T1.1a – Tender Schedules (general)

Note:

T2.2a Tender Schedules may be used irrespective of the chosen conditions of contract, whereas

The T2.2a Tender Schedules to be completed for this tender are:

No.	Title	Required / not required
1.	Declaration of fair bidding practices	**Required**
2.	Confirmation of receipt of addenda to tender documents	**Required**
3.	Declarations of Shareholding or Beneficiaries	**Required**
4.	Integrity declaration form	**Required**

	Declaration of Fair Bidding Practices	**Tender Schedule T2.2a No .2**

The essence of competitive tendering is that Eskom will receive *bona fide* competitive tenders from all tenderers.

In recognition of these principles, we hereby declare that this is a *bona fide* tender, intending to be competitive, and that we have not engaged in price-fixing with any other tenderer or person, or in any way colluded with any other tenderer or person in an attempt to alter or pre-empt the outcome of this competitive tender.

DECLARATION:

I, the undersigned [*insert full name of signatory*] _____,
duly authorised to complete this tender in my capacity as [*insert capacity, i.e., member, director, partner, etc*] _____ on behalf of the tenderer [*insert full name of the business entity*] _____
certify that, to the best of my knowledge, the information furnished herein is true and correct.

I accept that Eskom reserves its right to act against the tenderer or me personally in terms hereof, should this declaration prove to be false.

Signed _____ Date _____

	Confirmation of receipt of addenda to tender documents	**Tender Schedule T2.2a No 4**

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

	Date	**Title or Details**
1.		
2.		
3.		
4.		
5.		
6.		
7.		

Attach additional pages if more space is required.

Signed		Date	
Name		Position	
Tenderer			

	DECLARATION OF SHAREHOLDING OR BENEFICIARIES	**Tender Schedule T2.2a No 8**

Eskom prospective Suppliers are requested to declare the names of Shareholders in their Company. Kindly disclose all the names of individuals or/and companies that own shares in your organisation.

Details of Disclosure

I, the undersigned_____ (Position) _____ hereby declare that I am the authorised representative of my organisation _____ (Name of Company or Trust). I further declare that the following people are Shareholders/Beneficiaries in _____ (Name of Company or Trust)

Name of the Company/Trust	**Registration number of the Company/Trust**	**Names of all Shareholders**	**Number/ percentage of Shares**

(Tick applicable box)

Are any of the shareholders or beneficiaries declared above employed by or close family members* to employees of Eskom Holdings and/or its subsidiaries? Yes No.

If Yes, please provide details of position held in Eskom by employee or relationship with Eskom Holdings employee and such shareholder/beneficiary's interest in your organisation:

_____

_____

_____

SIGNATURE: _____ DATE: _____

DESIGNATION: _____

* Close family member means: person related by birth or marriage or similar relationship, including domestic partnership, adoption or a guardianship

INTEGRITY DECLARATION FORM

(Form to be completed and signed by supplier/tenderer as Invitation to Tender returnable)

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.

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

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

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

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 parten 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.		
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:	

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).