ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER FOR

THE Provision of Office Cleaning services to Duvha Unit 3 Recovery offices at Duvha Power Station

<table>
<thead>
<tr>
<th>Tender number</th>
<th>MPPPSC001055R</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue date</td>
<td>25 July 2017</td>
</tr>
<tr>
<td>Closing date and time</td>
<td>15 August 2017 at 10h00</td>
</tr>
<tr>
<td>Tender validity period</td>
<td>120 days from the closing date and time</td>
</tr>
<tr>
<td>Clarification meeting</td>
<td>2 August 2017 at Duvha Lapa</td>
</tr>
<tr>
<td>Tenders are to be delivered to the following address on the stipulated closing date and time:</td>
<td>THE TENDER ADVICE CENTER No.10 SMUTS AVENUE EMALAHLENI MPUMALNGA 1035</td>
</tr>
</tbody>
</table>

Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter "Eskom") invites you to submit a tender for the provision of Office Cleaning services to Duvha Unit 3 Recovery offices 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/proposal 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
Sourcing Management

Date: 25 July 2017
Contents of Invitation to Tender/Enquiry documents

1. Invitation to tender
   1.1 Conditions of Tendering (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.

2. Evaluation process and criteria
   2.1 Basic Compliance;
   2.2 Mandatory tender returnables;
   2.3 Pre-qualification criteria;
   2.4 Functionality;
   2.5 Financial evaluation;
   2.6 Price and preference scoring; and
   2.7 Objective criteria.

3. Condition of contract (see contract conditions attached).

4. Service Information (see Contract attached).

5. Pricing data (See contract attached).

6. Annexures.
2. Tender data

1.2 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.

<table>
<thead>
<tr>
<th>Clause Number from Standard Conditions of Tender</th>
<th>Tender Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 Parties</td>
<td>The Employer is Eskom Holdings SOC Ltd</td>
</tr>
<tr>
<td></td>
<td>The Eskom Representative is:</td>
</tr>
<tr>
<td></td>
<td>Name: <strong>Pelo Mosinyi</strong></td>
</tr>
<tr>
<td></td>
<td>Tel: <strong>(013) 690 0768</strong></td>
</tr>
<tr>
<td></td>
<td>E-mail: <strong><a href="mailto:cedduvha@eskom.co.za">cedduvha@eskom.co.za</a></strong></td>
</tr>
<tr>
<td>1.1 Eligible tenders</td>
<td>Tenderers are deemed ineligible to submit a tender if</td>
</tr>
<tr>
<td></td>
<td>• 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.</td>
</tr>
</tbody>
</table>
- 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 severally liable for the execution of the Contract in accordance with the Contract terms.
- 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:
  o (a) they have a controlling partner/majority shareholder in common; or
  o (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

Ineligible tenderers will be disqualified.
1.3 Enquiry documents

The Invitation to tender number is: MPPPSC001055R
See the content list above for the enquiry documents.

1.4 Type of Invitation to Tender

This invitation to tender is:
An open Invitation to tender.

1.6 Eskom's right to accept the whole or parts of the tender

The tender shall be for the whole of the contract.

2.2 -2.5 Tender Submission Information

The deadline for Tender submission is:
Date 15 August 2017
Time 10h00

Late Tenders will not be accepted.

Tenders are to be submitted to the Eskom tender box at the following physical address:

THE TENDER OFFICE
10 SMUTS AVENUE
WITBANK
1035

2.8 Mandatory tender returnables

See below list of Tender returnables, some of these are mandatory at the Tender submission deadline, and others are Mandatory prior to contract award.
The tenderer will be disqualified if mandatory tender returnables are not submitted on/before the tender submission deadline.

2.9 Copy of original tender

The tenderer shall submit an original tender, plus 1 hard copy of the original tender.

Where a Tenderer does not submit a complete hard copy of the original tender, the tenderer will be disqualified.

2.13 Tender Validity Period

The tender validity period is 120 days.

2.17 Site/clarification meetings

A clarification meeting with representatives of the Employer will take place as follows:
Date: 2 August 2017
Time: 10h00
Venue: Duvha Lapa

Tenderers must confirm their intention to attend with the Eskom Representative stating the name, position and contact details of each proposed attendee.

NB: Site clarification meeting is not compulsory.

2.18 Clarification on enquiry documents

The tenderer will notify the Employer of any clarifications
2.22 Conditions of contract

The conditions of contract will be the *NEC3 Term Services Contract (TSC3)*.

2.24 Alternative tenders

Alternative tenders are *not allowed*.

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 *not be read out*.

3.11 Basic Compliance

Basic compliance for this invitation to tender are:

- 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; and
- Central Supplier Database (CSD) number (MAA........).

3.12 Mandatory tender returnables

Mandatory tender returnables required for scoring are listed hereunder.

- Annexure B - Tenderer’s particulars;
- Annexure C - Integrity Declaration Form;
- The submission of a Valid Tax Clearance certificate is a mandatory pre-requisite for contract award; and
- The submission of JV Agreement is mandatory pre-requisite for contract award (if applicable).

**Tenderers who do not submit these mandatory tender returnables as at the stipulated submission deadlines will be disqualified.**

3.13 Pre-qualification criteria

To achieve these objectives, the following Prequalification criteria will apply for this tender:

- Emerging Micro Enterprises (EME) that has B-BBEE contribution Level 1.

**Required documents to verify B-BBEE contribution Level:**

- Valid proof includes a valid B-BBEE certificate / Sworn Affidavit.

**Tenderers who do not meet the above pre-qualification**
<table>
<thead>
<tr>
<th>Criteria</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.14 Designated material thresholds</td>
<td>The provision of cleaning services does not form part of a designated sector of DTI.</td>
</tr>
<tr>
<td>3.15 Functional requirements</td>
<td>Functional requirements are applicable.</td>
</tr>
<tr>
<td>3.17 Evaluation of price</td>
<td>Prices will be evaluated as follows: 1. Making the specified correction for arithmetical errors; and 2. Considering all unconditional discounts.</td>
</tr>
<tr>
<td>3.18 Scoring of Prices</td>
<td>Prices will be scored out of 80.</td>
</tr>
<tr>
<td>3.19 Scoring of B-BBEE</td>
<td>B-BBEE status will be scored out of 20 in accordance with PPPFA.</td>
</tr>
<tr>
<td>3.20 Ranking of suppliers</td>
<td>Suppliers will be ranked by applying the preferential point scoring based on the 80/20 principle.</td>
</tr>
<tr>
<td>3.21 Objective criteria</td>
<td>Objective criteria:</td>
</tr>
<tr>
<td></td>
<td>The following objective criteria:</td>
</tr>
<tr>
<td></td>
<td>1. SHEQ requirements.</td>
</tr>
</tbody>
</table>

Please note:

Eskom reserves the right to award the tender to a supplier who may not be the highest scoring/highest ranked tenderer, in line with Section (2) (1) (f) of the PPPFA; subject to the right to negotiate on the objective criteria with the three preferred tenderers scoring the highest points (from first highest to third highest) before award is made.

- Tenderers will not be disqualified if they do not comply with the objective criteria
- Functionality and any element of the B-BBEE scorecard may not be used as objective criteria.
Eskom may only cancel a tender for the second time with the prior approval of the relevant treasury. Eskom must make representation to the relevant treasury stating reasons for cancellation for the second time. This cancellation (for the second time), however, does not refer to price quotations in terms of threshold for procurement but tenders that have been advertised for open competitive tendering process.

The decision to cancel a tender invitation will be published in the same manner in which the original tender invitation was advertised.

Prequalification may be used in identified tenders to advance designated groups on the basis of B-BBEE Status Level of contributor, EME or QSE or on the basis of subcontracting with EMEs or QSEs which are 51% owned by either of the following: Blacks; Black Youth; Black Women; Black people with disabilities; Black people living in rural or underdeveloped areas or townships; cooperatives owned by Black people; Black people who are Military Veterans.
1.3 TENDER RETURNABLES (refer to 2.8 above)

The tenderer must submit the returnables set out hereunder as part of its tender. (Mandatory returnables are indicated by a tick (✓), and if they are not included by tender deadline, the tenders will be disqualified from further evaluation).

Documents preceded by * are not mandatory at tender returnable stage, and will not result in disqualification but will impact the scoring, and a zero will be allocated, if not submitted by tender deadline.

Documents preceded by ** do not need to be submitted physically to Eskom either at tender deadline or before contract award, if the tenderer is registered with CSD, has provided a valid registration number as required in Annexure B (the tenderer’s particulars) and such documents can be verified on CSD.

Please note that foreign suppliers (with no footprint in RSA) are not required to be registered on CSD and therefore they may be required to provide hard copies of relevant documentation.

<table>
<thead>
<tr>
<th>Reference</th>
<th>Returnables from supplier</th>
<th>Mandatory returnable for evaluation</th>
<th>Mandatory returnable for contract award</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annexure A</td>
<td>Acknowledgement Form</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Letter of intent to form a JV/consortium</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Additional Documents required in event of JV:-</td>
<td>Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td></td>
<td>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)</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td></td>
<td>* A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate for every separate tender.</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>Annexure B</th>
<th>Tenderers Particulars</th>
<th>✓</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annexure C</td>
<td>Integrity Pact Declaration form</td>
<td>✓</td>
</tr>
<tr>
<td>Annexure G</td>
<td>Letter of acknowledgment of funding requirements</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Annexure H</td>
<td>Confirmation of receipt of addenda to enquiry document</td>
<td>✓</td>
</tr>
<tr>
<td>Tax Questionnaire</td>
<td>Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE [only in the case of services contracts]</td>
<td>✓</td>
</tr>
<tr>
<td>Compliance with Employment Equity Act</td>
<td>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)</td>
<td>✓</td>
</tr>
<tr>
<td>Financial statements</td>
<td>Audited Financial Statements of the tenderer for the previous two financial years, or to the extent that such 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 statements, but if successful with their tender will be required to send statements for the first year when once available.</td>
<td>✓</td>
</tr>
<tr>
<td>Shareholding</td>
<td>Shareholding organogram /breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names &amp; ID Numbers) and other entities (provide full legal/trading name)</td>
<td>✓</td>
</tr>
<tr>
<td>DOCUMENTS REQUIRED UNDER OBJECTIVE CRITERIA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Safety</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>acknowledgement of Eskom's SHE rules (Annexure B)</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>SHE Plan specific to the Project</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Baseline SHE risk assessment;</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Valid Letter of Good Standing (COIDA or equivalent);</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>SHE policy signed by CEO/ MD</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Historical Information: SHE performance (not less than 2 years)</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td><strong>Quality</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supplier shall complete and sign Form A (Enquiry/Contract/Quality Requirements for QM 58 and ISO 9001);</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>The Supplier shall submit copies (minimum three) of its customer satisfaction survey reports;</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Historical Information (list) of similar work performed &lt; 2yrs;</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Copy of procedure for control of suppliers &amp; subcontractors</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Document and Record Control Management Procedure.</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td><strong>Other Requirements</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SUPPLIER DEVELOPMENT AND LOCALIZATION (SD&amp;L)</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>SD&amp;L matrix includes Local Production and</td>
<td>✔</td>
<td></td>
</tr>
</tbody>
</table>
**Invitation to Tender**

**Unique Identifier** 240-114238630  
**Revision** Rev 2  
**Revision Date** April 2020  
**Group Technology and Commercial**  
**Enquiry no** MPPSC001055R

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### Corporate Social Investment

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Eskom’s Target</th>
<th>Tender’s Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Content</td>
<td>100%</td>
<td></td>
</tr>
</tbody>
</table>

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**DOCUMENTS REQUIRED FOR FUNCTIONALITY**

**Technical Evaluation Criteria**

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirm from two most recent Employers in a similar project</td>
<td>10%</td>
</tr>
<tr>
<td>Acceptable Cleaning and Waste Management procedures/method statement for all activities</td>
<td>20%</td>
</tr>
<tr>
<td>The contractor must have sufficient equipment in line with the methodology and Employer requirement. All necessary equipment to be available at contract conception.</td>
<td>15%</td>
</tr>
<tr>
<td>Demonstrate how the service provider would adhere to the applicable standards and legislation. E.g. health and safety Act.</td>
<td>5%</td>
</tr>
<tr>
<td>Customer survey and Track records:</td>
<td>5%</td>
</tr>
<tr>
<td>- The service provider must provide evidence of good quality work done before.</td>
<td></td>
</tr>
<tr>
<td>- Three references of cleaning services done within the last 3 (three) years.</td>
<td></td>
</tr>
<tr>
<td>Please provide 3 (three) references, to include company name, contact person and contact details (telephone number and e-mail).</td>
<td></td>
</tr>
</tbody>
</table>

**The contractor must provide sufficient human resources for the execution of the Contract.**

**Organogram/ Site Structure**

- List of proposed employees and CV if applicable for key personnel (Supervisor and Safety Representatives etc.).
- Managers and Supervisors must have a relevant Matric qualification (Management or Supervision) and at least three years relevant experience.
- The SHE Officer must have relevant qualification/s and at least 1 year’s relevant experience.

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240-114238630 Invite to tender  
Cleaning Services  
CONFIDENTIAL  
TE – Group Technology & Commercial  
Effective April 2017  
Page 14 of 43
SAFETY HEALTH AND ENVIRONMENT RETURNABLES
Acknowledgement of Eskom’s SHE rules (Annexure B)
SHE Plan specific to the Project
Baseline SHE risk assessment;
Valid Letter of Good Standing (COIDA or equivalent);
SHE policy signed by CEO/ MD
Historical Information: SHE performance (not less than 2 years)

QUALITY RETURNABLES
Supplier shall complete and sign Form A (Enquiry/Contract/ Quality Requirement for QM 58 and ISO 9001).
The Contractor shall submit a Quality method statement. The method statement should address all the supplier’s business management processes to ensure that all Eskom’s requirement s are fully met on a consistent basis.
The supplier shall submit copies (minimum three) of its customer satisfaction survey reports.
The Contractor shall submit a signed quality policy.
Document and Record control management procedure.

Tenderers who do not meet the threshold for functionality scoring will be disqualified and not be evaluated further.
ANNEXURE A

ACKNOWLEDGEMENT FORM

Acknowledgement:

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 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. □

Invitation to Tender. [insert tender/ number]
Name of company/JV: ________________________________

Country of registration ______________________________

Name of contact person: ______________________________

Contact details of contact person:
Tel (landline) ________________________________
Cell phone ________________________________
e-mail address ________________________________
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):

<table>
<thead>
<tr>
<th>Individual tenderer</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Unincorporated Joint venture (registration number for each member of the JV)</td>
<td></td>
</tr>
<tr>
<td>Incorporated JV</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
</tbody>
</table>

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 | |

240-114238630 Invite to tender

CONFIDENTIAL

Cleaning Services

TE – Group Technology & Commercial

Effective April 2017
Eskom  

Invitation to Tender

Unique Identifier 240-114238630
Revision Rev 2
Revision Date April 2020
Group Technology and Commercial
Enquiry no MPPSC001055R

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.

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

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. Alternatively, you may contact Maluta Makweho at +27 13 693 2520 from Eskom’s Vendor Management department, who can assist you further with the registration on CSD.

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.

<table>
<thead>
<tr>
<th>Legal Name of Joint Venture Member</th>
<th>Full Name and Capacity of Authorised Signatory</th>
<th>Signature</th>
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ANNEXURE C

INTEGRITY DECLARATION FORM

(Form to be completed and signed by supplier/tenderer as Invitation to Tender/RFP returnable or as part of contract modification documentation)

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 of 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/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.

<table>
<thead>
<tr>
<th>Full Name &amp; Capacity/Position within tenderer (e.g. employee/Director/member/owner/shareholder)</th>
<th>Identity Number</th>
<th>Confirm and provide details (including employee number) if you are a State/State owned entity employee/contractor/director</th>
<th>Full Names &amp; Capacity/Position of Eskom employee/director/consultant and details of the relationship or interest (marital/familial/personal/financial etc.)</th>
<th>To your knowledge is this person involved in the evaluation/adjudication/negotiation of tenders</th>
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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/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:
- abused the institution’s procurement process (e.g. bid rigging/collusion)
- Committed fraud or any other improper conduct in relation to such system.
Please complete the declaration with an 'X' under YES or NO

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
<th>Yes/No</th>
<th>No</th>
</tr>
</thead>
</table>
| 1.1  | Is the tenderer/s (or any of its directors/members/shareholders) 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 tenderer/s (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 tenderer/s (or any of its directors/members/shareholders) 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/proposal 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:                                                                                                                

---

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/proposal 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/Request for proposal).
ANNEXURE D

CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA)

THE APPLICATION OF CONTRACT PRICE ADJUSTMENT (CPA) TO TENDER SUBMISSIONS

This Section will not be applicable to professional services contract

1. APPLICATION OF CPA

Eskom requires tenderers to submit offers that are in full accordance with the Project Sourcing CPA principles as contained below.

Eskom will afford Tenderers an opportunity to propose additional/alternate offers to the abovementioned. Additional Offers, which are optional, will only be considered if a fully compliant Main Offer is submitted and acceptable.

CPA conditions may apply if the contractual duration is to be longer than 12 months. If the contractual duration will be less than or equal to 12 months, a fixed priced offer must be submitted.

2. TENDER SUBMISSIONS

Tenderers shall comply with the following requirements:

a. Main offer:

- A Main Offer that is fully compliant with the CPA requirements as specified in the Enquiry.

- This condition is mandatory unless a fully fixed priced offer is submitted. If more than one offer is submitted, then the fully CPA compliant offer must be indicated as the Main Offer.

Failure to do so may result in the supplier’s offer(s) being disqualified.

b. Additional/Alternative offer:

Additional offers, which are optional, will only be considered if a fully compliant main offer is submitted and acceptable:

- A fixed priced offer in addition to the fully CPA compliant main offer; or

- Any other offer with CPA specifications which deviate from the CPA requirements specified in the enquiry. However it is compulsory that all such deviations are sufficiently substantiated.

Additional/Alternative Offers must be clearly indicated as such
3. **ESKOM'S PRESCRIBED INDEX LIST**

   Eskom's prescribed index list is set out hereunder in Tables 1 and 2. The index list comprises indices that are to be used in the Tenderers main offer.

4. **FOREIGN PORTION OF THE TENDER/AGREEMENT PRICE**

   In instances where the prescribed index list does not specify a foreign index which is required for the specific agreement, the following must apply:

   - The source of an index must be that of the national statistical institute of the relevant country or a generally acknowledged statistical (e.g. industry) body in or for that country, e.g. BEAMA and MEPS.
   - The index must be the equivalent, or if unavailable, the nearest equivalent index to that of the specific prescribed local index.

5. **NUMBER OF FORMULAE & INDICES**

   - The Tenderer is Ltd to a maximum of 10 (ten) indices in total, i.e.: a maximum of 5 local indices and maximum of 5 foreign indices, excluding the fixed portion per CPA formula, per offer/agreement.
   - The Tenderer is Ltd to a maximum of 10 (ten) CPA formulae, i.e.: a maximum of 5 for the local portion and a maximum of 5 for the foreign portion, per offer/agreement.

6. **CPA FIXED PORTION**

   A minimum of 15% of the total agreement value is to be fixed when a CPA formula applies; except in the case of professional services or consulting agreements.

7. **BASE DATE**

   - In instances of indices or other references published monthly, the Base Date is to be: *The month before the month in which the Enquiry closes*
   - In instances where the reference figures, e.g. market prices, are published daily or at more intervals than once a month: *The average for the month before the month in which the Enquiry closes*
   - In this case, the following shall apply:
     - Where the average is published:
The average published price in the currency Eskom will be exposed to, e.g. The currency in which Eskom will effect payment

- Where a high, low and mean are published:
  The mean

- Where other prices than the Cash Settlement or Cash Sellers Price are published:
  The Cash Settlement or Cash Sellers Price

* Where applicable, these principles, must also apply for the CPA “cut-off” date.

8. CPA FOR PROFESSIONAL SERVICES

The preferred index to be used for adjusting these agreements is the country specific CPI Headline index.

The price adjustment factor will be effective from each contractual anniversary of the base date. This must be the average of the country specific CPI Headline index figures published for the last twelve month period (cycle) ending before the contract anniversary date.

No fixed portion is mandatory.

Signed Date

Name Position

Tenderer

Table 1: Prescribed Local Index List - this list of indices needs to be relevant to the commodity. Buyers need to check and include the relevant indices.

<table>
<thead>
<tr>
<th>Labour</th>
<th>Commodities</th>
<th>Processed material</th>
<th>Transport</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labour general (hourly paid)</td>
<td>Steel</td>
<td>Mechanical engineering material</td>
<td>SEIFSA, L2, road freight costs</td>
<td>StasSA, PC141 CPI (Headline)</td>
</tr>
<tr>
<td>SEIFSA, C3, actual labour cost</td>
<td>StatsSA, P1215102, basic iron and steel</td>
<td>SEIFSA, G, mechanical engineering material</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>SEIFSA, D-1 (CPI)</td>
<td></td>
</tr>
</tbody>
</table>
## Table 2: Prescribed Foreign Index List

Note: Only Eskom acceptable international currencies can be used for tender purposes and the indices to be used will be linked to these currencies.

<table>
<thead>
<tr>
<th>Labour</th>
<th>Commodities</th>
<th>Processed material</th>
<th>Transport</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Statistical Institute, Country-specific general labour index</td>
<td>MEPS, Country-specific general steel index</td>
<td>National Statistical Institute, Country-specific mechanical engineering material</td>
<td>National Statistical Institute, Country-specific general transport cost index</td>
<td>National Statistical Institute, Country-specific CPI (Headline)</td>
</tr>
<tr>
<td></td>
<td>LME, Copper</td>
<td>National Statistical Institute, Country-specific electrical engineering material</td>
<td></td>
<td>National Statistical Institute, Country-specific PPI</td>
</tr>
<tr>
<td></td>
<td>LME, aluminium</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LME, zinc</td>
<td>National Statistical Institute, Country-specific building and construction material</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>-----------</td>
<td>----------------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LME, lead</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Closing date of tender  

TENDERER'S SIGNATURE  

240-114238630 Invite to tender  
Cleaning Services  
Page 30 of 43
ANNEXURE E

CPA (I/G) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES

CONTRACT PRICE ADJUSTMENT AND FOREX PAYMENTS – IMPORTATION

Failure to propose contract price adjustment methods, either by completing this document or proposing alternative methods for any portion of the tender price, will lead to that portion of the tender price being considered fixed.

Where space in this document is insufficient, the tenderer shall submit the required information on separate schedules, duly referenced to this document.

Where foreign exchange is involved, and Eskom will cover the risk forward, the methods of payment listed in Part 1 are the only acceptable methods. It must be noted that Eskom considers Payment Method 1 to be the default payment method.

PART 1: PAYMENT OF FOREIGN COMMITMENTS

Payment of Eskom’s foreign commitment in foreign currency will be made either:

Payment Method 1:
- a) To a nominated bank account in a foreign country in a foreign currency (payment will be made to the party and account nominated by the supplier in the contract, and not to any other party);
  Applicable (Y / N )

- b) To a valid SARB approved CFC account in South Africa, in a foreign currency (payment will be made to the party and account nominated by the supplier in the contract, and not to any other party). Service related payments are excluded from this option;
  Applicable(Y/N ) or
  Payment Method 2:
  In South African Rand at the selling spot rate of exchange obtained by
Eskom's Treasury on the date that the forward cover is cancelled. Eskom will notify the supplier of the date that the forward cover is cancelled as well as the intended payment date, which will be as per the agreed payment terms. Any exchange rate adjustment after Eskom has notified the supplier of the date and the rate which the forward cover is cancelled, will be for the account of the supplier.

Applicable (Y/N).......... 

An indemnity in writing confirming that the supplier will not buy forward cover is required where Payment Method 1 or 2 is contracted.

[Payment Method 2 must be accepted by the Commercial Policy and Procedure Manager before the tender documentation is sent out, but at the latest before the tender closing date. If it is not approved before tender closing, Payment Method 1 will be the default.]

Eskom will require substantiating proof of importation at the time of invoicing, regardless of which payment method is selected.

Where goods were previously imported into stock by the supplier, for delivery to various customers, including Eskom, the price quoted must be in South African Rand. In such cases Eskom will not undertake any foreign exchange commitment or arrange forward cover.

Provided that the tenderer nominates either Payment Method 1 or 2 as the main tender offer, an alternative payment method offering a fixed price not subject to exchange variation may be offered for Eskom's consideration.

Where Payment Method 2 is used and the exchange rate variation is favourable to Eskom at the date of payment, Eskom will debit the difference between the invoice value and the amended value at the date of payment, based on the selling spot rate of exchange obtainable by Eskom's Treasury on the notified payment date.
PART 2: EXCHANGE RATES

The tenderer shall use the exchange rate as at the time of preparation of the tender and shall stipulate the date of the rate used in the tender.

Any request for a change of currency during contract execution, shall be substantiated by the requesting party and be mutually agreed by the parties to the contract. The requesting party shall be liable to absorb all related costs that Eskom has incurred, in relation to the affected portion, in securing the hedge, including any losses that Eskom may suffer as a result of cancellation of such forward cover;

Eskom must not be placed in a worse position than before the requested change, thus the Contractor will be paid in either:

- the rate at which the cover was cancelled, or
- The tendered rate of exchange.

PART 3: ADJUSTMENT OF IMPORTATION COSTS, ETC

The values in Rand included in the tender/contract price for the following costs shall be based on rates ruling for the month prior to the closing date of the tender and any variation in these rates applied to the value included in the tender price will be for Eskom’s account.

<table>
<thead>
<tr>
<th>RATES/TARIFFS</th>
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<tbody>
<tr>
<td>Sea/Air Freight</td>
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<tr>
<td>Bunker Adjustment Factor</td>
</tr>
<tr>
<td>Currency Adjustment Factor</td>
</tr>
<tr>
<td>Marine Risk Insurance (MRI) (Eskom will provide cover)</td>
</tr>
<tr>
<td>Rate for Extension of MRI after Arrival of Goods at Site (if required) /month</td>
</tr>
<tr>
<td>Wharfage</td>
</tr>
<tr>
<td>Landing Charges</td>
</tr>
</tbody>
</table>
PART 4: ADJUSTMENT OF OVERSEAS MANUFACTURE, EXPATRIATE LABOUR AND OTHER COSTS (To be read in conjunction with Eskom CPA Index)

Eskom requires a fixed portion (free of price adjustment) appropriate to the nature of the contract.

The methods/formulae proposed in this part shall clearly identify the base month, the period over which adjustment will apply, the elements of labour and materials and source of the indices/rates/prices to be used.

The source of indices/prices/rates nominated in this part shall be from a recognised publishing authority. It must be clearly and completely defined. Supplier in-house indices are not acceptable.

The value of overseas manufacture, labour and material costs (ex-works), inland transportation, expatriate labour, etc. included in the tender/contract price shall be subject to adjustment in accordance with the methods stated hereunder.

The base indices/prices/rates shall be those ruling for the month prior to the month of the closing of the enquiry.

4.1 MANUFACTURING CPA METHOD (LABOUR AND MATERIAL)

Please submit your proposals for this section on a separate sheet of paper as an annexure.

4.2 EXPATRIATE LABOUR METHOD

Please submit your proposals for this section on a separate sheet of paper as an annexure.
4.3 OTHER VALUES METHOD (e.g. Engineering fees, design fees, barging, inland transportation, etc)

Please submit your proposals for this section on a separate sheet of paper as an annexure.

PART 5: ADJUSTMENT OF LOCAL MANUFACTURE/SUPPLY MATERIAL, TRANSPORT AND ERECTION COSTS

The contract price adjustment method for local manufacture or partly local manufacture from imported stock, equipment or plant cost, transport cost within the RSA and local erection/installation cost shall be in accordance with the attached Eskom CPA Principles.

PART 6: GUIDELINES FOR CONTRACT PRICE ADJUSTMENT CLAIMS — PART 2, 3 AND 4

1. When the percentage increase or decrease between two indices/prices/tariffs is calculated, the earlier figure shall be taken as the base.

2. Where portions of the works are delivered at different times, contract price adjustments shall be made in respect of appropriate portions of the contract price.

3. Where the terms of payment of the contract allow progress payments, other than Eskom's standard payment terms, the agreed contract price adjustment method shall be applied to the value of such payment and to the date and level of completion to which payment is linked.

4. Where any figure given in a table is therein stated to be a provisional figure or is subsequently amended, the figure as ultimately confirmed or amended in the publication concerned shall apply.

5. Where the appropriate claim indices/prices, as defined in terms of the agreed formulae, are not available or are provisional, interim claims based on the last published confirmed or revised indices/prices as at the date of delivery/installation may be submitted. When the confirmed or revised index/price becomes available the final claim may be submitted, provided that such claim is received within 180 days of the date of delivery/installation.
6. Where requested by Eskom the contractor shall submit publications showing base
indices/prices/rates as they become available as well as updated values at three
monthly intervals during the course of the contract.

7. Where it is considered necessary Eskom reserves the right to call for any documentary
evidence to substantiate claims.

Closing date of tender  _________ / _________ / _________

TENDERER’S SIGNATURE ____________________________________