemed successful in the technical evaluation if Part 3 - Onsite Section is passed. To be evaluated for Part 2 the tenderer will need achieve a pass in Part 1. To be evaluated for Part 3 the tenderer will need to be meet the threshold and requirement in Part 2.</p> <p>In the event that an employee is no longer in the employ of the tenderer or tenderer's sub-contractor and such employee's</p>	<p>✓</p>						

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	<p>information was submitted for technical evaluation, the tenderer will be required to prove such employee's employment up until the tender closing date and will need to provide the necessary supporting documents for another employee that has been identified to replace the employee that the tenderer indicated at the time of tender closing. In order to pass Part 3 tenderer must pass every criteria listed below which is C1 to C5. Should the tenderer fail any of the KPIs below, the tenderer will fail the technical evaluation.</p> <p>An onsite evaluation will be done to verify items in Part 3, The supplier may be requested to provide the proof of evidence at the Eskom premises i.e., documents tool, vehicles, personnel etc. Should any info not be available at the time of onsite evaluation, the tenderer will be given one opportunity to provide the outstanding info.</p> <p><b><u>Please refer to the attached Annexure A for a complete breakdown of the technical criteria:</u></b></p>			

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**ANNEXURE A**

**ACKNOWLEDGEMENT FORM**

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:

---



---



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**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:

---



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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.

Invitation to Tender: \_\_\_\_\_

Name of company/JV: \_\_\_\_\_

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Country of registration: \_\_\_\_\_

Name of contact person: \_\_\_\_\_

Contact details of contact person:

Tel (landline):	
Cell phone:	
e-mail address:	

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**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 or CIPC disclosure certificate (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), respective contractor grading designation for each individual company/JV member , and combined cidb contractor grading designation (for JVs)	
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.

Name of contractor	
CIPC Registration number or CIPC disclosure certificate	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	

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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](http://www.treasury.gov.za)
5. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status \_\_\_\_\_
6. 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	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

8.2 What percentage will you be sub-contracting? \_\_\_\_\_%

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8.3 To whom do you intend sub-contracting? \_\_\_\_\_

8.4 Is the said sub-contractor registered on CSD?

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

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:-

- a) An EME or QSE;
- b) An EME or QSE which is at least 51% owned by black people;
- c) An EME or QSE which is at least 51% owned by black people who are youth;
- d) An EME or QSE which is at least 51% owned by black people who are women;
- e) An EME or QSE which is at least 51% owned by black people with disabilities;
- f) An EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships;
- g) A cooperative which is at least 51% owned by black people;
- h) An EME or QSE which is at least 51% owned by black people who are military veterans; or
- i) More than one of the categories referred to in paragraphs (a) to (h).

8.6 Please confirm that you have attached your signed intent to sub-contract document.

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

8.7 Have you attached proof of sub-contractor's belonging to designated group

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

## 1. Single tenderers

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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: \_\_\_\_\_

## 2. 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.

<b>Legal Name of Joint Venture Member</b>	<b>Full Name and Capacity of Authorised Signatory</b>	<b>Signature</b>

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## ANNEXURE C

### INTEGRITY DECLARATION FORM

**Note: This returnable is required to be fully completed, signed and submitted by tenderers at the stipulated deadlines.**

#### **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:-

1. the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors in the state or a state owned entity.
2. the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom
3. the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors
4. 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:-
  1. an individual is related to another individual if they are married, or live together in a relationship similar to marriage;
  2. or are separated by no more than two degrees of natural or adopted consanguinity or affinity;
  3. 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

#### **1.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”
5. 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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	<b>Invitation to Tender</b>  <b>KZN130</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
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		<b>Review Date</b>	February 2028		

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.

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:

1. abused the institution’s procurement process (e.g. bid rigging/collusion)
2. 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
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1.1	<p>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</p> <p><b><i>[Note: Companies/persons who are listed on the Database were informed in writing of this restriction by the Authority/Accounting Officer of the institution that imposed the restriction after the audi alteram partem rule was applied].</i></b></p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>).</p>			
1.2	<p>Is the <i>tenderer/s (or any of its directors / members / shareholders)?</i> listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004)</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>).</p>			
1.3	<p>Was the <i>tenderer/s (or any of its directors/members/shareholders)</i> 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?</p>			
1.3.1	<p>Provide details.</p>			
1.4	<p>Was the <i>tenderer/s(or any of its directors/members/shareholders)</i> prohibited from doing business with any International Financial Development/funding Agency or Lending Institution</p>			
1.5	<p>Is there any <i>history/record of the tenderer/s (or any of its directors/members/shareholders) failing to meet their contractual obligation with any SOC?</i></p>			

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### 3. DECLARATION OF SHAREHOLDING INFORMATION

I, the undersigned \_\_\_\_\_ [Position] \_\_\_\_\_ hereby declare that I am the duly authorised representative of \_\_\_\_\_ [Name of Tenderer].

I further declare that the following individuals and/or entities listed hereunder are Shareholders in \_\_\_\_\_ [Name of Tenderer]:

**Note that this information in the tables hereunder must be fully completed for each tenderer (including incorporated JVs). In event that the tenderer is an unincorporated JV, this must be completed for each JV member. Please add additional rows if required.**

#### Individuals:

Full Name	Identity Number	Shareholding Percentage

#### Other Entities\*:

Full Legal / Trading Name	Registration Number/Trust Number	Shareholding Percentage	Full name and surname of the directors/beneficiaries/shareholders of the shareholding entity	Identification Numbers of the shareholders/directors/beneficiaries of the shareholding entity

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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 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, and

I give my consent for this information to be used for the purpose as described in this Integrity Declaration Form and/or in relation to the Supplier Integrity Pact, and

I further consent that information provided in terms of this Integrity Declaration Form may be processed for verification of conflicts of interest and other ancillary purposes by Eskom. Such processing may include the sharing of the information with third parties.

<b>Signature:</b>	
<b>Designation and capacity in which signing</b>	
<b>Date:</b>	

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**Joint Ventures**

I, the undersigned, \_\_\_\_\_ (full names) 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); and

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 declaration prove to be false; and

I give my consent for this information to be used for the purpose as described in this Integrity Declaration Form and/or in relation to the Supplier Integrity Pact, and

I further consent that information provided in terms of this Integrity Declaration Form may be processed for verification of conflicts of interest and other ancillary purposes by Eskom. Such processing may include the sharing of the information with third parties.

<b>Signature:</b>	
<b>Designation and capacity in which signing</b>	
<b>Date:</b>	

(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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**ANNEXURE D**

**SBD 1**

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)


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

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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 ]
<b>SIGNATURE OF BIDDER</b>	.....	<b>DATE</b>	
<b>CAPACITY UNDER WHICH THIS BID IS SIGNED</b> (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
<b>TOTAL NUMBER OF ITEMS OFFERED</b>		<b>TOTAL BID PRICE (ALL INCLUSIVE)</b>	
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
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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## PART B TERMS AND CONDITIONS FOR BIDDING

<b>BID SUBMISSION:</b>	
1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
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.
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.
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.
<b>TAX COMPLIANCE REQUIREMENTS</b>	
1.	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
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.
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.
4.	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
5.	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
6.	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
<p><b>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.</b></p>	

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

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**ANNEXURE E**

**SBD 6.1**

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

**1. GENERAL CONDITIONS**

1. The following preference point systems are applicable to invitations to tender:
  1. the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

**1. To be completed by the organ of state**

*(delete whichever is not applicable for this tender).*

1. The applicable preference point system for this tender is the **90/10** preference point system.
2. The applicable preference point system for this tender is the **80/20** preference point system.
3. Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
  1. Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
    1. Price; and
    2. Specific Goals.

**1. To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

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	<b>POINTS</b>
<b>PRICE</b>	
<b>SPECIFIC GOALS</b>	
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

2. Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
3. The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

### 3. DEFINITIONS

1. “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
2. “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
3. “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
4. “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
5. “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

### 6. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

#### 1. POINTS AWARDED FOR PRICE

##### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

**80/20**

**or**

**90/10**

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$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) \text{ or } Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

- Ps = Points scored for price of tender under consideration  
Pt = Price of tender under consideration  
Pmin = Price of lowest acceptable tender

## 2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

### 1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of tender under consideration  
Pt = Price of tender under consideration  
Pmax = Price of highest acceptable tender

## 7. POINTS AWARDED FOR SPECIFIC GOALS

- In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
  - an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

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- any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)***

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)***

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)

**DECLARATION WITH REGARD TO COMPANY/FIRM**

- Name of company/firm.....
- Company registration number: .....
- TYPE OF COMPANY/ FIRM
  - Partnership/Joint Venture / Consortium
  - One-person business/sole propriety
  - Close corporation
  - Public Company
  - Personal Liability Company
  - (Pty) Limited

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- Non-Profit Company
  - State Owned Company
- [TICK APPLICABLE BOX]

4. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

1. The information furnished is true and correct;
2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
4. If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  1. disqualify the person from the tendering process;
  2. recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
  3. 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;
  4. recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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
  5. forward the matter for criminal prosecution, if deemed necessary.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....

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**Annexure F**

**SBD 4**

**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 interest<sup>1</sup> 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.

Full Name	Identity Number	Name of State Institution

<sup>1</sup> 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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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 other related enterprise whether or not they are bidding for this contract? **YES/NO**

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 consortium<sup>2</sup> 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.

<sup>2</sup> 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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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.

1. 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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<b>TECHNICAL EVALUATION CRITERIA - TECHNICAL FMS</b>			
<p>NOTES:</p> <p>Tenderer must pass both criteria in Part 1 - Mandatory Section and Tenderer to achieve a minimum threshold of 73% and not receive a 0% in any of the criteria in Part 2 - Qualitative Section and, Tenderer to pass all criteria in Part 3 - Onsite Section. Tenderer will be deemed successful in the technical evaluation if Part 3 - Onsite Section is passed.</p> <p>To be evaluated for Part 2 the tenderer will need achieve a pass in Part 1. To be evaluated for Part 3 the tenderer will need to be meet the threshold and requirement in Part 2.</p>			
<b>PART 1 – Mandatory Section</b>			
<b>KPI</b>	<p><b>Criteria</b></p> <p><b>Tenderer is required to pass Criteria A1 and A2 to pass Part 1 – Mandatory Criteria of the evaluation.</b>  <b>The Tenderer will not be successful in the technical evaluation if it fails any of the 2 criteria in Part 1 and will be deemed non-responsive.</b>  <b>The tenderer will not be evaluated further if Part 1 – Mandatory Section is failed.</b></p>	<b>Assessment Method</b>	<b>Result</b>

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<b>.. A1</b>  <b>In House Skills Required</b>	<b>The tenderer's skills within its company is evaluated in this criterion.</b>  The tenderer must as a minimum have an employee with any one of the specified trade, employed within the tendering company at the time of tender closing. The specified trade is plumber or electrician or building works person.  The technical evaluation returnable template must be filled indicating the trade of the worker employed within its company. The technical evaluation returnable template must be returned as a tender returnable. Information on this template will be used to evaluate the tenderer on this criterion - The tenderer employees within its company a plumber or electrician or building works person as indicated on the technical evaluation returnable template	<b>Pass</b>	
	- No evidence supplied or none of the specified trade skills is employed within the tendering company.	<b>Fail</b>	

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<b>A2</b>  <b>Tenderer's Workspace / Facility</b>	<p><b>The Tenderer's workspace / facility utilised to provide the goods is evaluated in this criterion</b></p> <p>The tenderer to provide proof of workspace / facility that is being used when providing the service at the time of tender closing. The proof to be supplied must be municipality invoice (not older than 3 months) or letter from ward councillor or valid lease agreement or an affidavit The street address or geographic co-ordinates must be clearly specified on the document. Document must be in the Tendering company's name or the Tendering company's owner's name. Work Space / Facility must be within a 100km radius from any of the home centres i.e.</p> <p>-Mkondeni Complex - 1 Portland Road, Mkondeni, Pietermaritzburg          -New Germany Area Office - 25 Valley View Road, New Germany          -Empangeni Area Office - 26 Turnbull Street, Empangeni          Newcastle Area Office - 34 Voortrekker Street, Newcastle</p> <p>Google maps will be used to verify the 100km radius based on driving distance from the home centres specified.</p> <p>In addition the tenderer to ensure the following is available at its workspace / facility</p> <p>-2 Bakkies that will be used for the service          -A ladder and artisan tool box, and spanners and a drill and an extension lead and a multi meter and a hammer.          -A Computer and 1 x Printer and cell phone/ telephone</p>		
	<p>- Municipality invoice or letter from ward councillor or lease agreement or an affidavit meeting the requirements indicating the supplier's workspace / facility within the required radius</p>		

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	- No evidence supplied meeting the requirements or no existing workspace / facility within the required radius	<b>Fail</b>	
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<b>Result for PART 1</b>	
--------------------------	--

<b>PART 2 - Qualitative Section</b>
-------------------------------------

Area	Criteria	Score Allocation	Weight
<b>B1</b>	<p><b>The Tenderer to achieve a minimum threshold of 73% and not receive a 0% in any of the criteria in Part 2</b></p> <p><b>The Tenderer will not be successful in the technical evaluation if it does not meet the minimum threshold and requirements in Part 2 and will be deemed non-responsive.</b></p> <p><b>The tenderer will not be evaluated further if Part 2 - Qualitative Section Criteria is failed.</b></p>		<b>25%</b>
<b>Tenderer's Technical Facilities Management Services Experience</b>	<p>The tenderer to indicate the number of years of experience in technical facilities management services e.g. plastering, plumbing, electrical, waterproofing, painting, building works etc. The years of experience will be calculated up until the tender closing date</p> <p>Tenderer to fill in information on the technical evaluation returnable template, indicating the name of the company the works was provided to, description of the works, the start date and end date of the works. The technical evaluation returnable template must be</p>		

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	<p>returned as a tender returnable. Information on this template will be used to evaluate the tenderer on this criterion</p>		
	- more than 5 years' experience and meeting the requirements	25%	
	-3 years or more but less than or equal to 5 years' experience and meeting the requirements	20%	
	- less than 3 years' experience	0%	
<b>B2</b>	<p><b>The tenderer's ability for planning / co-ordinating works (project management) is evaluated in this criterion.</b></p> <p>Score points as below:</p> <p>The tenderer has Planning / Co-ordinating of works structure is in place. The tenderer to indicate the name and surname of the employee identified to fill this role within the tendering company, at the time of tender closing. <b>(Score 1 point for meeting the criteria, score 0 point for not meeting the criteria)</b></p> <p>The tenderer to indicate if the employee in the planning / co-ordinating of works role has any formal training record in business administration or project management or the built environment. <b>(Score 1 point for Yes, or score 0 points for No or not answered)</b></p>		<b>24%</b>

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	<p>The tenderer to provide a list of projects and specify the duties performed by the employee, demonstrating experience / competency in planning / co-ordinating works(project management) <b>(Score 1 point for meeting the criteria, score 0 point for not meeting the criteria)</b></p> <p>The tenderer to provide the names of the computer software that will be used by the employee when planning / co-ordinating works (project management) e.g. MS projects, excel etc. <b>(Score 1 point for meeting the criteria, score 0 point for not meeting the criteria)</b></p> <p><u>The tenderer is given a point for each of the requirement it meets above. The sum of the points are used to score the criterion. There is a maximum of 4 requirements.</u></p> <p>Tenderer to fill in information on the technical evaluation returnable template. The technical evaluation returnable template must be returned as a tender returnable. Information on this template will be used to evaluate the tenderer on this criterion</p>		
	- Information supplied and meets 4 requirements score = 4 points		24%
	- Information supplied and meets 3 requirements score = 3 points		20%
	- Information supplied and meets 2 requirements score = 2 points		16%
	- Information supplied and meets 1 requirements score = 1 point		12%
	- No requirement met or no information supplied score = 0 point		0%

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<b>B3</b>  <b>Health and Safety Competence</b>	<p><b>The tenderer's ability to meet Health and Safety compliance requirements is evaluated in this criterion.</b></p> <p>The tenderer must have in its employ a person within the tendering company who has experience in health and safety compliance on building maintenance services or construction projects. <b>(Score 1 point for meeting the criteria, score 0 point for not meeting the criteria)</b></p> <p>The tenderer's structure for providing Health and Safety compliance is in place. The tenderer to indicate the name and surname of the employee in the tendering company to fill this role. <b>(Score 1 point for meeting the criteria, score 0 point for not meeting the criteria)</b></p> <p>The tenderer to indicate for the employee who is ensuring Health and Safety Compliance, if he/she has the relevant qualification certificates as specified on the SACPCMP.org.za website for C.CHSO or CHSO orCHSM or PrCHSA or a valid SACPCMP registration certificate <b>(Score 1 point for Yes, or score 0 point for No or not answered)</b></p> <p><b>OR</b></p> <p>The tender must indicate if it has a sub-contracting agreement with a sub-contractor who has experience in health and safety compliance on building maintenance services or construction projects. <b>(Score 1 point for meeting the criteria, score 0 point for not meeting the criteria)</b></p> <p>The tenderer's sub-contractor's structure for providing Health and Safety compliance is in place. The tenderer to indicate the name and</p>		<b>24%</b>
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	<p>surname of the sub-contractor's employee that will fill this role.  <b>(Score 1 point for meeting the criteria, score 0 point for not meeting the criteria)</b></p> <p>The tenderer to indicate for the sub-contractor's employee who is ensuring Health and Safety Compliance, if he/she has the relevant qualification certificates as specified on the SACPCMP.org.za website for C.CHSO or CHSO or CHSM or PrCHSA or a valid SACPCMP registration certificate <b>(Score 1 point for Yes, or score 0 points for No or not answered)</b></p> <p><u>The tenderer is given a point for each of the requirement it meets above. The sum of the points are used to score the criterion. There is a maximum of 3 requirements.</u></p> <p>Tenderer to fill in information on the technical evaluation returnable template. The technical evaluation returnable template must be returned as a tender returnable. Information on this template will be used to evaluate the tenderer on this criterion</p>		
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- Information supplied and meets 3 requirements score = 3 points	24%
- Information supplied and meets 2 requirements score = 2 points	20%
- Information supplied and meets 1 requirements score = 1 point	16%
- No requirement met, or no information supplied score = 0 point	0%

<b>B4</b>  <b>Tenderer's Available Skills</b>	<p><b>The tenderer's available skills is evaluated in this criterion.</b></p> <p>Tenderer to indicate the category of skills available and to supply the relevant training / qualification certificates. The years of experience will be calculated up until the tender closing date.</p> <p>Category 1 - A Plumber with more than 3 years plumbing works experience, with a plumbing training certificate. Copy of plumbing training certificate / qualification to be submitted as a tender returnable</p> <p>Category 2- An Electrician with more than 3 years electrical works experience, with an electrical trade test certificate. Copy of electrical trade test certificate to be submitted as a tender returnable.</p> <p>Category 3 - A Building works (excluding Plumber and Electrician) employee with more than 3 years building works experience, with a building trade training certificate. Copy of building trade training certificate to be supplied as a tender returnable.</p> <p>Tenderer to fill in information on the technical evaluation returnable template. The technical evaluation returnable template must be returned as a tender returnable. Information on this template will be used to evaluate the tenderer on this criterion</p>	<b>27%</b>
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-Tenderer has in house employees for 3 categories of skills, meeting the requirements, and copies of training / qualification certificate of the workers for the 3 categories has been supplied.	27%	
-Tenderer has in house employees for 2 categories of skills and the remaining 1 category of skill is sub-contracted, meeting the requirements, and copies of training / qualification certificate of the workers for the 3 categories has been supplied.	26%	
-Tenderer has in house employees for 1 category of skills and the other 2 categories of skills is sub-contracted, meeting the requirements, and copies of training / qualification certificate of the workers for the 3 categories has been supplied.	25%	
-Tenderer does not meet the requirements for the above 3 scoring methods	0%	
<b>Result for PART 2</b>		<b>100%</b>

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**TECHNICAL EVALUATION CRITERIA - TECHNICAL FMS**

**NOTES:**

In the event that an employee is no longer in the employ of the tenderer or tenderer's sub-contractor and such employee's information was submitted for technical evaluation, the tenderer will be required to prove such employee's employment up until the tender closing date and will need to provide the necessary supporting documents for another employee that has been identified to replace the employee that the tenderer indicated at the time of tender closing.

In order to pass Part 3 tenderer must pass every criteria listed below which is C1 to C5. Should the tenderer fail any of the KPIs below, the tenderer will fail the technical evaluation.

An onsite evaluation will be done to verify items in Part 3

The supplier may be requested to provide the proof of evidence at the Eskom premises i.e. documents tool, vehicles, personnel etc. Should any info not be available at the time of onsite evaluation, the tenderer will be given one opportunity to provide the

outstanding info.

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PART 3 - Onsite Section			
Area	Criteria	Assessment Method	Result
C1	<p><b>The tenderer's years of experience is verified.</b></p> <p>The following will be checked and confirmed.</p> <p>1.) Tenderer to provide documents to substantiate information supplied in Criteria B1. Examples of documents to be checked but not limited to are Contract agreements, purchase orders, invoices, receipts, completion certificates, confirmation letters/records by referees or any other documents the tenderer may provide that can clearly substantiate / support the information submitted in Criteria B1. These documents must relate to the companies and description of works/projects as listed in Criteria B1.</p> <p>2.) The documents provided must align to the dates as specified in Criteria B1 to prove years of experience. This will be calculated up until tender closing date.</p> <p>3.) Tenderer to provide documents that substantiate 3 or more years of technical facilities management services experience</p>		
	- Criteria passed if the requirements as stated are met	Pass	

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	- Criteria failed if tenderer cannot provide the documents or substantiate the information or prove the years of experience through the relevant documentation on hand as per information submitted for Criteria B1.	Fail	
<b>C2</b>  <b>Project Management</b>	<b>The tenderer's ability for planning / co-ordinating works (project management) is verified</b>  The following will be checked and confirmed:  1.) The employee' indicated for this role, employment must be proved. The employee's employment contract or payslips will be checked.  2.) The formal training record of the employee indicated in criteria B2 will be checked. The formal training record must be in business administration or project management or the built environment.  3.) The employee's work experience will be checked. The tenderer must demonstrate the employee's experience / competency in planning / Co-ordinating works (project management).		
	- Criteria passed if the requirements as stated are met	Pass	
	- Criteria failed if the requirements as stated are not met or are not sufficiently demonstrated	Fail	

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<b>C3</b>  <b>Health and Safety Competence</b>	<b>The tenderer's ability to ensure Health and Safety compliance is verified.</b>  The following will be checked and confirmed:  1.) The employee indicated for this role, employment must be proved. The employee's employment contract or payslips will be checked.  2.) The employee's qualification certificate will be checked. The qualification certificate must be of a qualification as specified on the SACPCMP website for C.CHSO or CHSO or CHSM or PrCHSA.  3.)The employee's work experience will be checked. The tenderer must demonstrate the employee's experience / competency in ensuring Health and safety compliance of tenderer.  OR  4.) Where this role is sub-contracted the sub-contracting agreement will be checked. The sub-contracting agreement must be in place stipulating the service to be provided.  5.) Where this role is sub-contracted item 2 & 3 above will be checked.		
	- Criteria passed if the requirements as stated are met	Pass	
	- Criteria failed if the requirements as stated are not met or are not sufficiently demonstrated	Fail	

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<b>C4</b>  <b>Tenderer's Available Skills</b>	<b>The tenderer's available skills is verified.</b>  The following will be checked and confirmed:  1.) For each category of skill the tenderer has indicated as being available in criteria B4, the indicated employees' work employment must be proved. The employee's employment contracts or payslips will be checked.  2.) For each category of skill, the tenderer has indicated as being available the work experience will be checked. The tenderer must demonstrate more than 3 years' experience in the relevant trade. This will be calculated up until the tender closing date.		
	- Criteria passed if the requirements as stated are met	Pass	
	- Criteria failed if the requirements as stated are not met or are not sufficiently demonstrated	Fail	

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<b>C5</b>  <b>Tenderer's Workspace / Facility</b>	<b>The Tenderer's workspace / facility requirements will be verified</b>  The following will be checked and confirmed.  1.) The workspace / facility is being utilised by the tenderer and is at the location as indicated in A3 of criteria Part 1.  2.)The workspace / facility has a Computers and 1 x Printer and cell phone/ telephone  3.)The tenderer must demonstrate the computer software that will be used for planning / co-ordinating the work (project management).  4.)The tenderer to demonstrate the availability of 2 bakkies that will be used for the service. The vehicles will be viewed and must be in working order.  5.) The tenderer to demonstrate the availability of tools. The tools will be checked. Tools to be in good working order. As a minimum the tenderer to have a ladder, artisan toolbox, spanners, drill, extension lead, multi meter, hammer.		
	- Criteria passed if the requirements as stated are met	Pass	
	- Criteria failed if the requirements as stated are not met or are not sufficiently demonstrated	Fail	
	<b>FINAL RESULT</b>		

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