ORIGINAL

CONSTITUTIONAL COURT OF SOUTH AFRICA

CASE CCT: 279/20

In the application between:

FIDELITY SERVICES GROUP (PTY) LTD (REGISTRATION NUMBER: 2002/030292/07)	First Applicant
THE SOUTH AFRICAN NATIONAL SECURITY EMPLOYERS ASSOCIATION (SANSEA)	Second Applicant

and

THE MINISTER OF FINANCE	First Respondent
AFRIBUSINESS NPC	Second Respondent
THE MINISTER OF PUBLIC ENTERPRISES	Third Respondent

In re: the Application for leave to appeal between:

MINISTER OF FINANCE Applicant/Appellant

and

AFRIBUSINESS NPC First Respondent

INDEX: VOLUME 3

No.	Description	Pages
17.	Annexure "FD13"	178 - 228
18.	Annexure "FD14"	229
19.	Annexure "FD14.1"	230 – 231
20.	Annexure "FD14.2"	232 – 233
21.	Annexure "FD14.3"	234 – 236
22.	Annexure "FD15"	237 – 242
23.	Annexure "FD15.1"	243
24.	Annexure "FD15.2"	244 - 271

DATED AT PRETORIA THIS 12th DAY OF APRIL 2021.

NFC ATTORNEYS INC.
ATTORNEYS FOR THE FIRST AND SECOND APPLICANT
PP Wynand Hendrik Fourie
An Attorney with right of appearance in
terms of Section 4(2) of Act 62 of 1995
Waterford Court
Block G33, Unit 3
c/o Rabie Street & Glover Avenue
Lyttelton
Pretoria
Phone (Office): +27 (0)12 664 1617
Email: info@nfcattorneys.co.za
OUR REF.: FID001/L/AB

TO: **THE REGISTRAR OF THE ABOVE HONOURABLE COURT**
JOHANNESBURG

AND TO: **THE STATE ATTORNEYS, PRETORIA**
THE FIRST RESPONDENT
SALU Building
316 Thabo Sehume Steet
Pretoria

STATE ATTORNEY
RECEPTION
2021 -04- 12
PRIVATE BAG/PRIVAATSAK X91
PRETORIA 0001 (7)
STAATSPROKUREUR

AND TO: **HURTER SPIES ATTORNEYS**
THE SECOND RESPONDENT
1st Floor, AfriForum Building
Cnr Union and DF Malan Drive
Kloofsig
Centurion

HURTER SPIES INCORPORATED
WITHOUT PREJUDICE
Received by: Martie Hough
Signature:
On this: 12.04.2021 at: 12:32.

AND TO: **MINISTER OF PUBLIC ENTERPRISES**
THE THIRD RESPONDENT
80 Hamilton Street
Arcadia
Pretoria

MINISTRY OF PUBLIC ENTERPRISES
PRIVATE BAG/ PRIVAATSAK X15
2021 -04- 12
HATFIELD 0028
MINISTERIE VAN OPENBARE ONDERNEMINGS

Eskom	Invitation to Tender	Template Identifier	240-43921804	Rev	6
		Document Identifier	240-114238630	Rev	10
		Effective Date	03 March 2020		
		Review Date	March 2023		

178

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR

THE PROVISION OF SECURITY GUARDING SERVICES FOR GAUTENG TRANSMISSION OPERATING BUSINESS UNIT – CENTRAL GRID (JOHANNESBURG CUSTOMER LOAD NETWORK (CLN) INCLUSIVE OF TSHWANE AREAS; EAST RAND CLN; WEST RAND CLN AND VAAL CLN) FOR A PERIOD OF THREE (3) YEARS

Tender number	**CORP5316**
Issue date	**03 March 2021**
Closing date and time	**31 March 2021 at 10h00am**
Tender validity period	**180 days from the closing date and time**
Non-Compulsory Clarification meeting	**Date: 11 March 2021** **Time: 10h00am** **Venue: MS Teams** **Tenderers must confirm their intention to attend with the Eskom Representative stating the name, position and contact details of each proposed attendee. Appointments will only be sent to those who submit this information by latest close of business (COB) on Wednesday the 10 March 2021.** **Please send email to: Godfrey.Radzelani@eskom.co.za**
Tenders are to be delivered to the following address on the stipulated closing date and time:	**Eskom Megawatt Park Tender Office** **Northside** **Maxwell Drive** **Sunninghill**

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

179

Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter "Eskom") invites you to submit a tender for the Provision of Security Guarding Services for Gauteng Transmission Operating Business Unit – Central Grid (Johannesburg CLN inclusive of Tshwane Areas; East rand CLN; West rand CLN and Vaal CLN) for a Period of Three (3) Years.

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

Procurement Manager

Bev Proctor-Golding

Date: 2021/03/02

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

180

The following documents listed hereunder are attached to this enquiry.

Number	Description	Annexure/to be downloaded and attached	Attached (Y/N)
6.1	*Acknowledgement form	Annexure A	Y
6.2	*Tenderer's particulars	Annexure B	Y
6.3	* 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
6.4	CPA Requirements for Local Goods/Services	Annexure D	Y
6.5	CPA(IG) for Foreign Goods/Services (if applicable)	Annexure E	N
6.6	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included). Annexure C-Local Content Declaration-Summary Schedule Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C Annexure E-Local Content Declaration-Supporting Schedule to Annexure C	Annexure F1 Annexure F2 Annexure F3 Annexure F4	N
6.7	SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure G	Y
6.8	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure H	Y
6.9	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE.		Y
6.10	Supplier Development Localisation & Industrialization (SDL&I) Undertaking (if applicable)	Annexure I	Y

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

181

6.11	Eskom Completed Pricing Schedule (in pdf & excel) – BOQ EAST RAND	Annexure J	
6.12	Eskom Completed Pricing Schedule (in pdf & excel) – BOQ JHB & TSHWANE	Annexure K	Y
6.13	Eskom Completed Pricing Schedule (in pdf & excel) – BOQ VAAL CLN	Annexure L	Y
6.14	Eskom Completed Pricing Schedule (in pdf & excel) – BOQ WEST RAND	Annexure M	Y
6.15	NEC3 Term Service Contract (TSC3) - East Rand	Annexure N	Y
6.16	NEC3 Term Service Contract (TSC3) - JHB & Tshwane	Annexure O	Y
6.17	NEC3 Term Service Contract (TSC3) - Vaal	Annexure P	Y
6.18	NEC3 Term Service Contract (TSC3) - West Rand	Annexure Q	Y

1.2 The Tender Data makes several references to the **Eskom Standard Conditions of Tender** and in those instances, the clause numbers are referenced hereunder. If the **Eskom Standard Conditions of Tender is** not attached to the **Invitation to Tender/Request for Proposal;** then the tenderers are required to download this from www.eskom.co.za. The ***"Tender Data"*** as detailed herein shall take precedence over the **Standard Conditions of Tender** in the event of any ambiguity or inconsistency between the two documents.

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	The *Employer* is **Eskom Holdings SOC Ltd** The Eskom *Representative* is: Name: **Godfrey Radzelani** Tel: **011 871 3165** E-mail: **Godfrey.Radzelani@eskom.co.za**
1.3 Enquiry documents	The Invitation to tender number is : **CORP5316** See the content list above for the enquiry documents.
1.4 Type of Invitation to Tender	This invitation to tender is:

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

	• An open Invitation to tender
1.6 Eskom's rights to accept or reject any tender	The tender shall be for the whole of the contract.
2.1 Eligible tenders	Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the *eligibility criteria* stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies. Tenderers are deemed **ineligible** to submit a ***[tender]*** if • 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/proposal] either individually or as a partner in a joint venture (JV) or consortium • [Tenders/proposals] 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 shallbe disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this [tendering/RFP] 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

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

	• A tenderer that sub-contracts 100% Scope of Work. **Ineligible tenderers will be disqualified.**
2.2 -2.5 Tender Closing	The deadline for **Tender** submission is : Date **31 March 2021** Time **10h00am** **Late Tenders will not be accepted** Tenders are to be submitted to the Eskom *tender box* at the following physical address: **THE TENDER OFFICE** **Eskom Megawatt Park Tender Office** **Northside** **Maxwell Drive** **Sunninghill**
2.9 Copy of original tender	The tenderer must submit the tender as a complete original tender, plus one (1) **hard copy** of the original tender at tender submission deadline. Eskom may also require that one (1) additional complete soft copy of the original tender is required in electronic format. Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.
2.13 Tender Validity Period	The tender validity period is **180 days**
2.16 Non-compulsory clarification meetings	A non-compulsory clarification meeting with representatives of the *Employer* will take place as follows: Date: **11 March 2021** Time: **10h00am** Venue: **MS Teams** *Tenderers* must confirm their intention to attend with the Eskom *Representative* stating the name, position and contact details of each proposed attendee. **Note: RSVP to Godfrey.Radzelani@eskom.co.za by latest close of business (COB) on Wednesday the 10 March 2021**
2.17 Clarification on enquiry documents	The tenderer will notify the *Employer* of any clarifications required before the closing time for clarification queries, which is **7** working days before the deadline for tender submission. • NB: No questions, during the tendering period will be answered telephonically. Questions must be submitted in writing via e-mail through to: Name : **Godfrey Radzelani** E-Mail : **Godfrey.Radzelani@eskom.co.za**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

	If there are any clarifications before the closing date, those will be posted with responses on the tender bulletin and it is the responsibility of the contractor / supplier to check daily any posted communication relating to this invitation to tender
2.23 Alternative tenders	Alternative tenders are **not allowed.**
2.25 Conditions of contract	The conditions of contract will be the **NEC3 Term Service Contract (TSC3)**
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.**
3.9 Basic Compliance	Basic compliance for this invitation to tender are: • Meet the eligibility criteria for a tenderer • Submit one (1) hard copy of the original tender to Eskom • Submit a complete original tender with commercial, financial and technical information • Submission of the mandatory commercial tender returnables as at stipulated deadlines. • Central Supplier Database (CSD) number (MAA.....)
3.10 Mandatory tender returnables	

1	Registration of company as a security service provider with PSIRA	Certified copy of company PSIRA certificate issued by PSIRA - check: Psira registration number, date of issue
2	PSIRA Certificates of Director/s	for company director(s) minimum grade B
3	PSIRA letter of good standing	Certified copy of PSIRA letter of good standing for the security company (Manpower list)
4	Provide proof of UIF	Valid compliance certificate
5	Private Security Provident Fund compliance letter	Valid letter at time of tendering
6	Public Liability insurance R 15 million	Valid Letter from insurance company that supplier is in

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

I&S

		good standing not older than 90 days. -Valid letter from insurance company stipulating that they would have immediate cover from start of contract award. Not older than 60 days.
7	Valid letter from SAPS	Valid Letter from SAPS issued by the NKP office indicating company's application for registration to offer services at National Key Point (for services requiring at a NKP)

The supplier must submit all 1 to 7 mandatory requirements to move on to Firearm mandatory.

FIREARMS MANDATORY		
The Supplier must satisfy ALL Firearm Control Act requirements to be considered for services were firearms are required.		
1	Company accreditation with Central Firearm Registry (CFR) by juristic person.	Letter from CFR and verify against Firearm register. - Valid and in company name - SAPS confirmation letter on license firearms available for the company not older than 90 days.
2	Appointment of the responsible person (Armoury manager) if not the Juristic person /company owner.	(Note; if owner the responsibility is recorded on CFR letter)

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

186

	3	SAPS Firearm competency certificates for responsible person – all accredited firearms in use. (if not owner the appointed person)	Firearm competency certificates certified copy not older than 90 days
	4	Training records for responsible person handle and use of firearms for business purposes – all accredited firearms and Knowledge of firearm Control Act from a SASSETA accredited institution	Training records- Certified copy not older than 90 days
	5	Annual competency assessment records for responsible person (Armoury manager). (Reg. 21)	Reg 21 records copy not older than 90 days
	6	SABS approved safe or strong-room for safekeeping of firearms and ammunitions	(SAPS letter or SABS certificate).
	The supplier is required to have yes to all of the above firearm mandatory requirements to be able to be evaluated on desktop tender returnable and on site.		

A tenderer that does not submit mandatory documents/information in required in mandatory documents by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.

3.11 Pre-qualification criteria	Pre-qualification criteria ***are applicable*** The following mandatory pre-qualification criteria are applicable herein:- **EME or QSE – Level 1 to 2** Where B-BBEE levels, EME/ QSE status is used as pre-qualification criteria; then tenderers are required to provide **"proof of B-BBEE status level of contributor"** at tender submission deadline. May include the following :- • original or certified copy of B-BBEE certificate or original signed sworn affidavit,

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

187

	If the relevant documentation/information as stipulated in the enquiry is not submitted; said tenders will be disqualified.
3.12 Designated materials and thresholds	Designated material thresholds **is not applicable**
3.13 Functionality requirements	Functionality requirements **are applicable** The following criteria will be applicable for this transaction under functionality criteria:

Desktop Evaluation Criteria- Tender Returnables				
Company Profile and Experience (15)				
			Max Score	Tender Returnable
Footprint in province where the services are to be rendered.	Valid Lease Agreement /Statement Water and lights account		10	Lease Agreement /statement water and lights (signed by 2 or more contracting parties with witness signatures) . Dates must be valid at time of tendering. Alternatively proof of ownership of building in the company's name must be submitted. The lease agreement must be of the control room
Proof of references for similar	Two (2) Reference letters from		5	Certified reference letters not

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

	services rendered	clients signed by the Head of Security of the companies for which the services were provided, in the company's letterhead. The letters should not be older than twelve (12) months and must state a period of experience of at least three (3) years in the province where they are tendering			older than 90 days
	Resources - Manpower (15)				
	Adequate resources and capacity (manpower numbers) to render the required services as outlined by the BU/OU.	Does the supplier have a comprehen sive HR policy that addresses recruitment /sourcing strategy, staff retention, requiremen ts for	HR Plan that covers; sourcing; retention strategy; criminal record checks, Medical screening, psychomet ric testing (FCA) = 10	10	HR Plan containing details

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

	security screening and fitness for duty in compliance with PSIRA Act, Act 56 of 2001, Firearms Control Act 60 0f 2000	HR Plan partially (50%) covering sourcing; retention strategy; criminal record checks, Medical screening, psychometric testing (FCA) = 5 HR Plan covering less than 20% or there No plan = 0		
The supplier must demonstrate that all guards in their employ are PSIRA registered	Valid PSIRA HR Listing not older than 90 days		5	PSiRA HR listing printout form PSiRA Not older than 90 days
Resources – Vehicles (15)				
Does the supplier possess sufficient number of vehicles (as specified in the scope of work) and are	Does the supplier have adequate number of vehicles for the required service? (3)	Score total for total compliance = 15 Ea. item confirmed to be scored as per allocated score for	15	A list of vehicles must be produced, Certified copies of vehicle registration certificates for

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

190

	the vehicles suitable for use for the required purpose namely, patrols, reaction force, staff transport? Does the supplier effectively manage and maintain his vehicles?	Are all vehicles fitted with a vehicle tracking system? (2) Are vehicles monitored 24 hours a day, 7 days a week? (2) Does the vehicle tracking system have the capability to produce detailed reports? (2) Are operational vehicles Branded on both sites? (2) Are there maintenance records for all vehicles? (2) Are there roadworthy certificates for vehicles older than 5 years and/or over 100 000km (2)	the item and all scores added together		company vehicles, Proof of any changes in ownership, Proof of valid lease and rental agreements in the name of the Company were applicable, physical inspection of the vehicles (branding and Km), live monitoring of vehicles, tracking reports
Uniform and PPE Equipment (10)					
The Supplier must	Does the supplier have a duly	Score total for total	10		

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

provide the Security officer with appropriate uniform	authorised uniform policy indicating the frequency of replenishing of uniform item? (3)	compliance = 10 Ea. item confirmed to be scored as per allocated score for the item and all scores added together to get final score.		
Firearm Compliance (15) – The supplier must satisfy all firearm control Act requirements to can be considered for services were firearms are required				
The supplier must own appropriate and adequate number firearms (Pistols and shotguns – revolvers excluded) registered with the CFR that are properly maintained.	Does the supplier have sufficient number of firearms for the required service? Required No: Pistols - 20, Shotgun - 10	Exceeding the total number of firearms required = 15 50% of the required number of firearms = 10 Less than 30% of the required number of firearms = 5	15	Original or certified copies of firearm licenses. Note the number of firearms available that can be committed to the tender.
A combined score of the desktop tender returnables and on site : 75 marks is required to be technical compliant				

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

On-Site Evaluation

Criteria	Weight
Controllers / Operators to demonstrate their knowledge of the emergency preparedness and response procedure by outlining the EP activities, Observe the controller live tracking of vehicles, Note the number of Controllers on shift, verify the existence of the Contingency plan for Security operations (refer to the detailed evaluation criteria attached)	15
Firearms Register (refer to the detailed evaluation criteria attached)	5
Firearms site inspection (refer to the detailed evaluation criteria attached)	10
Threshold	30

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

3.15 Evaluation of price

Prices will be evaluated as follows:

- Inclusive of VAT
- Making the specified correction for arithmetical errors
- Excluding contingencies in any bill of quantities or activity schedule.
- Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted.
- Making a comparison of the Net 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, where applicable.
- Unconditional discounts must be taken into account for evaluation purposes;
- Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected.

Prices will be scored out of 80 or 90 points

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

3.17 Evaluation of B-BBEE	B-BBEE status will be scored out of 10 or 20 points in accordance with PPPFA. If a tenderer fails to submit proof of B-BBEE status level, the tenderer will not be disqualified (except if B-BBEE level is a pre-qualification criterion). The tenderer will, however, be awarded 80/90 points for price and will score 0 points for B-BBEE level /status (out of 10/20)
3.18 Ranking of tenders	Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder]:- • 90/10 (for estimated values above R50M inclusive of VAT) or • 80/20 (for estimated values above R30 000 and up to R50M inclusive of VAT) or state that either 80/20 or 90/10 will apply should there be a degree of uncertainty on which PPPFA Point allocation system will apply; the lowest acceptable tender will be used to determine the applicable preference system Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest.
3.19 Objective Criteria (if applicable)	Objective criteria **are applicable** The following objective criteria apply:- • Outcome of due diligence (financial statement, legal etc) • SD&L Requirements **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 highest ranked tenderers respectively 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.**
Contractual Requirements (if applicable)	Contractual Requirements may include the following : • SHEQ requirements **Please Note:** **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**

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

	able to meet the contractual requirements, must be submitted prior to contract award. **Failure to meet "Contractual Requirements "by the stipulated deadlines; may result in the tenderer being regarded as non-responsive and ineligible for contract award.** **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.**
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements **are not applicable**

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

"proof of B-BBEE status level of contributor" means-

(a) the B-BBEE status level certificate issued by an authorised body or person; or

(b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or

(c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act;

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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) hard copy of the tender	✓	
Pre-qualification criteria : • **B-BBEE level 1 or 2 EME or QSE**	**"Proof of B-BBEE status level of contributor"** for main contractor	✓	
	CSD number	✓	
	If not submitted by tender submission deadline, the tenderer will be disqualified		
Annexure A	Acknowledgement Form	✓	
Annexure B	Tenderers Particulars	✓	
Annexure C	Integrity Pact Declaration form	✓	
Annexure D	CPA for local goods/services (if applicable)	✓	
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	✓	
Annexure I	SD&L Matrix	✓	
Annexure J	Eskom Completed Pricing Schedule (in pdf & excel) – BOQ EASTRAND	✓	
Annexure K	Eskom Completed Pricing Schedule (in pdf & excel) – BOQ JHB & TSHWANE	✓	
Annexure L	Eskom Completed Pricing Schedule (in pdf & excel) – BOQ VAAL CLN	✓	

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

Annexure M	Eskom Completed Pricing Schedule (in pdf & excel) – BOQ WESTRAND	✓	
Additional Documents required in event of JV:-	Letter of intent to form a JV/consortium		✓
	Valid joint venture agreement 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)		✓
	"proof of B-BBEE status level of contributor" means:- (a) the B-BBEE status level certificate issued by an authorised body or person; or (b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or (c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act; (as may be applicable for the particular tendering entity)	✓	
	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.		✓
***"proof of B-BBEE status level of contributor" means:- (a) the B-BBEE status level certificate issued by an authorised body or person; or (b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or (c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act;**	Failure on the part of the supplier to submit **"proof of B-BBEE status level of contributor"** for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects and it is not a pre-qualification criterion). The tenderer will, however, be scored zero on B-BBEE for purposes of PPPFA scoring and ranking.	✓	

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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 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 (even those with no deemed footprint in South Africa) must still complete the relevant section in Part A of the SBD1 document, however, no proof of tax compliance is required if the supplier answers "no" to all questions. If they answer "yes" to any of the questions, however, they are required to register and be tax compliant as per Part B- section 2 of the SBD 1 document and relevant legislation governing tax compliance.		✓
Tax Evaluation Questionnaire (if services contract and was included as annexure)	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE]		✓
Compliance with Employment Equity Act	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)		✓
Shareholding	Shareholding organogram and detailed 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)	✓	
NEC Documentation	Signed and completed NEC schedule of Deviation Page 3 of C1.1 Form of Offer & Acceptance for **Vaal, East Rand, West Rand, Johannesburg and Tshwane** NEC3 Term Service Contract (TSC3).	✓	

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

DOCUMENTS REQUIRED UNDER CONTRACT REQUIREMENTS			
Safety	COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed compensation insurer (South African tenderers only)		✓
Safety/Quality/Environmental documents as required per scope of works	**SHEQ requirements** - shortlisted suppliers will be expected to submit outstanding documents within five (5) days of it being requested and should the documents not be submitted within a stipulated date and time, the tender will be non-responsive • Is the acknowledgement of **Eskom's OHS rules** and requirements form **(Annexure B)** signed and submitted by the tenderer? • **OHS plan** must be aligned to the SHE Specification provided by Eskom and numbered accordingly. • **Costing for Health and Safety management** Has the tenderer submitted detailed costing (the cost should be broken down not provided as a lump sum). • **Bill of quantities should include but not limited to:** • Cost for OHS requirements (excluding for tools of trade) o First aid boxes per site o Fire extinguishers for guard houses (if guardhouses are provided by the suppliers) o Fire extinguishers in their vehicles (to be catered for by technical) o First aid boxes in their vehicles (to be catered by technical) o Safety Officers (cost to be included in the man power list) o Sun block		✓ ✓

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

- Ablution facilities (where the supplier provides their own ablution facilities)
- Locker for safe guarding of personal belongings where required.
- Medical fitness certificates

- **Baseline Risk Assessment (BRA)**

Base Line Risk Assessment inclusive of OHS risks (including the review and monitoring plan, risk methodology applied, the risk matrix and identification process)

- **Valid Letter of Good Standing** with the compensation body/ FEMA(Federated employer's mutual assurance)/RMA (Rand mutual Assurance)

- **SHE policy signed by CEO/ MD-**
- The OHS policy must be signed by the 16.1 (CEO), with the revision date and not the signed by the OHS officer
- The OHS policy shall be aligned to section 7 of the OHS Act or OHSAS 18001/ISO 45001).

- **SHE Competency** the statutory and non-statutory appointments accompanied by training records of the appointees
- First aiders
- Incident investigator
- Safety officer Accredited Safety training e.g. SAMTRAC/ SHEMTRAC/Diploma/ Degree or (should be trained and skilled HIRA, Incident management, OHSACT, legal requirement, procedure writing)) and minimum 2yrs work experience.

Security Site Supervisor (training certificate)

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

Quality:

SECTION A: Quality Management System Requirements ISO 9001
Objective evidence of documented QMS that is not certified but complies with ISO 9001

- A.1 Quality Method statement based on scope - 1
- A.2 Quality Policy Approved by top management - 1
- A.3 Quality Objectives Approved by top management - 1

Section A Score = 3

SECTION B: SECTION B : Evidence of QMS in operation (Tender Quality Requirements -240-105658000 /240-105658000)

B.1 Documented information for defined roles, responsibilities and authorities– 1
B.2 Documented information for Control of Externally Provided Processes, Products and Services - 1

Section B Score = 2

SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be listed and evaluated here

E.1 Form A is completed and signed. – 1

Section C Score = 1

Environmental Criteria:

1. **ENVIRONMENTAL MANAGEMENT SYSTEM (e.g ISO 14001)**

   1.1 Environmental Policy - 1
   1.2 Objectives and Targets – 1
   1.3 Roles and Responsibilities – 1

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30

1.4 Communications – 1
1.5 Internal Audits – 1
1.6 Emergency Preparedness (Environmental related emergencies) - 1
1.7 Monitoring, measurement and evaluation of compliance – 1
1.8 Non Conformance, Corrective action and preventive action – 1
1.9 Management Review - 1

2. ENVIRONMENTAL MANAGEMENT PLAN

2.1 Handling of Hazardous Chemical Substances – 1
2.2 Vegetation Management - 1
2.3 Site Establishment – 1
2.4 Water Management - 1
2.5 Access Control – 1
2.6 Dust and Noise control - 1
2.7 Environmental Human Resources – 1
2.8 Environmental Training – 1
2.9 Environmental Incident Reporting – 1
2.10 Landowner Liaison – 1
2.11 Rehabilitation – 1
2.12 Compliance to Other Legal Requirements - 1
2.13 Wildlife Interaction - 1
2.14 Other Documentation as per PDP 765Kv (Annexure A) - 1

3. WASTE MANAGEMENT PLAN

3.1 Procedure/method statement submitted - 1
3.2 Register of possible waste to be generated by the project – 1
3.3 Waste separation – 1
3.4 Waste minimization – 1
3.5 Records of waste quantities disposed (Template) - 1
3.6 Legislation requirements - 1

4. ENVIRONMENTAL BILL OF QUANTITIES

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

	4.1 Environmental Bill of quantities submitted – 1 4.2 Waste management – 1 4.3 Land management (e.g. Rehabilitation costs, Erosion control/berms, maintenance of access roads, No Go fencing, vegetation clearing) – 1 4.4 Pollution (e.g. dust suppression, building of bund walls, building of wash bays and workshops) – 1 4.5 Water Management – 1 4.6 Human Resources (Environmental Officer Services) – 1 4.7 Environmental Management System - 1 **Final Score Total = 36**		
Due Diligence	Audited Financial Statements of the *tenderer* for the previous 18 months, 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 in statements, but if successful with their tender will be required to send statements for the first year when once available.		✓
DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA			
Technical (required for functionality scoring)	Lease Agreement/statement water and lights (signed by 2 or more contracting parties with witness signatures). Dates must be valid at time of tendering. Alternatively proof of ownership of building in the company's name must be submitted. The lease agreement must be of the control room	✓	
	Certified reference letters not older than 90 days	✓	
	HR Plan containing details	✓	
	PSiRA HR listing printout form PSiRA Not older than 90 days	✓	
	A list of vehicles must be produced,	✓	

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

	Certified copies of vehicle registration certificates for company vehicles, Proof of any changes in ownership, Proof of valid lease and rental agreements in the name of the Company were applicable, physical inspection of the vehicles (branding and Km), live monitoring of vehicles, tracking reports		
	A duly authorized uniform policy indicating the frequency of replenishing of uniform item	✓	
	Original or certified copies of firearm licenses. Note the number of firearms available that can be committed to the tender.	✓	

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

ANNEXURE A

ACKNOWLEDGEMENT FORM

We are in receipt of the Invitation to Tender/Proposal from Eskom Holdings SOC Ltd and the following addenda issued by Eskom:

1. _____

2. _____

_--3.

We confirm that the documentation received by us is: ***(Indicate by ticking the box)***

Correct as stated in the Invitation to Tender / RFP Content List, and that each document is complete. ☐

Or: Incorrect or incomplete for the following reasons: ☐

_____

_____

_____

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. ☐

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

Eskom	Invitation to Tender	Template Identifier	240-43921804	Rev	6
		Document Identifier	240-114238630	Rev	10
		Effective Date	03 March 2020		
		Review Date	March 2023		

Invitation to Tender/Request for Proposal No: _____

Name of company/JV: _____

Country of registration_____

Name of contact person:_____

Contact details of contact person:

Tel (landline) _____

Cell phone_____

e-mail address_____

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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), respective contractor grading designation for each individual company/JV member , and combined cidb contractor grading designation (for JVs)	
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)	

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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

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

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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

5. Alternatively, you may contact **[•]** ***[insert the name and contact details of the relevant person from Eskom's Vendor Management department, who can assist you further with the registration on CSD].***

6. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status_____

7. 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

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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 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		NO	

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

YES		NO	

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

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners.

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

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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.

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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

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

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/proposal]*** 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.

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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

Item	Question	Yes/No	No
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 ***[Note: Companies/persons who are listed on the Database were informed in writing of this restriction by the Authority/Accounting Officer of the institution that imposed the restriction after the audi alteram partem rule was applied].*** The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.2	Is the *tenderer/s (or any of its directors / members / shareholders)*? 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 Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.3	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?		
1.3.1	Provide details.		

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

1.4	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		
1.5	*Is there any history/record of the tenderer/s (or any of its directors/members/shareholders) failing to meet their contractual obligation with any SOC?*		

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:	

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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).

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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 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

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

3. ESKOM'S PREFERRED INDEX LIST

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

4. FOREIGN PORTION OF THE TENDER/AGREEMENT PRICE

In instances where the preferred 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 limited 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.

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

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

- 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 .....

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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

<table>
<tr><th>Labour</th><th>Commodities</th><th>Processed material</th><th>Transport</th><th>Others</th></tr>
<tr><td rowspan="2">Labour general (hourly paid)
SEIFSA, C3, actual labour cost</td><td>Steel
StatsSA, P0142.1 Table 2, basic iron and steel</td><td>Mechanical engineering material
SEIFSA, G, mechanical engineering material</td><td rowspan="5">SEIFSA, L2, road freight costs</td><td>StasSA, PO141 CPI (Headline) all items
OR
SEIFSA, D-2 (CPI)</td></tr>
<tr><td>Copper
SEIFSA, F, copper metric ton</td><td rowspan="3">Electrical engineering material
SEIFSA, G-1, electrical engineering material</td><td rowspan="2">StasSA, PO142.1), PPI
• Final Manufactured Goods
Or
• Intermediate Manufactured Goods
OR
• SEIFSA Table U Producer Price Index (PPI
- final manufactured GOODS OR Intermediate Manufactured Goods</td></tr>
<tr><td rowspan="3">Labour general
SEIFSA, C3 (a), actual labour cost (field force) where subsistence allowance is paid</td><td>Aluminium
SEIFSA, R, aluminium</td></tr>
<tr><td>Zinc
SEIFSA, F, zinc</td><td rowspan="2">Building and construction material
SEIFSA, G, building and construction material</td></tr>
<tr><td>Lead
SEIFSA ,F, lead</td><td></td></tr>
</table>

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

Table 2: Preferred Foreign Index List

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

Closing date of tender _____/_____/_____

TENDERER'S SIGNATURE _____

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

ANNEXURE G

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

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACT PERSON		CONTACT PERSON	
TELEPHONE NUMBER		TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS		E-MAIL 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						
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		**OR**	CENTRAL SUPPLIER DATABASE No:	MAAA	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No	

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
1.3. 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 SPECIAL CONDITIONS OF CONTRACT.
1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**
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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

Annexure H

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 exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the ..... preference point system shall be applicable; or

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

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

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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 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;

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 **or** **90/10**

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = 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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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		
Cooperative owned by black people		
Black people who are military veterans		

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

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

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / 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.

WITNESSES	
1.	.....
2.	SIGNATURE(S) OF BIDDERS(S)
	DATE: .....

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

FN14
229

Subject: RE: PSCED0307-R - Clarification Questions

Basil Zuma <ZumaSB@eskom.co.za>
to Meisie Oosthuizen

You are viewing an attached message. Gmail can't verify the authenticity of attached mess

Hi Meisie,

See response below from our Supplier , Development and Localisation representative.

Kind regards
Basil

From: Jerry Tshosa
Sent: 17 February 2021 10:59 AM
To: Basil Zuma
Subject: RE: PSCED0307-R - Clarification Questions

Hi All.

Only QSE's and EME's with minimum 51% black ownership are allowed to tender.

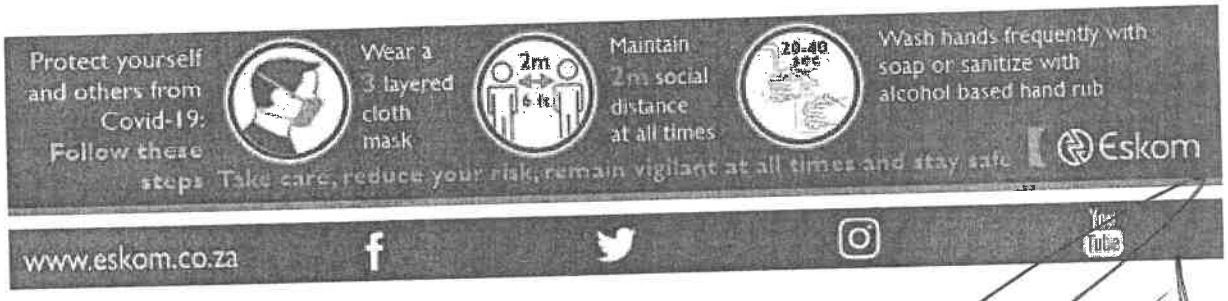
From: Basil Zuma
Sent: 17 February 2021 10:26 AM
To: Jerry Tshosa
Subject: RE: PSCED0307-R - Clarification Questions
Importance: High

Hi Jerry,

Kindly respond to the clarification below:

Your response is highly appreciated.

Many thanks
Basil



Signature Version 12/02/2021 19:00

From: Meisie Oosthuizen [mailto:MeisieO@fidelity-services.com]
Sent: 17 February 2021 10:19 AM
To: Basil Zuma

[redacted] "F016.1"

230

From: Phindile Majombozi <MakhanPR@eskom.co.za>
Sent: Friday, 05 March 2021 11:43
To: Hennie Myburgh
Cc: Fulufhelo Munyai
Subject: RE: ESKOM MATIMBA - TENDER NUMBER: MAT00408

Good day,

Thank you for the letter you sent earlier. Your concerns raised have been duly noted and will be forwarded to the relevant function for consideration and response.

Regards,
Phindile Majombozi
Procurement and Supply Chain Management
Generation
Matimba Power Station | Nelson Mandela Drive | Lephalale | 0555
PO Box 215 | Lephalale | 0555
Tel +27(0)13 296 3942
Email: makhanpr@eskom.co.za



From: Hennie Myburgh <HennieM@fidelity-services.com>
Sent: Friday, 05 March 2021 07:21
To: Phindile Majombozi <MakhanPR@eskom.co.za>
Subject: ESKOM MATIMBA - TENDER NUMBER: MAT00408

Dear Phindile,

Attached herewith for your attention our letter in regards to the above Tender.

We look forward to hearing from you.

Regards,

Hennie Myburgh
Consulting Group Legal Counsel
Fidelity Services Group

231

104D Mimosa Street
Helderkruin
Roodepoort
1724

Office: +27-11-763-9000
Mobile: +27-78-246-4365
Email: Henniem@fidelity-services.com

This e-mail contains privileged and confidential information intended for the use of the addressees named above. If you are not the intended recipient of this e-mail, you are hereby notified that you must not disseminate, copy or take any action in respect of any information contained in it. If you have received this e-mail in error, please notify the sender immediately by e-mail and immediately destroy this e-mail and its attachments. Any personal views expressed in this email are those of the individual sender and not Fidelity Services Group nor its related subsidiaries and or associates. Prior to taking any action in regards to the email please confirm its authenticity. Errors and omissions excepted.

NB: This Email and its contents are subject to the Eskom Holdings SOC Ltd EMAIL LEGAL NOTICE which can be viewed at http://www.eskom.co.za/Pages/Email_Legal_Spam_Disclaimer.aspx

"FD14.2

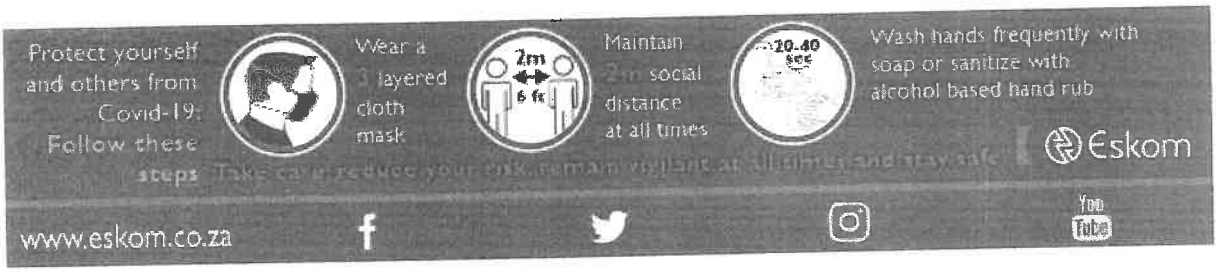
232

From: Matladi Mashinye <MashinML@eskom.co.za>
Sent: Friday, 05 March 2021 10:38
To: Hennie Myburgh
Cc: Mpumi Mnisi
Subject: RE: ESKOM CAMDEN POWER STATION - TENDER NUMBER: MPGXC006440

Hi

The declaration of invalidty arising from this judgement has been suspended for 12 months and consequently procurement processes should continue as per usual until further notice.

tx



From: Hennie Myburgh [mailto:HennieM@fidelity-services.com]
Sent: 05 March 2021 09:09 AM
To: Matladi Mashinye
Subject: FW: ESKOM CAMDEN POWER STATION - TENDER NUMBER: MPGXC006440

Dear Mr Mashinye,

Attached hereto find our letter in regards to the above Tender.

We look forward hearing from you.

Regards,

Hennie Myburgh
Consulting Group Legal Counsel
Fidelity Services Group

104D Mimosa Street
Helderkruin
Roodepoort
1724

Office: +27-11-763-9000
Mobile: +27-78-246-4365
Email: Henniem@fidelity-services.com

From: Hennie Myburgh <HennieM@fidelity-services.com>
Sent: Friday, 05 March 2021 07:28
To: mashimML@eskom.co.za
Subject: ESKOM CAMDEN POWER STATION - TENDER NUMBER: MPGXC006440

Dear Mr Mashinye,

Attached herewith for your attention our letter in regards to the above Tender.

We look forward to hearing from you.

Regards,

Hennie Myburgh
Consulting Group Legal Counsel
Fidelity Services Group

104D Mimosa Street
Helderkruin
Roodepoort
1724

Office: +27-11-763-9000
Mobile: +27-78-246-4365
Email: Henniem@fidelity-services.com

This e-mail contains privileged and confidential information intended for the use of the addressees named above. If you are not the intended recipient of this e-mail, you are hereby notified that you must not disseminate, copy or take any action in respect of any information contained in it. If you have received this e-mail in error, please notify the sender immediately by e-mail and immediately destroy this e-mail and its attachments. Any personal views expressed in this email are those of the individual sender and not Fidelity Services Group nor its related subsidiaries and or associates. Prior to taking any action in regards to the email please confirm its authenticity. Errors and omissions excepted.

This e-mail contains privileged and confidential information intended for the use of the addressees named above. If you are not the intended recipient of this e-mail, you are hereby notified that you must not disseminate, copy or take any action in respect of any information contained in it. If you have received this e-mail in error, please notify the sender immediately by e-mail and immediately destroy this e-mail and its attachments. Any personal views expressed in this email are those of the individual sender and not Fidelity Services Group nor its related subsidiaries and or associates. Prior to taking any action in regards to the email please confirm its authenticity. Errors and omissions excepted.

NB: This Email and its contents are subject to the Eskom Holdings SOC Ltd EMAIL LEGAL NOTICE which can be viewed at http://www.eskom.co.za/Pages/Email_Legal_Spam_Disclaimer.aspx

"FD14.3"

234

From: Refilwe Phetla <PhetlaRE@eskom.co.za>
Sent: Monday, 08 March 2021 17:25
To: Hennie Myburgh
Subject: FW: ESKOM SERE WIND FARM KOEKENAAP WE - TENDER NO : CORP 5310
Attachments: ESKOM Sere Wind Farm Koekenaap WE Tender CORP5310.pdf; THE SUPREME COURT OF APPEAL OF SOUTH AFRICA JUDGMENT : Afribusiness NPC v The Minister of Finance (Case no 1050/2019) [2020] ZASCA 140 (2 November 2020)

Good day Hennie,

Kindly find attached for your perusal review.

Regards
Refilwe

From: Hennie Myburgh <HennieM@fidelity-services.com>
Sent: Friday, 05 March 2021 07:09
To: Refilwe Phetla <PhetlaRE@eskom.co.za>
Subject: ESKOM SERE WIND FARM KOEKENAAP WE - TENDER NO : CORP 5310

Dear Ms Phetla,

Attached herewith for your attention our letter in regards to the above Tender.

We look forward to hearing from you.

Regards,

Hennie Myburgh
Consulting Group Legal Counsel
Fidelity Services Group

104D Mimosa Street
Helderkruin
Roodepoort
1724

Office: +27-11-763-9000
Mobile: +27-78-246-4365
Email: Henniem@fidelity-services.com

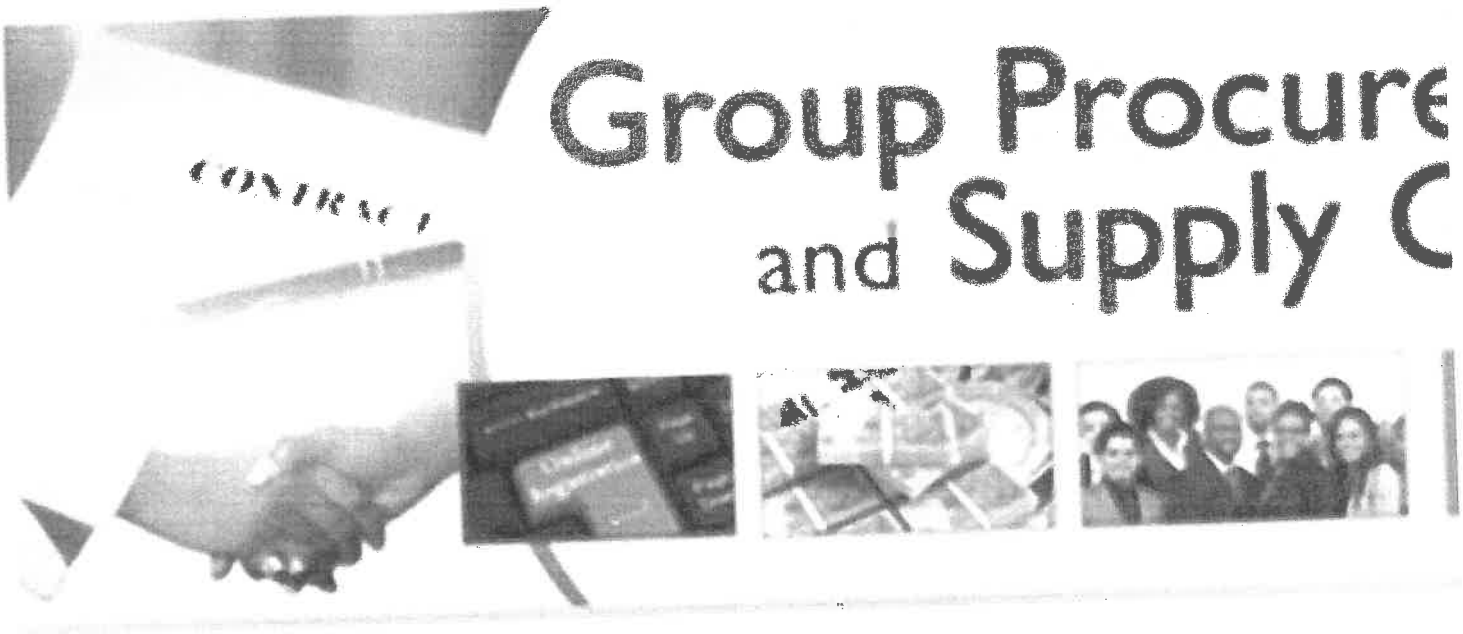
This e-mail contains privileged and confidential information intended for the use of the addressees named above. If you are not the intended recipient of this e-mail, you are hereby notified that you must not disseminate, copy or take any action in respect of any information contained in it. If you have received this e-mail in error, please notify the sender immediately by e-mail and immediately destroy this e-mail and its attachments. Any personal views expressed in this email are those of the individual sender and not Fidelity Services Group nor its related subsidiaries and or associates. Prior to taking any action in regards to the email please confirm its authenticity. Errors and omissions excepted.

NB: This Email and its contents are subject to the Eskom Holdings SOC Ltd EMAIL LEGAL NOTICE which can be viewed at http://www.eskom.co.za/Pages/Email_Legal_Spam_Disclaimer.aspx

235

[redacted]

From: Lindi Maboa <MaboaL@eskom.co.za>
Sent: Monday, 09 November 2020 10:45
Subject: THE SUPREME COURT OF APPEAL OF SOUTH AFRICA JUDGMENT : Afribusiness NPC v The Minister of Finance (Case no 1050/2019) [2020] ZASCA 140 (2 November 2020)
Attachments: Afribusiness NPC v MoF 2017 Regulations.pdf
Importance: High



Good Day Colleagues,

The recent **SUPREME COURT OF APPEAL OF SOUTH AFRICA JUDGMENT:** ***Afribusiness NPC v The Minister of Finance*** **(Case no 1050/2019) [2020] ZASCA 140 (2 November 2020)** has reference.

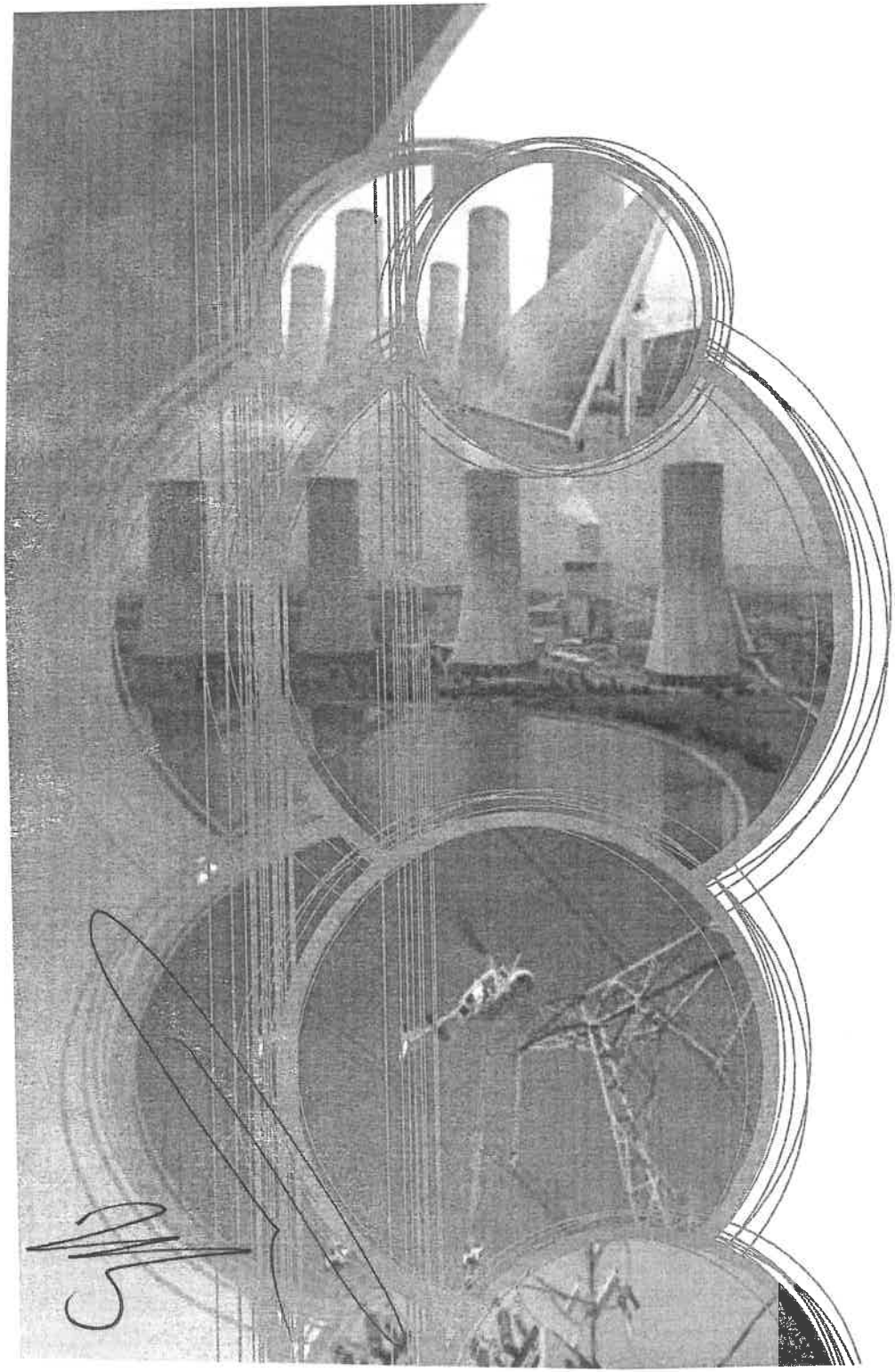
The outcome of this judgement is that the exercise of power by the Minister of Finance under Section 5 of the Preferential Procurement Policy Framework Act 5 of 2000 to make Preferential Procurement Regulations 2017 is deemed to exceed the powers of the Minister and consequently these Preferential Procurement Regulations 2017 have been declared invalid and set aside. **The order of declaration of invalidity is, however, not effective immediately and has been suspended for 12 months.**

National Treasury have advised that they are in the process of studying the judgment and cannot provide guidance in line with the judgement currently. They have emphasised that the declaration of invalidity arising from this judgement has been suspended for 12 months and that consequently **procurement processes should continue as per usual until further notice.**

We will communicate any further feedback from National Treasury as and when such feedback is received.

Regards,

Risk, Governance & Compliance



Transmission Group

Procurement & Supply Chair

Non-Compulsory Clarificatio

11 March 2021

237

Basic Compliance

- Meet the eligibility criteria for a tenderer
- Submit a complete original tender plus 1 hard copy identical to the original tender
- Submit a complete original tender and a copy with commercial (includes SD&L), financial, te
- Submission of the mandatory commercial tender returnable for evaluation
- Register with Central Supplier Database (CSD)

Pre-qualification criteria

- EME 1 to 2 or QSE 1 to 2 B-BBEE status level

Note:

- Original or certified copy of B-BBEE certificate or original signed sworn affidavit
- A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents will

List of mandatory tender returnables

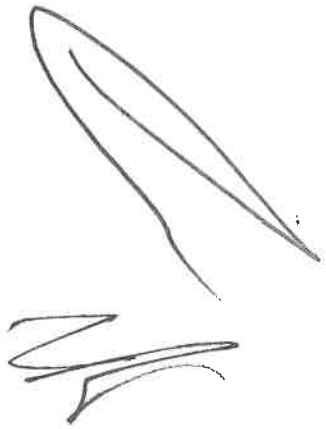
- Refer to page 18-26 of Invitation to Tender

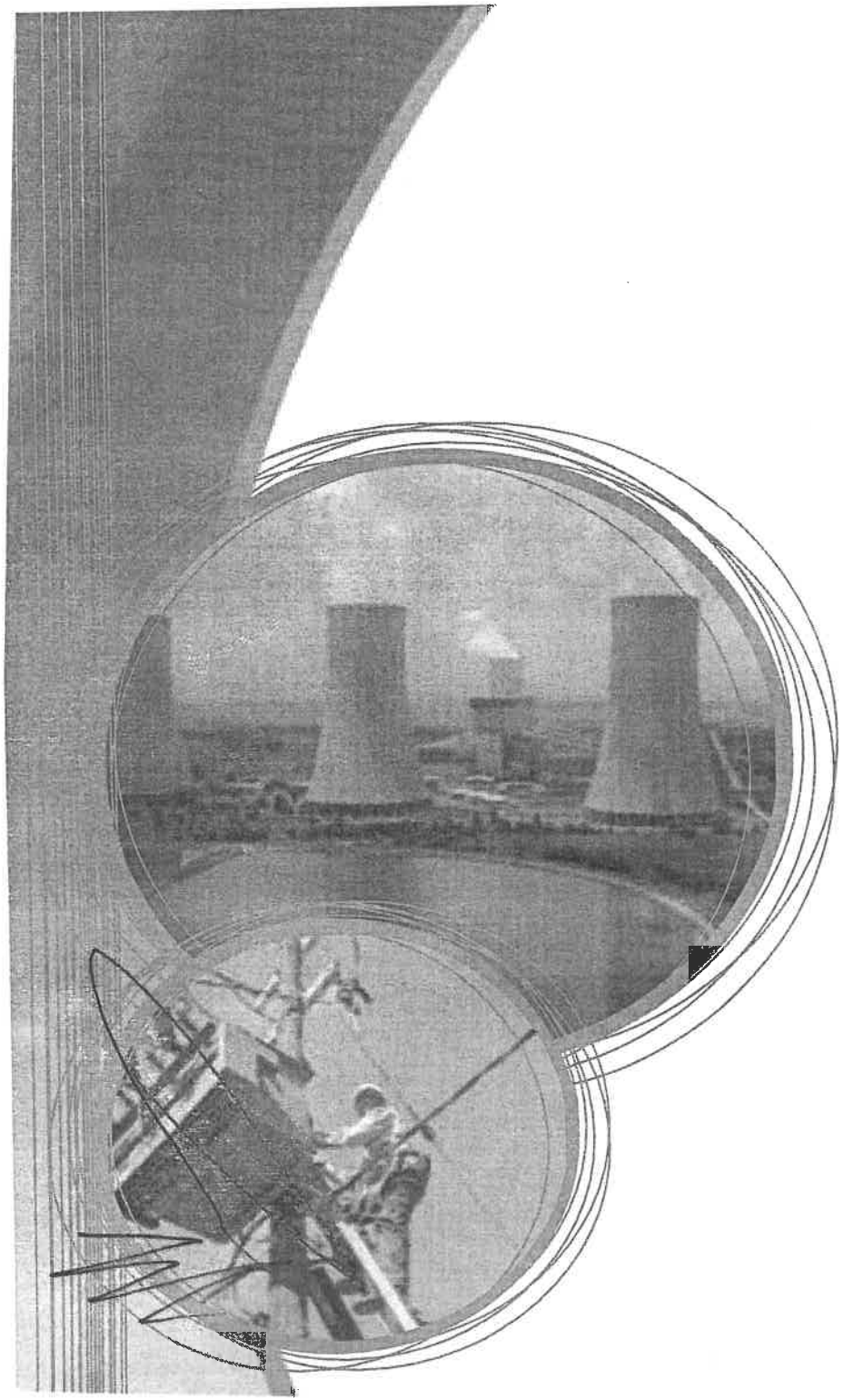


Clarification Questions

- No questions, during the tendering period will be answered telephonically. Questions must b there are any clarifications before the closing date, those will be posted with responses on t responsibility of the contractor / supplier to check daily any posted communication relating t

- Due date for clarification is 7 working days before the deadline for tender submission (send business on the 22.03.2021)





Conclusion

bsi.

By Royal Charter

Certificate of Registration

QUALITY MANAGEMENT SYSTEM

This is to certify that:

Fidelity Security Group (Pty) Ltd
Fidelity Corporate Park
104D Mimosa Road
Helderkruin
Roodepoort
South Africa

Is included as a location on Certificate number: **FS 681530**

And BSI location is: 0047653747-000

and operates a Quality Management System which complies with the requirements of ISO 9001:2015 for the following scope:

The provision of services for the guarding of assets and property.

For and on behalf of BSI:

Andrew Launn, EMEA Systems Certification Director

Original Registration Date: **2018-04-16**

Expiry Date: 2021-04-15

...making excellence a habit.™

This certificate is not the legal certificate and is for presentation purposes only.
Refer to the legal certificate for full details of schemes and scopes.
This certificate remains the property of BSI and is bound by the conditions of the contract.

Information and Contact: BSI, Kitemark Court, Davy Avenue, Knowlhill, Milton Keynes MK5 8PP. Tel: + 44 345 080 9000
BSI Assurance UK Limited, registered in England under number 7805321 at 389 Chiswick High Road, London W4 4AL, UK.
A Member of the BSI Group of Companies.

bsi.

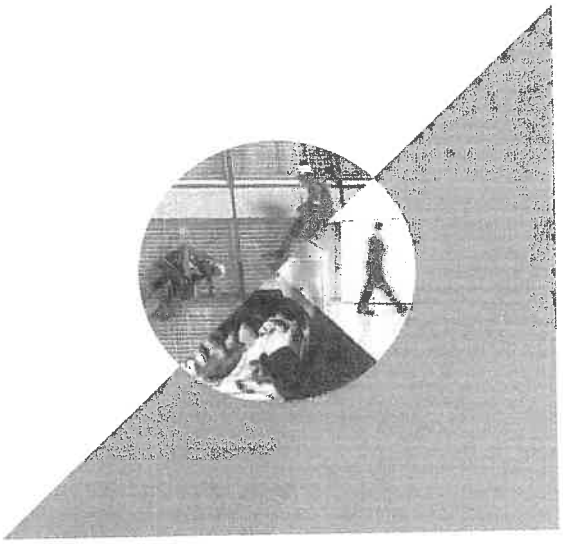
11 FD16.2 11

244

Assessment Report

Fidelity Services Group (Pty) Ltd

Assessment dates	08/03/2021 to 09/03/2021 (Please refer to Appendix for details)
Assessment Location(s)	Pretoria (010), Hermanstad (015)
Report Author	Jean-Jacques Jaume
Assessment Standard(s)	ISO 9001:2015



...making excellence a habit.™

Table of contents

Executive Summary 3
Changes in the organization since last assessment 3
NCR summary graphs 4
Your next steps 6
NCR close out process 6
Assessment objective, scope and criteria 6
Statutory and regulatory requirements 7
Assessment Participants 7
Assessment conclusion 8
Findings from this assessment 9
Fidelity Cash Solutions North West & Mpumalanga : 9
Fidelity Security Services Free State/Northern Cape/Mpumalanga: 14
Minor (1) nonconformities arising from this assessment. 16
Next visit objectives, scope and criteria 17
Next Visit Plan 18
Appendix: Your certification structure & ongoing assessment programme 20
Scope of Certification 20
Assessed location(s) 20
Justified exclusions / non applicable clauses 25
Mandatory requirements – re-certification. 25
Expected outcomes for accredited certification 26
Definitions of findings: 27
How to contact BSI 28
Notes 28
Regulatory compliance 28

Executive Summary

The Management System is based the vision to be the pre-eminent provider of integrated services protecting the assets of their clients in Southern Africa and targeting of international markets, through the consistent achievement of excellence in every sphere of security provision and client service.

The company values are focused on their customer needs and continues innovations to ensure the needs of stakeholders are met. Loyalty and integrity is core to their customers and employees and is supported in all their actions

The company mission is to ensure that the client remains the focus and centre of their activities through superior service, which adds value but remains affordable. Operational excellence by investing in employing and developing quality personnel. Staying innovative in the application of technologies and solutions, to remain the market leaders who lead by example.

The management system has shortcomings in the following area as indicated in the non-conformance raised during this assessments:
- ISO 9001:2015 Clause 5.2.2 Communicating the Quality Policy

Root cause analysis should be effective in identifying the actual causes of non-conformances for the implementation of corrective actions to mitigate the reoccurrence of identified short comings. Evidence of actions taken should be retained for clearance of NC's.

Corrective Action Plan is to be submitted no later than 27 March 2021.

This report should be read in conjunction with reports for Assessments scheduled for 25 to 29 January 2021 and 15 to 19 February 2021.

Changes in the organization since last assessment

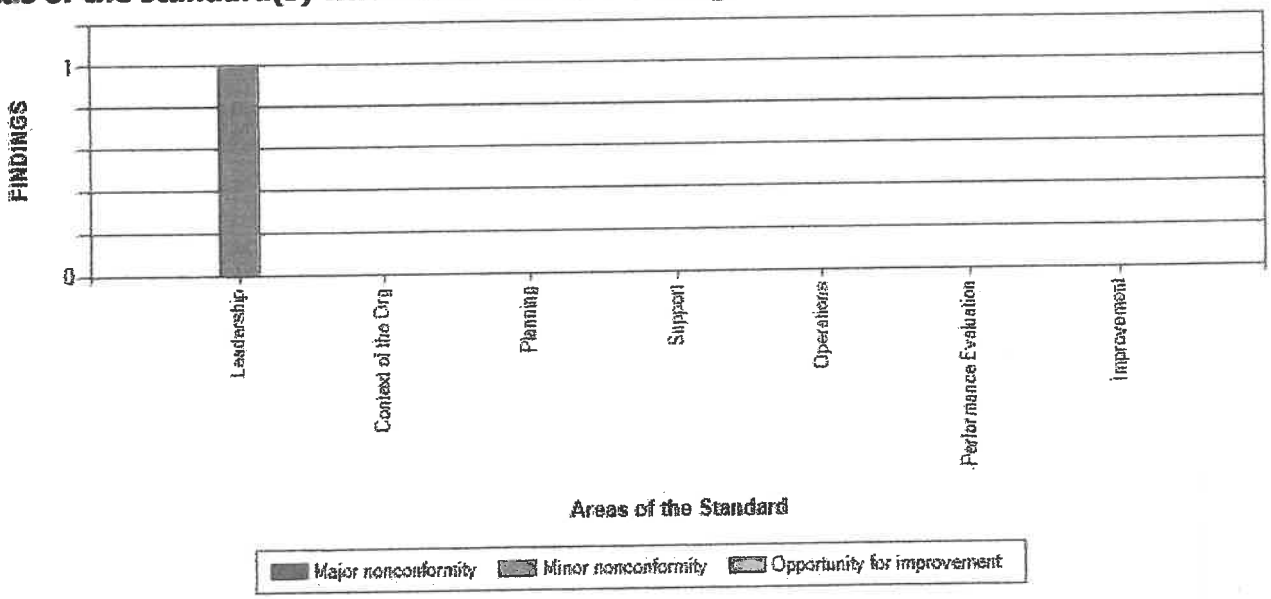
There is no significant change of the organization structure and key personnel involved in the audited management system.

No change in relation to the audited organization's activities, products or services covered by the scope of certification was identified.

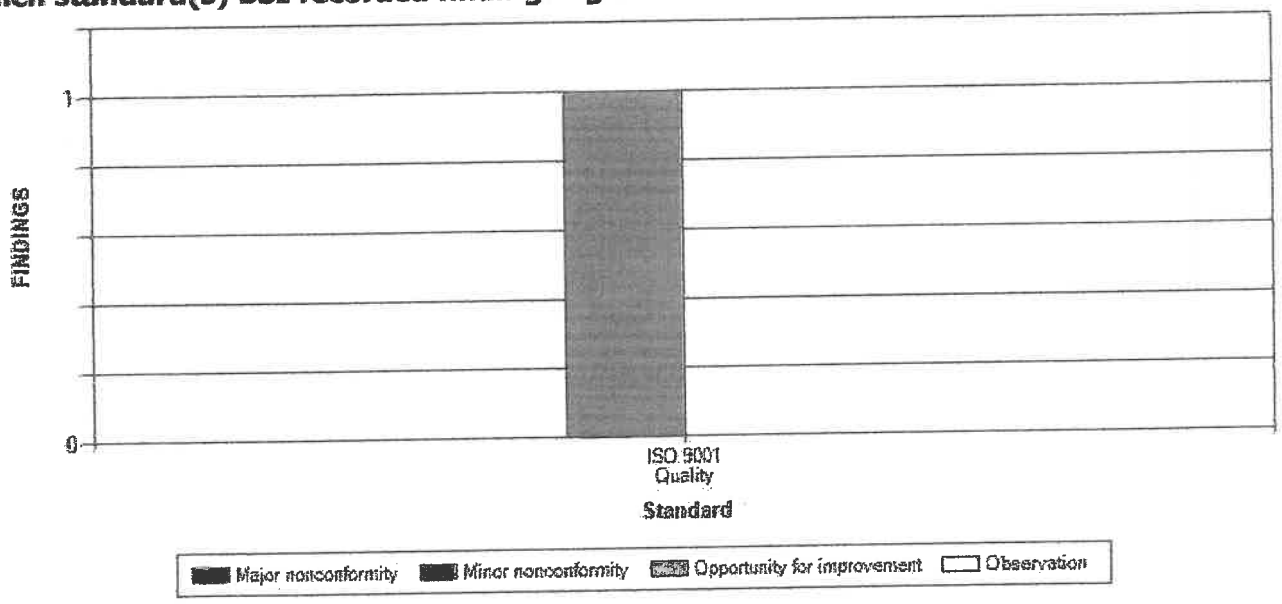
There was no change to the reference or normative documents which is related to the scope of certification.

NCR summary graphs

Areas of the standard(s) where BSI recorded findings



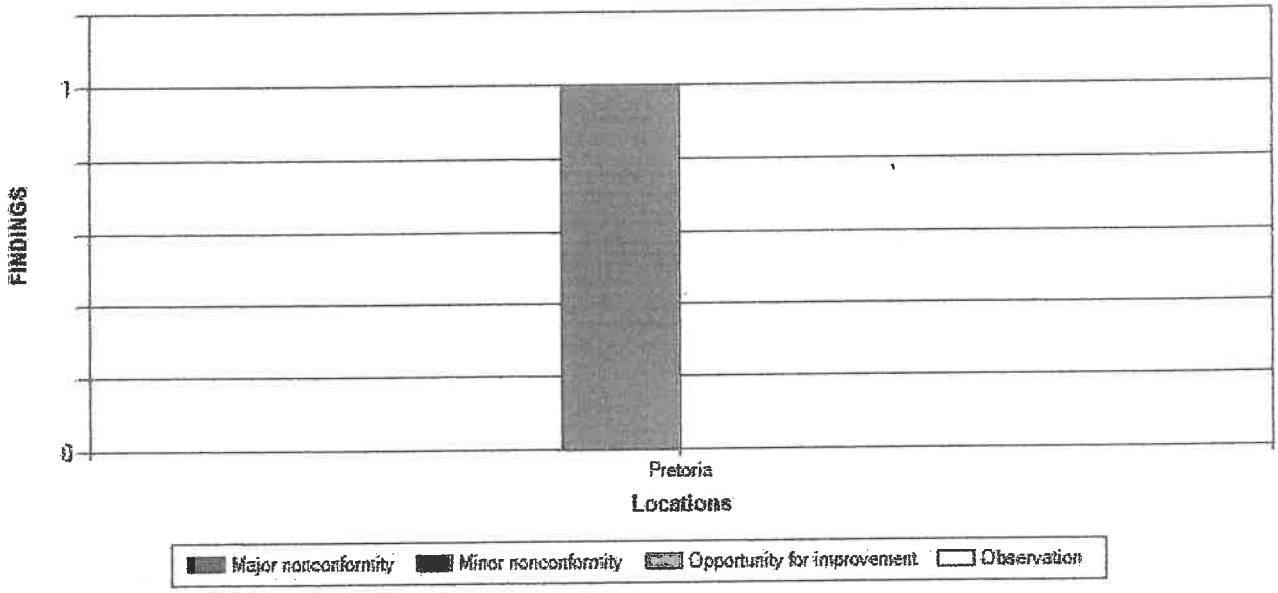
Which standard(s) BSI recorded findings against



...making excellence a Habit.™

bsi.

Where BSI recorded findings



Your next steps

NCR close out process

There were no outstanding nonconformities to review from previous assessments.

A minor nonconformity requiring attention was identified. This, along with other findings, is contained within subsequent sections of the report.

A minor nonconformity relates to a single identified lapse, which in itself would not indicate a breakdown in the management system's ability to effectively control the processes for which it was intended. It is necessary to investigate the underlying cause of any issue to determine corrective action. The proposed action will be reviewed for effective implementation at the next assessment.

Please refer to Assessment Conclusion and Recommendation section for the required submission and the defined timeline.

Assessment objective, scope and criteria

The objective of the assessment was to conduct a re-assessment of the existing certification to ensure the elements of the proposed scope of registration and the requirements of the management standard are effectively addressed by the organisation's management system.

If this visit is part of a multi-location assessment, the final recommendation will be contingent on the findings from all assessments.

The scope of the assessment is the documented management system with relation to the requirements of ISO 9001:2015 and the defined assessment plan provided in terms of locations and areas of the system and organisation to be assessed.

ISO 9001:2015
Fidelity Security Group management system documentation

Statutory and regulatory requirements

The purpose of this assessment is not to verify compliance to any compliance obligations but to verify whether the organization has an effective process to:
a) determine and have access to the compliance obligations related to its activities products and services;
b) determine how these compliance obligations apply to the organization and its activities products and services;
c) take these compliance obligations into account when establishing, implementing, maintaining and continually improving its quality management system.

It was found that the organization has a formal management system in place to identify applicable legal requirements, interpret and implement these and to verify compliance thereto.

The following documented information was available:
- HOGE08 Legal Rev 1 dated 01 February 2018 (General Activities, Risk Management)
- HOGE01 Document Control/Quality Records Rev 2 dated 01 November 2020 (Compliance to Statuary and Regulatory Requirements)

Assessment Participants

Name	Position	Opening Meeting	Closing Meeting	Interviewed (processes)
Willie Lindeque	Group Quality Assurance Manager	X	X	X
Frank Moxham	Quality Assurance Manager	X	X	X
Danie Erasmus	Branch Manager Estates/Malls	X	X	X
Cecil de Swardt	Regional Manager Pretoria	X	X	X
Frik Pretorius	Site Manager			X
Johannes Rikhotso	Control Room Manager			X

bsi.

Assessment conclusion

BSI assessment team

Name	Position
Jean-Jacques Jaume	Team Leader

Assessment conclusion and recommendation

The audit objectives have been achieved and the certificate scope remains appropriate. The audit team concludes based on the results of this audit that the organization does fulfil the standards and audit criteria identified within the audit report and it is deemed that the management system continues to achieve its intended outcomes.

RECOMMENDED - Corrective Action Plan Required ('Minor' findings only): The audited organization may be recommended for continued certification; based upon the acceptance of a satisfactory corrective action plan for all 'Minor' findings as shown in this report. Effective implementation of corrective actions will be reviewed during the next surveillance audit.

Please submit a plan to BSI detailing the nonconformity, the root cause, correction and your proposed corrective action, with responsibilities and timescales allocated. The plan is to be submitted no later than 27/03/2021. If the corrective action plan is not received by this date you may be putting your certification status at risk. Send the plan through the BSI Assurance Portal (if this is enabled for your account) or by email to bsi.za@bsigroup.com, referencing the report number 3333926, 3333933.

Use of certification documents, mark / logo or report

The use of the BSI certification documents and mark / logo is effectively controlled.

Findings from this assessment

Fidelity Cash Solutions North West & Mpumalanga:

Context of the Organization
The following documented information was available:
- FSGHOES Executive Summary 4 dated 01 March 2019 (Organisation and its Context, Need and Expectations, Scope, Quality Management System)
- FSGHOGP Group Profile Rev 2 dated 01 March 2019

Leadership
The following documented information was available:
- FSGHOES Executive Summary Ver 4 dated 01 March 2019 (Leadership, Customer Focus and Satisfaction)
- HOGE04 Management Rev 2 dated 01 February 2018 (Roles and Responsibilities, Limits of Authority, Strategic Development, Analysis of Data, Management Reviews, Internal Auditing, Preventive Action)
- FFSGHOFCSQP Quality Policy and Objectives Rev 7 dated 02 March 2020
- FSGHOFCSCON Annexure B3 Fidelity Cash Solutions Functional Organogram Rev 3 dated 02 March 2020
- Hermanstad Branch Organogram dated 31 January 2021

Objectives
The following documented information was available:
- Gauteng North Strategic and Quality Objectives 2019-2022

Documented Information
The following documented information was available:
- HOGE01 Document Control/Quality Records Rev 2 dated 01 November 2020
- HOGE01A Document Amendment Memorandum Rev 1 dated 01 February 2018
- HOGE01B Document Issue Memorandum Rev 1 dated 01 February 2018
- HOGE01C Distribution List Rev 1 dated 01 February 2018

Resources, Competence, Awareness and Communication
The following documented information was available:
- FSGHOES Executive Summary Ver 4 dated 01 March 2019 (Communication)
- FSSPR03 Recruitment, Selection, Skills Development, Training and Induction Ver 1 dated 01 February 2018
- FSGHOFCSCON Annexure B3 Fidelity Cash Solutions Functional Organogram Rev 3 dated 02 March 2020
- Hermanstad Branch Organogram dated 31 January 2021

Internal Audit
The following documented information was available
- HOGE02 Internal Auditing Rev 5 dated 01 November 2020
- Hermanstad (854) Review Internal Audit Report Assets in Transit periods 22 to 24th July and 19 to 21st August 2020 dated 21 August 2020
HOGE02B Internal Audit Plan Checklist - AIT Hermanstad (854) periods 22 to 24th July 2020 (by Quality Assurance Manager)
HOGE02B Internal Audit Plan Checklist - AIT Hermanstad (854) periods 20 to 22 January 2021 (by Branch Manager)
- HOGE03A Quality Report for NC's raised during Internal Audit
- HOGE03B Quality Report Register

Management Review
The following documented information was available:
- HOGE04 Management Rev 2 dated 01 February 2018 (Analysis of Data, Management Reviews, Internal Auditing, Preventive Action)
- Minutes of Weekly Risk Meetings dated 27 November 2020, 15 and 22 January 2021
- MOS Feedback Review Hermanstad dated 09 February 2021

Continual Improvement
The following documented information was available:
- FSGHOES Executive Summary Ver 4 dated 01 March 2019 (Continual Improvement)
- HOGE04 Management Rev 2 dated 01 February 2018 (Analysis of Data, Management Reviews, Internal Auditing, Preventive Action)
- HOGE03A Quality Report for NC's raised during Internal Audit
- HOGE03B Quality Report Register

Performance Evaluation processes well implemented, maintained and monitored to ensure intended outcomes are achieved.

Date	Auditor	Time	Area/Process	Clause
28/02/2022		08:30	Site 6: FCS KZN Coastal and Inland Region, New Germany (Management System and Operations)	4, 5, 6, 7, 8, 9, 10
01/03/2022		08:30	Site 8: FSS KwaZulu Natal Region, Durban (Management System and Operations)	4, 5, 6, 7, 8, 9, 10
03/03/2022		08:30	Site 5: FSS Western Cape Region, Cape Town (Management System & Operations)	4, 5, 6, 7, 8, 9, 10
02/03/2022		08:30	Site 13: FSS Secureco Metsu, Durban (Management System and Operations)	4, 5, 6, 7, 8, 9, 10
04/03/2022		08:30	Site 7: FCS Western & Northern Cape Region, Parow, Cape Town (Management System & Operations)	4, 5, 6, 7, 8, 9, 10
07/03/2022		08:30	Site 5: FCS Free State, Northern Cape, and North West Region, Bloemfontein (Management System and Operations)	4, 5, 6, 7, 8, 9, 10
08/03/2022		08:30	Site 4: FCS Limpopo Region, Polokwane (Management System and Operations)	4, 5, 6, 7, 8, 9, 10

Appendix: Your certification structure & ongoing assessment programme

Scope of Certification

FS 681530 (ISO 9001:2015)
The Provision of Services for the Guarding of Assets and Property as well as Cash Management Services and End to End Cash Handling Solutions

Assessed location(s)

The audit has been performed at Permanent Locations.

Pretoria / FS 681530 (ISO 9001:2015)

Location reference	**0047653747-010**
Address	Fidelity Security Group (Pty) Ltd Fidelity Security Services Free State/Northern Cape/Mpumalanga 358 Asetileen Road Silvertondale Pretoria South Africa
Visit type	Re-certification Audit (RA Opt 2)
Assessment reference	3333926
Assessment dates	09/03/2021
Deviation from Audit Plan	No
Total number of Employees	70
Effective number of Employees	24
Scope of activities at the site	The provision of services for the guarding of assets and property
Assessment duration	1 day(s)

bsi.

Assessment Report.

Hermanstad / FS 681530 (ISO 9001:2015)

Location reference	**0047653747-015**
Address	Fidelity Cash Solutions (Pty) Ltd North West & Mpumalanga 478 Van Riebeeck Street Hermanstad South Africa
Visit type	Re-certification Audit (RA Opt 2)
Assessment reference	3333933
Assessment dates	08/03/2021
Deviation from Audit Plan	No
Total number of Employees	40
Effective number of Employees	14
Scope of activities at the site	Provision of cash management services and end to end cash handling solutions
Assessment duration	1 day(s)

...making excellence a habit.™

Certification assessment program

Certificate Number - FS 681530
Location reference - 0047653747-000

Business area/Location	Date (mm/yy):	Audit1	Audit2	Audit3
	Duration (days):	02/21	02/22	02/23
		12	13,5	12
Opening Meeting		X	X	X
Management Interview		X		
FSG Helderkruin Management System (Context of the Organization, Leadership, Policy, Organizational Roles, Responsibilities and authorities, Risks and Opportunities, Quality Objectives, Change Management, Competence, Awareness and Communication, Documented Information, Customer satisfaction, Analysis and Evaluation, Internal Audit, Management Review, Nonconformity and Corrective Action, Continual Improvement)		X	X	X
FSG Helderkruin Sales & Marketing		X		X
FSG Helderkruin Finance & Credit Control		X		X
FSG Helderkruin Human Resources			X	
FSG Helderkruin NCC Control Room			X	
FSG Helderkruin Legal			X	
FSG Helderkruin Tenders				X
FSG Helderkruin IT Support				X
FSG Helderkruin Risk			X	X
FSG Helderkruin Procurement Asset & Management			X	
FCS Midrand Management System (Context of the Organization, Leadership, Policy, Organizational Roles, Responsibilities and authorities, Risks and Opportunities, Quality Objectives, Change Management, Competence, Awareness and Communication, Documented Information, Customer satisfaction, Analysis and Evaluation, Internal Audit, Management Review, Nonconformity and Corrective Action, Continual Improvement)		X	X	X
FCS Midrand HR and Recruitment			X	
FCS Midrand Transport		X		X
FCS Midrand Investigations and Claims		X	X	X
FCS Midrand ATM Management and Reconciliations		X	X	X
FCS Midrand New Business Development		X		X
FCS Midrand Billing and Creditors			X	

		Audit1	Audit2	Audit3
Business area/Location	**Date (mm/yy):**	02/21	02/22	02/23
	Duration (days):	12	13,5	12
Site 11: FSS Mpumalanga/Northern Province Region, Robertville (Management System and Operations)			X	
Site 6: FCS KZN Coastal and Inland Region, New Germany (Management System and Operations)			X	
Site 8: FSS KwaZulu Natal Region, Durban (Management System and Operations)			X	
Site 13: FSS Secureco Metsu, Durban (Management System and Operations)		X	X	
Site 5: FSS Western Cape Region, Cape Town (Management System & Operations)			X	
Site 7: FCS Western & Northern Cape Region, Parow, Cape Town (Management System & Operations)			X	
Site 4: FCS Limpopo Region, Polokwane (Management System and Operations)			X	
Site 5: FCS Free State, Northern Cape, and North West Region, Bloemfontein (Management System and			X	
Site 6: FSS Eastern Cape Region, Port Elizabeth (Management System and Operations)				X
Site 2: FCS Gauteng/Free State Region Germiston (Management System and Operations)		X		X
Site 3: FCS Gauteng North/North West and Mpumalanga Region, Hermanstad (Management System and Operations)		X		X
Site 8: FCS Eastern Cape Region, Port Elizabeth (Management System and Operations)		X		X
Site 1: Payroll Eastern Cape, Roodepoort (Management System)		X		
Site 2: Secureco Roodepoort (Management System)		X		
Site 3: CSG Guarding Roodepoort (Management System)		X		
Site 4: FSS Gauteng Region, Robertville (Management System and Operations)		X		X
Site 7: FSS Free State/Northern Cape Region, Silvertondale (Management System and Operations)		X		X
Site 12: FSS Eyethu, Kimberly (Management System and Operations)		X		
Site 14: Fidelity Services Group Swaziland, Mbabane (Management System and Operations)		X		X

bsi.

Assessment Report.

Certification assessment program

Certificate Number - FS 681530
Location reference - 0047653747-010

		Audit1
Business area/Location	**Date (mm/yy):**	
	Duration (days):	
Part of Sampling Plan		

Certificate Number - FS 681530
Location reference - 0047653747-015

		Audit1
Business area/Location	**Date (mm/yy):**	
	Duration (days):	
Part of Sampling Plan		

Justified exclusions / non applicable clauses

Exclusions of the standard are not permitted for certificate: FS 681530

Mandatory requirements – re-certification.

Review of assessment finding regarding conformity, effectiveness and relevance of the management system:

The management system has shortcomings in the following areas as indicated in the non-conformances raised during this and previous assessments:
- ISO 9001:2015 Clause 5.2.2 Communicating the Quality Policy (April 2018)
- ISO 9001:2015 Clause 6.2 Quality objectives and planning to achieve them (April 2018, February 2020)
- ISO 9001:2015 Clause 7.5.2 Creating and Updating Documented Information (April 2018)
- ISO 9001:2015 Clause 7.5.3 Control of documented information (April 2018, February 2020)
- ISO 9001:2015 Clause 8.1 Operational Planning and Control (April 2018)
- ISO 9001:2015 Clause 8.5.1 Control of Production and Service Provision (April 2019, February 2020)
- ISO 9001:2015 Clause 9.2 Internal Audits (April 2018)
- ISO 9001:2015 Clause 10.2 Nonconformity and Corrective Action (April 2018, April 2019)

Management system strategy and objectives:

The following documented information was available:
- FSGHOQP Quality Policy and Objectives Rev 4 dated 01 March 2019
- Eastern Cape AIT Strategic Objectives 2020/2021
- FSGHOFCSQP Quality Policy and Objectives Rev 7 dated 02 March 2020
- Fidelity Cash Solutions Strategic and Quality Objectives - 2019/2020/2021/2022

Review of progress in relation to the organisation's objectives:

The following documented information was available:
- FSGHOQP Quality Policy and Objectives Rev 4 dated 01 March 2019
- Eastern Cape AIT Strategic Objectives 2020/2021
- FSGHOFCSQP Quality Policy and Objectives Rev 7 dated 02 March 2020
- Fidelity Cash Solutions Strategic and Quality Objectives - 2019/2020/2021/2022

Review of assessment progress and the re-certification plan:

The following Areas were assessed:
- Fidelity Services Group Management System (4, 5, 6, 7, 8, 9, 10)
- Interview with General Manager (4, 5, 6, 7, 8, 9, 10)
- Fidelity Services Group - Fidelity Security Services Management System (4, 5, 6, 7, 8, 9, 10)
- Fidelity Services Group - Fidelity Security Services Operations (4, 5, 6, 7, 8, 9, 10)
- Fidelity Services Group - Fidelity Cash Solutions Operations (4, 5, 6, 7, 8, 9, 10)
- Fidelity Services Group - Fidelity Cash Solutions Management System (4, 5, 6, 7, 8, 9, 10)

BSI Client Management Impartiality and Surveillance Strategy:

All P and T codes appropriate, and included in assessment team

Continue with the current Total assessment days / Cycle.

Expected outcomes for accredited certification

What accredited certification to ISO 9001 means

ISO 9001:2015 specifies requirements for a quality management system when an organization: needs to demonstrate its ability to consistently provide products and services that meet customer and applicable statutory and regulatory requirements; and aims to enhance customer satisfaction through the effective application of the system, including processes for improvement of the system and the assurance of conformity to customer and applicable statutory and regulatory requirements.

What accredited certification to ISO 9001 does not mean

1) It is important to recognize that ISO 9001 defines the requirements for an organization's quality management system, not for its products and services. Accredited certification to ISO 9001 should provide confidence in the organization's ability to "consistently provide product that meets customer and applicable statutory and regulatory requirements". It does not necessarily ensure that the organization will always achieve 100% product conformity, though this should of course be a permanent goal.

2) ISO 9001 accredited certification does not imply that the organization is providing a superior Product or service, or that the product or service itself is certified as meeting the requirements of an ISO (or any other) standard or specification.

Definitions of findings:

Nonconformity:
Non-fulfilment of a requirement.

Major nonconformity:
Nonconformity that affects the capability of the management system to achieve the intended results. Nonconformities could be classified as major in the following circumstances:

- If there is a significant doubt that effective process control is in place, or that products or services will meet specified requirements;
- A number of minor nonconformities associated with the same requirement or issue could demonstrate a systemic failure and thus constitute a major nonconformity.

Minor nonconformity:
Nonconformity that does not affect the capability of the management system to achieve the intended results.

Opportunity for improvement:
It is a statement of fact made by an assessor during an assessment, and substantiated by objective evidence, referring to a weakness or potential deficiency in a management system which if not improved may lead to nonconformity in the future. We may provide generic information about industrial best practices but no specific solution shall be provided as a part of an opportunity for improvement.

How to contact BSI

'Just for Customers' is the website that we are pleased to offer our clients following successful registration, designed to support you in maximising the benefits of your BSI registration - please go to www.bsigroup.com/j4c to register. When registering for the first time you will need your client reference number and your certificate number (47653747/FS 681530).

Should you wish to speak with BSI in relation to your certification, please contact your local BSI office – contact details available from the BSI website:
https://www.bsigroup.com/en-ZA/Contact-us/

Notes

This report and related documents are prepared for and only for BSI's client and for no other purpose. As such, BSI does not accept or assume any responsibility (legal or otherwise) or accept any liability for or in connection with any other purpose for which the Report may be used, or to any other person to whom the Report is shown or in to whose hands it may come, and no other persons shall be entitled to rely on the Report. If you wish to distribute copies of this report external to your organisation, then all pages must be included.

BSI, its staff and agents shall keep confidential all information relating to your organisation and shall not disclose any such information to any third party, except that in the public domain or required by law or relevant accreditation bodies. BSI staff, agents and accreditation bodies have signed individual confidentiality undertakings and will only receive confidential information on a 'need to know' basis.

This audit was conducted through document reviews, interviews and observation of activities. The audit method used was based on sampling the organization's activities and it was aimed to evaluate the fulfilment of the audited requirements of the relevant management system standard or other normative document and confirm the conformity and effectiveness of the management system and its continued relevance and applicability for the scope of certification.

As this audit was based on a sample of the organization's activities, the findings reported do not imply to include all issues within the system.

Regulatory compliance

BSI conditions of contract for this visit require that BSI be informed of all relevant regulatory non-compliance or incidents that require notification to any regulatory authority. Acceptance of this report by the client signifies that all such issues have been disclosed as part of the assessment process and agreement that any such non-compliance or incidents occurring after this visit will be notified to the BSI client manager as soon as practical after the event.