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ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

THE SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF UNIT 4 NICKEL CADMIUM BATTERIES AT DUVHA POWER STATION

Tender number	GEN3367
Issue date	23 April 2021
Closing date and time	20 May 2021 at 10h00
Tender validity period	12 weeks from the closing date and time
Clarification meeting	A non-compulsory site clarification meeting will be held on 04 May 2021 at 10:00 at Duvha Power Station, Duvha LAPA.
Tenders are to be delivered to the following address on the stipulated closing date and time:	ESKOM MEGAWATT PARK (RETAIL CENTRE) 1 MAXWELL DRIVE SUNNINGHILL GAUTENG

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for the supply, delivery, installation, testing and commissioning of unit 4 Nickel Cadmium Batteries at Duvha Power Station.

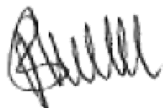
The enquiry documents are supplied to you on the following basis:

- Free of charge.

Eskom has delegated the responsibility for this tender to the Eskom *Representative* whose name and contact details are set out in the Tender Data. A submission of a tender by you in response to this *Invitation* will be deemed as your acceptance of the Eskom Standard Conditions of Tender (to be accessed via www.eskom.co.za).

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


Yours faithfully



Raisibe Mphahlele
Procurement Manager
Procurement and Supply Chain Management (P&SCM)

Date: 23 April 2021

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Contents of Invitation to Tender/Enquiry documents

1. Invitation to tender

- 1.1. Standard Conditions of Tender (refer to www.eskom.co.za for this document that suppliers are required to download and read);
- 1.2. Tender Data;
- 1.3. Commercial Tender returnables;
- 1.4. Contractual Requirements; and
- 1.5. Functionality criteria for technical scoring and tender returnables.

2. Evaluation process and criteria

- 2.1. Basic Compliance;
- 2.2. Technical Mandatory Requirements;
- 2.3. Functionality;
- 2.4. Price and preference scoring; and
- 2.5. Contractual requirements (SHEQ, financial analysis Outcome of Due Diligence).


3. Condition of contract (see contract conditions attached)

4. Works Information (see Contract)

5. Pricing data (See contract attached)

6. Appendices

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The following documents listed hereunder are attached to this enquiry:

Number	Description	Annexure	Attached (Y/N)
1.	*Acknowledgement form	Annexure A	Y
2.	*Tenderer's particulars	Annexure B	Y
3.	* Integrity Declaration Form (refer to www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	Y
4.	*Addenda acknowledgement form	Annexure D	Y
5.	SBD 1 - Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure E	Y
6.	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure F	Y


The Tender Data makes several references to the **Eskom Standard Conditions of Tender** (refer to www.eskom.co.za for this document that suppliers are required to download and read). The clauses that apply specifically to this Invitation are referenced hereunder. The "**Tender Data**" shall take precedence over the **Standard Conditions of Tender** in the event of any ambiguity or inconsistency between the two documents.

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Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Pelo Mosinyi Tel: 013 690 0768 E-mail: tiroph@eskom.co.za</p>
1.3 Enquiry documents	<p>The Invitation to tender number is GEN3367</p> <p>See the content list above for the enquiry documents.</p>
1.4 Type of Invitation to Tender	<p>This invitation to tender is:</p> <ol style="list-style-type: none"> An open Invitation to tender.
1.6 Eskom's rights to accept or reject any tender	<p>The tender shall be for the whole of the contract.</p>
2.1 Eligible tenders	<p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed ineligible to submit a tender if</p> <ul style="list-style-type: none"> Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be deemed to have the nationality of a country if the tenderer is a national or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country. This criterion shall also apply to the determination of the nationality of proposed subcontractors or suppliers for any part of the Contract including related services; Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium. 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

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	<p>severally liable for the execution of the Contract in accordance with the Contract terms.</p> <ul style="list-style-type: none"> • A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this tendering process, if : <ul style="list-style-type: none"> ○ (a)they have a controlling partner/majority shareholder in common; or ○ (b)they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process; • Tenders signed by non- authorized persons; • Where the tenderers are not registered on National Treasury’s Central Supplier Database (except Foreign Suppliers); • A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender (section 4 (2) of PPPFA Regulations; • Any tenderer that is restricted by National Treasury; and • A tenderer that sub-contracts 100% Scope of Work. <p>Ineligible tenderers will be disqualified.</p>
2.2 - 2.5 Tender Closing	The deadline for Tender submission is : Date: 20 May 2021 Time 10:00 Late Tenders will not be accepted Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address: ESKOM MEGAWATT PARK (RETAIL CENTRE) 1 MAXWELL DRIVE SUNNINGHILL GAUTENG

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2.9 Copy of original tender	<p>The tenderer shall submit an original tender, plus 1 complete hard copy of the original tender at tender submission deadline.</p> <p>In addition a soft copy (flash drive) of the complete tender must be submitted.</p> <p>Where a Tenderer does not submit 1 complete hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</p>
2.13 Tender Validity Period	The tender validity period is 12 weeks.
2.16 Site/clarification meetings	<p>A non-compulsory site clarification meeting will be held on 04 May 2021 at 10:00 in Duvha Power Station, Duvha LAPA.</p> <p>Tenderers are urged to constantly check updates of this tender on the advertised tender bulletins. Tenderers who wish to attend site clarification meeting are urged to send the confirmation letter five (5) days after the enquiry is issued.</p> <p>The number of attendees will be limited in terms of the Disaster Management Act 2002, as amended March 2020.</p> <p>Plant walk with representatives of the Employer will take place following the clarification meeting.</p> <p>Tenderers must confirm their intention to attend with the Eskom Representative stating the name, Identity number, position and contact details of each proposed attendee.</p> <p>Suppliers to bring their own PPE i.e. Covid19 Compliant Face Masks/ Face Shields, hard hats with chin strap, safety boots, safety goggles, overalls, ear protection and reflector vests/jackets.</p> <p>No cameras/photos are allowed to be taken on site.</p> <p>Please note that if the tender stipulates that a site/clarification meeting is mandatory/compulsory; then suppliers must attend such meeting. Those suppliers who do not attend such mandatory/compulsory meeting will be disqualified and will not be evaluated.</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.

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2.23 Alternative tenders	Alternative tenders are <i>not allowed</i> .
2.25 Conditions of contract	The conditions of contract will be the NEC3 ECSC
2.31 Provision of security for performance	Not Applicable.
3.4 Opening of tenders	Tenders will be opened at the same date and time as the tender deadline.
3.5 Prices to be read out	Prices will <i>not be read out</i> .
3.9 Basic Compliance	<p>Basic compliance for this invitation to tender are:</p> <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer; • Submit one copy of the original tender to Eskom; • Submit a complete tender with commercial, financial and technical information; • Submission of the list of mandatory commercial tender returnables as stated hereunder and as at stipulated deadlines; • Central Supplier Database (CSD) number (MAA.....); • Valid B-BBEE certificate (must be SANAS approved); • B-BBEE Sworn Affidavit only for EME/QSE companies; • Acknowledgement Form; • Integrity Pact Declaration form; • SBD 1: Invitation to Bid; • SBD 6.1: Preference Points Claim Form in terms of PPPFA 2017 regulations; • Data Provided by the Contractor; • Pricing Data; and • Registration with CIDB in grading designation 4EB/4EP or higher.
3.10 Mandatory tender returnables	<p>A tenderer that does not submit mandatory documents/information required by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.</p> <p>Refer to the list of tender returnables for mandatory requirements.</p>

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3.12 Designated materials and thresholds	Designated material thresholds are not applicable .
3.11 Pre-qualification criteria	Not applicable.
3.13 Functional requirements	<p>Functional requirements are applicable.</p> <p>Qualitative Technical Evaluation Criteria</p> <p>Qualitative Technical Evaluation Criteria are weighted evaluation criteria used to identify the highest technically ranked tenderer after determining that all the Mandatory Evaluation Criteria have been met. The Qualitative Evaluation Criteria are weighted to reflect the relevant importance of each criterion.</p> <p>The minimum weighted final score (threshold) required for a tender to be considered from a technical perspective is 70%.</p> <p>A weighted score-card approach is used to evaluate the technical compliance of the tenders against the specifications:</p> <p>Tenderers who do not meet the threshold for functionality scoring will be disqualified and not be evaluated further.</p> <p>Note: Please refer to the detailed requirements for functionality evaluation in section 1.5 Functionality tender returnables and Functionality criteria for technical scoring.</p>
3.15 Evaluation of price	<p>Prices will be evaluated as follows:</p> <ul style="list-style-type: none"> • Inclusive of VAT; • Making the specified correction for arithmetical errors ; • Making an adjustment based on the application of the quantitative information entered by tenderers in the Contract Data provided by the Contractor to provisional amounts assessed by Eskom’s Representative; • Making an appropriate adjustment for any other acceptable variations, deviations, loss evaluation or alternative tenders submitted; • Making a comparison of the Nett Present Value of each adjusted tender based on the tendered programme (if provided) and prices, on the estimated effect of Price Adjustment Factors and rate of exchange fluctuations (if applicable) and on other evaluation parameters relating to uncertainty and risk; and • Prices will be scored out of 80 points.

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3.17 Evaluation of B-BBEE	<p>B-BBEE status will be scored out of 20 points in accordance with PPPFA. If a Tenderer fails to submit proof of B-BBEE status level the tender will be scored zero.</p>
3.18 Ranking of tenders	<p>Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder:-</p> <ul style="list-style-type: none"> 80/20 (for estimated values above R30 000 and up to R50M inclusive of VAT) system. <p>Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest.</p>
3. 19 Objective/other criteria	<p>The following criteria apply:</p> <ul style="list-style-type: none"> Not applicable.
Contractual Requirements	<p>Contractual Requirements may include the following:</p> <ul style="list-style-type: none"> SHEQ requirements; Planning Financial analysis: and Outcome of Due Diligence. <p>Please Note:</p> <p>Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders. Proof that the highest ranked tenderer is able to meet the contractual requirements, must be submitted prior to contract award.</p> <p>Failure to meet “Contractual Requirements “by the stipulated deadlines; may result in the tenderer being regarded as non-responsive and ineligible for contract award.</p> <p>In the event that there are further documents/actions that are required during execution of the contract, these must be made contractual conditions and compliance thereto must be managed in terms of the contract.</p>

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Please note:

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

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


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

1.3 TENDER RETURNABLES

The tenderer must submit the returnables set out hereunder as part of its tender. Returnables that are mandatory for evaluation will result in disqualification if not submitted at tender closing.


Reference	Returnables from supplier	Returnables mandatory for evaluation purposes and due at tender closing	Returnables mandatory for contract award and due prior to contract award
Basic Compliance	One (1) complete hard copy of the tender.	✓	
B-BBEE Status	<ul style="list-style-type: none"> • Original or certified copy of a valid B-BBEE certificate (issued by Verification Agency accredited by SANAS) or • Valid B-BBEE Sworn Affidavit (on official DTI template) only for EME/QSE companies or CIPC B-BBEE certificate. • Refer to the requirements for a B-BBEE in the tender data item 3.17. <p>Please Note:</p> <p>If not submitted by tender submission deadline, the respective Tenderer will score zero</p>	✓	
Annexure A	Acknowledgement Form.	✓	

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Reference	Returnables from supplier	Returnables mandatory for evaluation purposes and due at tender closing	Returnables mandatory for contract award and due prior to contract award
Annexure B	Tenderers Particulars.	✓	
Annexure C	Integrity Pact Declaration form.	✓	
Annexure G (applicable for all suppliers including Foreign suppliers)	SBD 1- to be submitted with the tender at tender submission deadline.	✓	
Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations.	✓	
Additional Documents required in event of JV:-	Letter of intent to form a JV/consortium	✓	
	Valid joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.	✓	
	Written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract (this may be included as an obligation within the JV agreement).	✓	
	* A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate (SANAS accredited for each separate tender.	✓	
	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.		✓
Tax Clearance Certificates	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		✓

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Reference	Returnables from supplier	Returnables mandatory for evaluation purposes and due at tender closing	Returnables mandatory for contract award and due prior to contract award
	<p>have not provided a SARS pin number) and Local suppliers (who have not provided their SARS e-filing PIN 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.</p>		
Compliance with Employment Equity Act	<p>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).</p>		✓
CIDB	<p>Valid proof of the required CIDB grading designation is 4EB/4EP or higher.</p>	✓	
NEC Documentation	<p>Completed NEC -- Data provided by the Contractor.</p>	✓	
Pricing Data	<p>Completed pricelist</p>	✓	
Shareholding	<p>Shareholding organogram /breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers):</p> <ul style="list-style-type: none"> • Tenderers shall submit certified copies of CIPRO/CIPC registration documents; • Certified copies of Identity Document(s) of Company 	✓	

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Reference	Returnables from supplier	Returnables mandatory for evaluation purposes and due at tender closing	Returnables mandatory for contract award and due prior to contract award
	Shareholders; and • Certified copies of Shareholders Certificate.		

1.4 CONTRACTUAL REQUIREMENTS

DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS - SAFETY		
Reference	Returnables from supplier	Required for evaluation and mandatory for contract award
Safety Health and Environment	Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?	✓
OHS Plan	<ul style="list-style-type: none"> • OHS organization within the Company-Responsibility & Accountability; • SHE Incident management ; • Planning of conduct of work activities including planning for changes and emergency work; • PPE- Personal Protective Equipment; • Emergency planning and fire risk management; • Vehicle and driver behavior safety; • Contractor or supplier selection and management; • Design and specifications; • Permits; • Competency, training, appointments; and • Communication and awareness. 	✓
Costing for Safety Health and Environmental management	Has the tenderer submitted detailed (The cost should be broken down not provided as a lump sum) costing for SHE, i.e. <ul style="list-style-type: none"> • based on the overall scope of work/service to be performed; the generic scope of work/service risk assessment – will may serve as a guideline. 	✓

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Baseline Risk Assessment (BRA)	Identification, assessment and management of SHE risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA.	✓
	Valid Letter of Good Standing (COIDA or equivalent).	✓
	SHE policy signed by CEO/ MD Comply to OHS Act Section 7 or OSHAS 1800/ ISO 45001.	✓
	SHE Competency (Consider scope of work, risks, SHE plan and applicability) CV,s and qualifications / certificates e.g. <ul style="list-style-type: none"> • First aiders; • Safety officer (SACPCMP); • SHE Representative; • HCS Controller; and • Incident investigator. 	✓
Environmental Returnables	Environmental Management Plan for the Scope of work addressing the following as a minimum: <ul style="list-style-type: none"> • Environmental Management Plan; and • Waste management (reduction, re-use, recycling, disposal). 	✓

DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS - QUALITY


Reference	Returnables from supplier	Required for evaluation and mandatory for contract award
Quality Requirements	The following Quality documents must be submitted for evaluation and will form part of the negotiations if required: <ul style="list-style-type: none"> • Objective evidence of documented QMS that is not certified but complies with ISO 9001 <ul style="list-style-type: none"> • Quality Method statement based on scope; and • Quality Policy Approved by top management. • Evidence of QMS in operation (Tender Quality Requirements -240-105658000. <ul style="list-style-type: none"> • Documented information for Control of Externally Provided Processes, Products and Services. • Form A is completed and signed. 	✓

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DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS - PLANNING		
Reference	Returnables from supplier	Required for evaluation and mandatory for contract award
Planning Requirements	<ul style="list-style-type: none"> • Schedule submitted using latest version of Primavera or MS Project; • The programme submitted is at least detailed up to level 3 in both PDF and XER file; • Progress "S" curves, including early /late plan forecast and actual progress percentages to be attached to programme submissions; • Critical Path Method (CPM) to be used clearly indicating the critical path and near critical path. Activity durations are shown in days (and hours if required). Commissioning activities shown in hours; • The calendar must be clearly shown and must be 7 days a week, 8 hours a day, indicating pay weekend (negotiable); • Schedule includes activities to the sub-system/work package level on the works information package level • The schedule also includes all procurement activities, quality hold points and engineering hold point and reviews; • Method statement to be submitted, this must align with Project activities; and • Schedule is resource loaded, including but not limited to engineering, construction and commissioning for evaluation purposes, activities are WBS coded, and activities align with the method statement. <p>The following must be in the programme:</p> <ol style="list-style-type: none"> a) All project Milestones i.e. procurement, manufacturing, Inspections & Test, delivery etc; b) Project Key dates; c) Engineering and quality hold point milestones; 	

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	d) Interface dates; and e) Commissioning Key Dates. Schedule Basis Document has to accompany the initial and all updated schedules to provide the project team of changes and their effect, if any on the schedule time frame. The information must include but not limited to all key assumptions, constraints and measurement: nonworking days, daily working hours and shifts for different resources and activities, resources KPI measurement and rates on how resource efforts are linked to durations and availability, resource histograms, progress measurement basis and in conjunction with Earned Value Management and resource levelling assumptions and setting on Primavera program.	
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DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS - FINANCE

Reference	Returnables from supplier	Required for evaluation and mandatory for contract award
Due Diligence	Audited Financial Statements of the <i>tenderer</i> for the previous 24 months or to the extent those statements are not available, for the last year. Tenderers must note that in the case of a joint venture or special purpose vehicle (SPV) especially formed for this tender, audited financial statements for each participant in the JV / SPV is required. Start-up enterprises formed within the last 12 months are not required to send in statements, but if successful with their tender will be required to send statements for the first year when once available.	✓

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1.5 FUNCTIONALITY CRITERIA FOR TECHNICAL SCORING

A two stage Technical Evaluation Strategy is set out.

Stage 1: Mandatory Technical Evaluation Criteria

Mandatory Technical Evaluation Criteria (gatekeepers) are ‘must meet’ criteria. These criteria shall not be weighted or point scored, but shall be assessed on a Yes/No basis as to whether or not the criteria are met. An assessment of ‘No’ against any criterion shall technically disqualify the tenderer and shall not be further evaluated against Qualitative Criteria.


No	Mandatory Technical Criteria Description	Reference to Technical Specification / Tender Returnable	Motivation for use of Criteria
1.	Fully completed Technical Schedule A & B with documentation provided that support information in column B.	“Completed Technical Schedules A&B”.	Technical Integrity.
2.	The service provider must be an OEM or have an Original Equipment Manufacturer (OEM) agreement (if not OEM). Formal OEM/Agent agreement stating the distribution agreement, technical support offered and the warranties offered for this enquiry.	“An agreement letter must be provided”.	Technical Integrity.

Stage 2: Qualitative Technical Evaluation Criteria

Qualitative Technical Evaluation Criteria are weighted evaluation criteria used to identify the highest technically ranked tenderer after determining that all the Mandatory Evaluation Criteria have been met. The Qualitative Evaluation Criteria are weighted to reflect the relevant importance of each criterion.


	Qualitative Technical Criteria Description	Reference to Technical Specification / Tender Returnable	Criteria Weighting (%)	Criteria Weighting (%)	Sub
	Electrical Engineering		100		
	1.1 Preliminary	Preliminary method		30	

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	Method Statement for execution of the works including construction/ sequence of erection – how will the expected work be performed.	statement for execution of the works including construction/ sequence of erection; The completeness and relevance to the scope will be assessed. Not submitted : 0 Completeness (less than 80%) : 2 Completeness (80% or above): 4 Complete : 5		
1.2	The service provider track record of supply, delivery, installation and commissioning of Nickel Cadmium Batteries (“A proof and contact details of 3 previous completed projects”).	List of previous relevant projects and contact details. Not submitted : 0 Above 1 previous completed projects : 2 Above 2 previous completed projects: 4 Above 3 previous completed projects : 5		20
1.3	Tenderers shall have a permanent South African office for supply and support of standby batteries. Advanced-level support shall be available from the South African office on all tendered products	Proof of a permanent South African office for supply and support of standby batteries Not submitted : 0 Completeness (less than 80% : 2 Completeness (80% or above): 4		15

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		for the duration of the contract.	Complete : 5		
1.4	All battery cabinets and stands must be manufactured local.	Proof of local manufacture	Not submitted : 0 Completeness (less than 80% : 2 Completeness (80% or above): 4 Complete : 5		15

The minimum weighted final score (threshold) required for a tender to be considered from a technical perspective is 70%.

A weighted score-card approach is used to evaluate the technical compliance of the tenders against the specifications:

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ANNEXURE A

ACKNOWLEDGEMENT FORM

We are in receipt of the Invitation to Tender 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 Content List, and that each document is complete.

Or: Incorrect or incomplete for the following reasons:


Cataloguing Acknowledgement:

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

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

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

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Invitation to Tender No.

Name of company/JV: _____

Country of registration _____

Name of contact person: _____


Contact details of contact person:

Tel (landline) _____

Cell phone _____

e-mail address _____

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ANNEXURE B

TENDERER'S PARTICULARS

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


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

Please complete the following:

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

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


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Name of contractor	
CIPC Registration number	
VAT registration number	
CIDB Registration number (if applicable)	
Shareholding organogram /breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names& ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)	
Proposed Scope of work to be done by sub-contractor	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

1. If you are currently registered as a vendor with Eskom, please provide your Vendor registration number with Eskom._____
2. If you are currently registered as a vendor on the Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury_____
3. Please note that it is mandatory for you to register on National Treasury's CSD, if you intend doing work with any State department or State owned entity/company.
4. You may register online at National Treasury website on www.treasury.gov.za

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5. Alternatively, you may contact Henriette Ronquest, RonqueH@eskom.co.za, from Eskom's Vendor Management department, who can assist you further with the registration on CSD.
6. Submit a recent printout (dated prior to tender closing) of your registration with CSD.
7. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status_____
8. If you are required to be tax compliant as per SBD 1, but are not registered on CSD (foreign suppliers) or have not provided your SARS Efiling pin, please confirm that you have attached/will send a copy of a current valid tax compliant certificate as a tender returnable (by contract award stage).

YES		NO	
-----	--	----	--

8. If sub-contracting is prescribed in the specific enquiry, you need to compete 8.1- 8.7

- 8.1 Confirm if you intend sub-contracting

YES		NO	
-----	--	----	--

- 8.2 What percentage will you be sub-contracting? _____%
- 8.3 To whom do you intend sub-contracting? _____
- 8.4 Is the said sub-contractor registered on CSD?


YES		NO	
-----	--	----	--

- 8.5 If yes to 8.4, please provide CSD number. _____
- 8.4 Please confirm B-BBEE level of said sub-contractor _____

- 8.5 Which designated group does the sub-contractor belong to:-
 - a. Black people
 - b. Black people who are youth
 - c. Black people who are women
 - d. Black people with disabilities
 - e. Black people living in rural or underdeveloped areas or townships
 - f. Cooperatives which are 51% owned by Black people
 - g. Black people who are military veterans

If Eskom decides to apply the sub-contracting provision as specified in Regulation 4(c) all tenders above the prescribed maximum threshold for quotations must be advertised through an open

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competitive bidding process subject to potential tenderers meeting the 30% minimum subcontracting requirement to EMEs or QSEs that are 51% owned by the following enterprises:

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

YES	<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"/>
-----	--------------------------	----	--------------------------

A. Single tenderers

I, the undersigned, _____(Full names) hereby confirm that I am duly authorised to sign all documents in connection with this tender and any contract resulting from it, on behalf of _____ (insert the full legal name of the tenderer).

Signature: _____

Designation: _____


Date: _____

B. Joint Ventures

We, the undersigned, are submitting this tender in Joint Venture and hereby authorise Mr/Ms _____(full names), an authorised signatory of _____, (insert the full legal name of the business entity serving as the lead partner) acting in the capacity of lead partner, to sign all documents in connection with the tender and any contract resulting from it on our behalf.


We attach to this Schedule a copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners.

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

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ANNEXURE C

INTEGRITY DECLARATION FORM

1. DECLARATION OF INTEREST

I/We understand that any natural/legal person, including employees of the State and/or those related to an Eskom employee/director (as per the definition of “related” set out hereunder), may tender to Eskom. However, in view of possible allegations of favouritism (the practice of showing favour to, or giving preference to some person/group, to the detriment of, or at the expense of another that is entitled to equal treatment or an equal opportunity), should the resulting tender, or part thereof, be awarded to such natural/legal person, as described herein, it is required that the *tenderer/s* declare such interest/relationship where:-

- the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors in the state or a state owned entity.
- the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom
- the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors
- the *legal person/s (including its employees/contractors/directors/members/ shareholders)* on whose behalf the tender documents are signed, is in some other way “related” to an Eskom employee/contractor/consultant/director involved in the tender evaluation/tender adjudication/tender negotiation. “Related” meaning that:-
 - an individual is related to another individual if they are married, or live together in a relationship similar to marriage;
 - or are separated by no more than two degrees of natural or adopted consanguinity or affinity;
 - an individual is related to a juristic person if the individual directly or indirectly controls the juristic person, as determined in accordance with the definition of “control” (as per Companies Act section 2(1)); and
- **a juristic person is “related” to another juristic person if :-**
 - (1) either of them directly/indirectly controls the other, or the business of the other, as determined in accordance with the definition of “control”(as per Companies Act section 2(1));
 - (2) either is a subsidiary of the other; or
 - (3) a person directly/indirectly controls each of them, or the business of each of them, as determined in accordance with the definition of “control”
- the *tenderer/s* and one or more of the *tenderers* in this tendering 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;

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To give effect to the provisions above, please complete the table hereunder with all required information.

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

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

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


2. DECLARATION OF FAIR TENDERING PRACTICES

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

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

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

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


Item	Question	Yes/ No	No
1.1	Is the <i>tenderer/s(or any of its directors/members/shareholders)</i> listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector, or listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004) The Database of Restricted Suppliers and the Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.2	Was the <i>tenderer/s</i> (or any of its directors/members/shareholders) convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/tendering processes/procedures during the past five years?		
1.2.1	Provide details.		
1.3	Was the <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		

I, the undersigned, _____ hereby confirm that I am duly authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of _____ (*insert the full legal name of the tenderer*)

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

Signature:	
Designation and capacity in which signing:	
Date:	

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Joint Ventures


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

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 may be rejected, and that Eskom will act against the JV should any aspect of this this declaration prove to be false.

Signature:	
Designation and capacity in which signing:	
Date:	

(A copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners is attached to the invitation to tender).

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ANNEXURE D



CONFIRMATION OF RECEIPT OF ADDENDA TO THE ENQUIRY

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


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

(Attach additional pages if more space is required)

Name and Designation

Signature

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ANNEXURE E

SBD 1

**PART A
INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/
PUBLIC ENTITY)**

BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
--------------------	--	----------------------	--	----------------------	--

DESCRIPTION

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).


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

SUPPLIER INFORMATION

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes	<input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	<input type="checkbox"/>	A REGISTERED AUDITOR			
		NAME:			

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs)]

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

**PART B
TERMS AND CONDITIONS FOR BIDDING**

- | |
|--|
| <p>1. BID SUBMISSION:</p> <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE</p> |
|--|

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CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.

1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.

2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.

2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO


3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?
 YES NO

3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?
 YES NO

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.

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

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ANNEXURE F

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

a) The value of this bid is estimated to **not exceed** R50 000 000.00 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable.

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.


1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any

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time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

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3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration


P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

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5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:-

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
-----	--	----	--

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE


(Tick applicable box)

YES		NO	
-----	--	----	--

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		

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Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION


- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

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we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

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

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