Transnet Rail Infrastructure Manager – a Division of **Transnet SOC Ltd** [Registration No.1990/000900/30]

Request For Proposal

For Leasing of the Transnet Rail Infrastructure Manager Sidings/Facilities

Siding Number 201219 (Upington) for a period of ten (10) years

Siding/ Facility Name:	Upington
Request For Proposal Number:	**BT1TRIMRFPWR8**
Issue Date:	27 August 2026
Briefing Session Date:	07 September 2026 @ 11:00 a.m.
Briefing Session Link:	**Briefing Session**
Site Visit Date:	07 October @ 11:00 a.m.
Final Date for Clarification Questions:	16 November 2026
Link for clarification Questions:	**Clarification Questions**
Closing Date:	30 November 2026
Proposal Validity Period:	180 Business Days from closing date
End of Validity Period:	20 August 2027



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For Leasing of the Transnet Rail Infrastructure Manager Sidings/Facilities

Siding Number 201219 (Upington) for a period of ten (10) years

SECTION 1: SBD1 Form

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*NAME OF DEPARTMENT/ PUBLIC ENTITY*)					
BID NUMBER:	BT1TRIMRFPWR8	CLOSING DATE:	30 November 2026	CLOSING TIME:	10 am
DESCRIPTION	For Leasing of the Transnet Rail Infrastructure Manager Sidings/Facilities Siding Number 201219 (Upington) for a period of ten (10) years				

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*
Bid response to be submitted electronically.

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACT PERSON	Clarification Questions	CONTACT PERSON	Clarification Questions
E-MAIL ADDRESS	TRIMSidingsAugust26@transnet.net	E-MAIL ADDRESS	TRIMSidingsAugust26@transnet.net

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
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES 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.

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, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
2.	**TAX COMPLIANCE REQUIREMENTS**
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO 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: .....

SECTION 2: Notice to Bidders

1 Invitation to Bid

Responses to this Request For Proposal [hereinafter referred to as a **Bid** or a **Proposal**] are requested from juristic persons. (e.g., companies, close corporations or enterprises [hereinafter referred to as an **entity**, **Respondent** or **Bidder**). Unincorporated JV's or Consortium members will qualify as Responsive Bidders for the RFP.

DESCRIPTION	Leasing of Transnet Rail Infrastructure Manager (TRIM) Sidings/ Facilities for a lease period of ten (10) years.
REQUEST FOR PROPOSAL DOWNLOADING	This Request For Proposal may be downloaded directly from National Treasury's e-Tender Publication Portal at www.etenders.gov.za free of charge. To download the Request For Proposal and Annexures: • Click on "Tender Opportunities"; • Select "Advertised Tenders"; • In the "Department" box, select Transnet SOC Ltd. Once the tender has been located in the list, click on the 'Tender documents" tab and process to download all uploaded documents. The Request For Proposal may also be downloaded from the Transnet website at www.transnet.net free of charge. To access the Transnet eTender portal, please click **here** *(refer to section 2, paragraph 3 below for detailed steps)*
COMMUNICATION	Any amendment to the Request For Proposal or clarifications will be published on the e-tender portal and Transnet website. Bidders are required to check the e-tender portal or Transnet website prior to finalising their bid submissions for any changes or clarifications to the Request For Proposal. Transnet will not be held liable whatsoever if Bidders do not access and obtain the latest information regarding this Request For Proposal which failure may have the possible consequence of either being disadvantaged or disqualified as a result thereof.
BRIEFING SESSION	There will be an online **non-compulsory** briefing session for this transaction on MS Teams. The link to join the session has been provided on the cover page of the RFP.
SITE VISITS	There will be a **non-compulsory** site visit for the lease facility as indicated on Page 1. Site visits are not mandatory, but it is highly recommended that bidders inspect the property. There is only one scheduled site visit per siding. Bidders interested in attending the site visit are requested to inform TRIM three (3) days before the site visit using the following url: **Site Visit**.
CLOSING DATE	**10:00 a.m. on** 30 November 2026 Bidders must ensure that bids are submitted timeously to the Transnet eTenders management platform website (https://www.transnet.net);

VALIDITY PERIOD	**180 Business Days from Closing Date** Bidders are to note that they may be requested to extend the validity period of their bid, on the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be deemed to remain valid until a final lease agreement (Annexure H) has been concluded. With regard to the validity period of next highest ranked bidders, please refer to Section 2, paragraph 8.14

Any additional information or clarification will be emailed to all Respondents, and will be published on the e-Tender portal and Transnet website, if necessary.

2 Proposal Submission

Transnet has implemented an electronic tender submission system, the e-Tender Submission Portal, in line with the overall Transnet digitalisation strategy where suppliers can view advertised tenders, register their information, log their intent to respond to bids and upload their bid proposals/responses on to the system.

a) The Transnet e-Tender Submission Portal can be accessed as follows:

- Log on to the Transnet eTenders management platform website (https://www.transnet.net);
- Click on "TENDERS";
- Scroll towards the bottom right hand side of the page;
- On the blue window click on "register on our new eTender Portal";
- Click on "ADVERTISED TENDERS" to view advertised tenders;
- Click on "SIGN IN/REGISTER – for bidder to register their information (must fill in all mandatory information);
- Click on "SIGN IN/REGISTER" - to sign in if already registered;
- Toggle (click to switch) the "Log an Intent" button to submit a bid;
- Submit bid documents by uploading them into the system against each tender selected.

3 Request For Proposal Instructions

3.1 Please sign documents [sign, stamp and date the bottom of each page] before uploading them on the system. The person or persons signing the submission must be duly authorised or have the required authority by the Respondent to do so.

3.2 All returnable documents tabled in the Proposal Form [Section 5] must be returned with proposals.

3.3 Unless otherwise expressly stated, all Proposals furnished pursuant to this Request For Proposal shall be deemed to be offers. Any exceptions to this statement must be clearly and specifically indicated.

3.4 Any additional conditions must be embodied in an accompanying letter. Subject only to clause 15 [Alterations made by the Respondent to Bid Prices] of the General Bid Conditions (Annexure B) and Section 6 of the Commercial Proposal, alterations, additions or deletions must not be made by the Respondent to the actual Request For Proposal documents.

4 Joint Ventures or Consortiums

Respondents who would wish to respond to this Request For Proposal as a Joint Venture [JV] or consortium with B-BBEE entities, must state their intention to do so in their Request For Proposal submission. Such Respondents must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If at the time of the bid submission such a JV or consortium agreement has not been concluded/incorporated, the tentative partners must indicate in writing of their intention to enter into a JV or consortium agreement should they be awarded business by Transnet through this Request For Proposal process. This written confirmation must clearly indicate the indictative percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to Transnet.

5 Compliance to B-BBEE

Bidders to provide a valid B-BBEE certificate issued by a SANAS accredited agency or Sworn Affidavit.

Successful bidder(s) are encouraged to improve their B-BBEE credentials on an annual basis.

B-BBEE verification agencies can be obtained on website: www.sanas.co.za

Enterprise	B-BBEE Certificate and Sworn Affidavit
Large	• Certificate issued by SANAS accredited verification agency.
QSE (Qualifying Small Enterprise)	• Certificate issued by SANAS accredited verification agency. • Sworn Affidavit signed by the authorised QSE representative and attested by a Commissioner of Oaths confirming annual turnover and black ownership (only black-owned QSEs - 51% to 100% Black owned) *[Sworn affidavits must substantially comply with the format that can be obtained on the DTI's website at www.dti.gov.za/economic_empowerment/bee_codes.jsp.].*
EME (Exempt Micro Enterprise)	• Sworn Affidavit signed by the authorised EME representative and attested by a Commissioner of Oaths confirming annual turnover and black ownership.

	• Certificate issued by CIPC (formerly CIPRO) confirming annual turnover and black ownership. • Certificate issued by SANAS accredited verification agency only if the EME is being measured on the QSE scorecard.

6 Bid Queries

6.1 TRIM has developed an online solution to deal with clarification questions.

6.1.1 The online platform can be accessed by using the following URL: Clarification Questions

6.1.2 Bidders can submit only one clarification question at a time.

6.1.3 There is no limit on the number of clarification questions a bidder can ask.

6.1.4 A reference number will be issued to the email address that was provided in the online form.

6.1.5 The system will close for clarification questions two weeks prior to the tender close, on the date provided on the RFP cover page.

6.1.6 Responses to clarification questions will be posted on the etender system.

6.1.7 In case you experience any problems with logging clarification questions online or want to follow up on a query, please contact the TRIM Commercial Secretariat at the following email address: TRIMSidingsAugust26@transnet.net in order to ensure that your query is logged.

6.1.8 All substantive clarification questions, whether received via the online link or the email address, will be recorded, and all material responses will be shared with all bidders through formal clarification notices or addenda.

6.2 Respondents are to note that changes to its submission will not be considered after the closing date.

6.3 It is prohibited for Respondents to attempt, either directly or indirectly, to unduly influence or unlawfully solicit any officer or employee of Transnet in respect of this RFP between the advertising, closing date, evaluations and the date of the award of the business.

6.4 Respondents found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

7 Confidentiality

All information related to this Request For Proposal is to be treated with strict confidence. In this regard Respondents are required to certify that they have acquainted themselves with the Confidentiality and Non-Disclosure Agreement. All information related to a subsequent lease agreement, both during and after

completion thereof, will be treated with strict confidence. Should the need however arise to divulge any information related to this Request For Proposal or the subsequent lease agreement, written approval must be obtained from Transnet.

8 Disclaimers

Respondents are hereby advised that Transnet is not committed to any course of action as a result of its issuance of this Request For Proposal and/or its receipt of Proposals. In particular, please note that Transnet reserves the right to:

8.1 TRIM may, in its discretion, extend the Bid Submission Date by publishing a notification on the National Treasury's e-Tender Publication Portal as well as on the Transnet eTender portal. Should the bid be extended, all rights and obligations of TRIM and the Bidder that were previously subject to the original Bid Submission Date shall be subject to the extended Bid Submission Date;

8.2 Bidders are to note TRIM may not modify any part of this RFP within fourteen (14) days of bid closure. Therefore, no requests for bid extension will be considered during this period;

8.3 Modify any aspect of the leasing of sidings set out in this Request For Proposal, and request Respondents to re-bid on any such changes;

8.4 Reject any Proposal which does not conform to instructions and specifications which are detailed herein;

8.5 Disqualify Proposals submitted after the stated submission deadline [30 November 2026];

8.6 Award a Lease Agreement in connection with this Proposal at any time after the Request For Proposal's closing date;

8.7 Award a Lease Agreement for only a portion of the proposed premises which are reflected in the scope of this Request For Proposal;

8.8 Split the award of the Lease Agreement between more than one Bidder, should it at Transnet's discretion be more advantageous in terms of, amongst others, cost or developmental considerations;

8.9 Cancel the bid process;

8.10 Validate any information submitted by Respondents in response to this bid. This would include, but is not limited to, requesting the Respondents to provide supporting evidence in any medium or form that it requires. By submitting a bid, Respondents hereby irrevocably grant the necessary consent to Transnet to do so;

8.11 Request audited financial statements or other documentation for the purposes of a due diligence exercise;

8.12 Not accept any changes or purported changes by the Respondent to any aspects of the proposal after the closing date and/or after the award of the business, unless the Lease Agreement specifically provided for it;

8.13 To cancel the Lease Agreement and/or request that National Treasury place the Respondent on its Database of Restricted Suppliers for a period not exceeding 10 years, on the basis that a Lease Agreement was awarded on the strength of incorrect or false information furnished by the Respondent, or on any other basis recognised in law;

8.14 To award the business to the next ranked bidder, provided that he/she/it is still prepared to lease the siding at the quoted price, should the successful/preferred bidder fail to sign or commence with the Lease Agreement within a reasonable period after being requested to do so. Under such circumstances, the validity of the bids of the next ranked bidder(s) will be deemed to remain valid, irrespective of whether the next ranked bidder(s) were issued with a Letter of Regret. Bidders may therefore be requested to advise whether they would still be prepared to lease the siding at their quoted price, even after they have been issued with a Letter of Regret; and

8.15 Note that Transnet will not reimburse any Respondent for any preparatory costs or other work performed in connection with its Proposal, whether or not the Respondent is awarded a lease agreement.

9 Tax Compliance

9.1 Respondents must be compliant when submitting a proposal to Transnet and remain compliant for the entire lease agreement term with all applicable tax legislation, including but not limited to the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).

9.2 It is a condition of this bid that the tax matters of the successful Respondents be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the Respondents tax obligations.

9.3 The Tax Compliance status requirements are also applicable to foreign Respondents who wish to submit bids.

9.4 Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the Central Supplier Database, and their tax compliance status will be verified through the Central Supplier Database.

10 Protection of Personal Data

In responding to this bid, Transnet acknowledges that it may obtain and have access to personal data of the Respondents. Transnet agrees that it shall only process the information disclosed by Respondents in their response to this bid for the purpose of evaluating and subsequent award of business and in accordance with

any applicable law. Furthermore, Transnet will not otherwise modify, amend or alter any personal data submitted by Respondents or disclose or permit the disclosure of any personal data to any Third Party without the prior written consent from the Respondents. Similarly, Transnet requires Respondents to process any personal information disclosed by Transnet in the bidding process in the same manner. The detailed mutual duties of Transnet and the Respondents to protect personal information is contained in paragraph 35 of the General Bid Conditions.

Transnet supports that its clients, suppliers and the general public to report any fraud or corruption to TIP-OFFS ANONYMOUS: 0800 003 056

SECTION 3: Background, Overview and Scope of Requirements

1. Background

1.1 On 1 October 2024, in line with the Rail Reform mandate, the Transnet Freight Rail (TFR) existed as a vertically integrated operating division of Transnet and was vertically separated into TFR, as a Train Operating division and the Transnet Rail Infrastructure Manager (TRIM) the separate operating division responsible for the rail network and associated rail infrastructure, notably the sidings portfolio.

1.2 The sidings portfolio is a key enabler to connect to the core network from road to rail and a strategic and productive asset. It is a vehicle for economic development, service delivery and transformation. TRIM is mandated to ensure adherence to the Rail Reform mandate set out in the National Rail Policy, 2022 and the Roadmap for the Freight Logistics System in South Africa, 2023.

1.3 In the light of the above, TRIM set out to review the processes for leasing / letting TRIM sidings/facilities to ensure the effective utilisation of these properties as strategic enablers. TRIM has also implemented the necessary policies and governance structures to ensure that sidings are awarded in line with the TRIM strategy.

1.4 These includes but not limited to a process that:

1.4.1 Ensures effective management of TRIM Properties as Strategic Enablers for Rail Logistics Solutions through diligent positioning of these to compliment an end-to-end efficient logistics service to the market.

1.4.2 Works with the private sector to unlock investment focused on improved efficiency in the supply chain, reducing complexities and the cost of doing business to enable volume growth from road to rail.

1.4.3 Ensures sidings enable the TRIM mandate on effective network allocation principles.

1.4.4 Encourages sustainable development and community upliftment.

1.5 TRIM is therefore embarking on an open market process for Proposals for leasing of sidings/facilities to allow all sectors to have open access to compete for the lease of sidings.

2. General

2.1 The successful bidder must agree to sign a Lease Agreement with TRIM. The basis for negotiation will be the TRIM Lease Agreement.

2.2 The sidings are leased primary for the purpose of storing, loading onto and offloading from rail wagons, and movement of cargo to facilitate the transportation of such cargo by the Lessee or contracted Train Operating Company.

2.3 The dominant purpose of the leased siding should be reserved for facilitating the transportation of cargo by rail.

2.4 The process to allocate rail capacity forms part of the slot capacity allocation process (refer to the latest Network Statement for more information) and is allocated independently from the conclusion of lease agreements for sidings.

2.5 All sidings are leased on an "as is" basis.

2.6 It remains the lessee's responsibility to develop the facility and secure the requisite volumes required that underpins the investment within the current transport logistics systems, governances and legislative prescripts. The facility's scalability to the transport systems operating capabilities will be dealt with during contract negotiations. Therefore, proposals and operating models should respond to the siding footprint.

2.7 Notwithstanding Clause 2.4 above, the Lessee remains obligated to honour and meet the existing TRIM Slot allocation train paths applicable to the siding with third parties/Train Operating Companies (TOCs).

2.8 Where relevant, the successful bidder appointed to lease the siding is responsible to directly conclude and/ or manage contracts with TOCs or cargo owners who have contracted with TOC/s.

2.9 Successful lessees are required, from time to time and upon due notice being provided, to adhere to any changes to TRIM management policies, procedures or processes which may be applicable to a Lessee.

3. TRIM Revenue Generation

3.1 The successful lessee shall pay TRIM the monthly rental.

3.2 A percentage of turnover negotiated with the winning bidder. Should the parties fail to reach agreement on the percentage turnover, TRIM reserves the right to disqualify the winning bidder and negotiate with the reserve bidder.

4. Scope of Requirements

4.1 Siding information: Refer to Annexure A: TRIM Siding Profile.

4.2 Lease Tenure

4.2.1 Bidders need to submit a Request for Proposal for a lease of ten (10) years.

4.2.2 For the avoidance of doubt, the 10-year lease period is the operational period and excludes an agreed period required for the mobilisation, establishment, rehabilitation, development, upgrading and/or construction of the siding which is relevant to make a siding operational.

4.3 Experience, Track Record and Expertise

4.3.1 Bidders will be scored on the following information obtained from the portfolio of evidence:

4.3.1.1 Expertise and experience (years) of the company in integrated logistics planning and operations, warehousing, commercial, industrial engineering and continuous improvement of the end-to-end supply value chains; and

4.3.1.2 Collective years of experience in integrated logistics planning and operations, warehousing, commercial, industrial engineering and continuous improvement of the end-to-end supply value chains of directors, shareholders and/or owners, or the relevant experience of the lead members of a consortium or JV.

4.3.2 **Company Experience**

4.3.2.1 Bidders are required to provide a company profile of their organisation, including their holding company (if relevant).

4.3.2.2 Bidders need to demonstrate relevant logistics experience and know-how in integrated logistics planning and operations, warehousing, commercial, industrial engineering and continuous improvement of the end-to-end supply value chains.

4.3.2.3 Relevant experience includes but is not limited to demonstrated experience in planning, coordinating, managing or operating logistics and supply chain activities involving the movement, stockpiling, handling or distribution of goods.

4.3.2.4 Bidders must complete **Annexure Q: Company Experience Summary** to demonstrate this experience.

4.3.2.4.1 The table contained in Annexure Q must be completed for each contract that the bidder intends to be credited for.

4.3.2.4.2 Information provided in Annexure Q must be verifiable through relevant contact details, contracts executed and must form part of the Bidder's Bid Response.

4.3.2.4.3 Bidders must provide at least one reference letter from customer(s) to whom they had provided any of the services listed above. These letter(s) should clearly illustrate the scope of service provided, number of years of service offered and contact details of company used as reference.

4.3.2.4.4 The reference letter(s) must contain the letterhead of the customer and must be signed by an authorised representative.

4.3.2.4.5 The contact details of the person who could be possibly interviewed by TRIM as part of the due diligence process should be minimum at management level.

4.3.2.5 Failure to submit the Annexure Q as well as the letter of reference may result in a score of 0 for the bidder.

4.3.3 **Directors, Shareholders and/ or Owner Experience**

4.3.3.1 Bidders will be scored on the collective relevant experience of directors, shareholders and/or owners, or the experience of the relevant lead members of a consortium or JV.

4.3.3.2 Bidders need to provide proof that they are directors, shareholders and/or owners of the bidding entity.

4.3.3.3 For purposes of this requirement, this shall be determined according to the legal form of the Bidder, as follows:

4.3.3.3.1 *Private Company* – ownership shall mean the percentage shareholding held by shareholders;

4.3.3.3.2 *Partnership* – incorporated practice, or similar entity without shareholders – ownership shall mean the percentage equity participation held by equity partners or members having an economic interest in the partnership;

4.3.3.3.3 *Trust or similar arrangement* – ownership shall be determined with reference to the beneficiaries or persons exercising effective control as appointed trustees, as applicable; and

4.3.3.3.4 *Consortium or unincorporated joint venture* - ownership of each consortium or joint venture member.

4.3.3.4 The Bidder shall submit supporting evidence appropriate to its legal form, including, where applicable:

4.3.3.4.1 CIPC Disclosure Certificate;

4.3.3.4.2 Share Register;

4.3.3.4.3 Shareholding Structure;

4.3.3.4.4 Register of Equity Partners or Members (for partnerships or similar entities);

4.3.3.4.5 Trust Deed or equivalent governing instrument (where applicable); and

4.3.3.4.6 Identity documents or other proof of ownership or equity participation, where applicable.

4.3.3.5 For each director, shareholder and/or owners or the relevant experience of the lead members of a consortium or JV that the bidder wants the claim for, the following information needs to be submitted:

4.3.3.5.1 Detailed Curriculum Vitae (CV);

4.3.3.5.2 **Annexure R: Individual Experience Summary;** and

4.3.3.5.3 At least one (1) letter of reference.

4.3.3.6 Curriculum Vitae should provide an overview of an individual career and qualifications.

4.3.3.7 Annexure R contains a more detailed list of the experience of a single individual.

4.3.3.7.1 Annexure R should expand on the information provided in the CV.

4.3.3.7.2 Each relevant role that an individual intends to be credited for should be included.

4.3.3.8 TRIM recognises that legitimate changes in ownership, directorship, management, or joint venture participation may occur during the lease term. However, where specific directors, shareholders, owners, or JV members have materially contributed to the bidder's score, TRIM may require replacement of similar for continuity of the business.

4.3.3.9 Any material change to their participation must be disclosed to TRIM and approved obtained in writing.

4.3.3.10 TRIM reserves the right to review and perform a due diligence to authenticate company or individual experience.

4.4 Safety, Environment Management, Risk Management and Business Continuity Management Requirements

4.4.1 Legislative Compliance

4.4.1.1 The successful bidder shall, at all times, comply with all applicable laws, legislation, regulations, by-laws, standards, codes and statutory requirements relevant to the performance of the services and/or obligations contemplated in this RFP and any resulting Agreement, as amended or replaced from time to time.

4.4.1.2 The successfully bidder will be required commit to comply with relevant Laws and Regulations and any other newly promulgated related laws post signing Lease agreement.

4.4.1.3 In addition to legislative requirements, the successful bidder will be required to comply with all applicable TRIM maintenance standards.

4.4.2 Environmental Management

4.4.2.1 The successful bidder will be required to obtain all environmental approvals (i.e. authorisations, air emission licenses and/or permits) relevant to the proposed siding activities before commencing with operations.

4.4.2.2 Where relevant, the successful bidder will be required to obtain Water Use Licenses through relevant authorities, i.e., Department of Water and Sanitation. Such licence(s) must be inclusive of all relevant water uses taking place on site (i.e., uses c, i, h, and g as it relates to section 21 of the National Environmental Management Act, 1998).

4.4.2.3 The siding will have to be managed in accordance with section 28 of the National Environmental Management Act, 1998, as amended and related provisions in other applicable legislations.

4.4.2.4 Environmental Incidents must be reported in accordance with section 30 of the National Environmental Management Act, 1998, as amended and related provisions in other applicable legislations.

4.4.2.5 After concluding the lease and before operations, the successful bidder must provide and implement an Environmental Management Plan covering an assessment of environmental risks and risk mitigation measures. The requirements for this Environmental Management Plan are outlined in Annexure L.

4.4.2.6 The Successful lessee shall, at its own cost and prior to commencing operations, obtain and maintain all licences, permits, approvals, registrations and authorisations required by applicable legislation and regulatory authorities to lawfully operate the siding. The Successful Bidder shall further ensure ongoing compliance with all applicable environmental, health and safety, railway safety and other statutory requirements to facilitate a seamless transition of operations and avoid any interruption to rail services provided by TRIM and Train Operating Companies.

4.4.2.7 If the proposed siding use will require a Water Use License, the successful bidder is required to ensure business continuity in the time taken to obtain the Water Use License. This will be addressed during contracting.

4.4.3 **Risk Management**

4.4.3.1 After concluding the lease and before operations, the successful bidder must provide an assessment of risks and risk mitigation measures, other than environment risks.

4.4.3.2 This Risk Management Plan will cover core risk management elements. These include business and project risk assessment, development and maintaining of a risk register, applied business and project risk assessment methodology, risk mitigation strategies and actions.

4.4.3.3 The Transnet Risk Assessment methodology is attached as Annexure M, and the aspects considered during an evaluation process are in Annexure N. The successful bidder will need to submit and implement a Risk Assessment Plan compliant with these requirements prior to beginning operations.

4.4.4 **Business Continuity Management**

4.4.4.1 Prior to beginning operations, the successful lessee must submit a Business Continuity Management Plan (BCM Plan) with an assessment to ensure compliance to the Disaster Management Act 57 of 2002 (as amended from time to time).

4.4.4.2 The requirements for the BCM Plan that the successfully bidder will have to submit and implement are outlined in Annexure O.

4.4.4.3 This plan will cover the successful bidder's BCM Policy Framework; Business Continuity Plan (BCP); Business Impact Assessment (BIA) and Business Continuity Management Risk Assessment Methodology together with application.

4.4.5 Health and Safety Management

4.4.5.1 The successful lessee must comply with the Occupational Health and Safety Act, 85 of 1993 (as amended or replaced from time to time) (the "OHS Act"), any regulations made thereunder and any other applicable health and safety legislation.

4.4.5.2 Prior to the start of operations, the successful lessee will have to submit a Health and Safety Checklist as contained in Annexure P.

4.5 Financial Capacity

4.5.1 Proof of funding

4.5.1.1 Bidders are required to provide proof of funding covering the bidder's declared capital investment commitment for the siding.

4.5.1.2 Funding can be a combination of debt and equity funding. Debt funding can be confirmed, provisional or conditional.

4.5.1.3 Requirements to verify debt funding

4.5.1.3.1 Debt funding can be obtained from financial institutions, funding institutions, private funders or investment agencies,

4.5.1.3.2 The bidder must provide a confirmation letter from the institution or individual, stating the amount and whether the funding is committed or conditional; or

4.5.1.3.3 where funding is conditional, a written commitment letter stating the specific conditions..

4.5.1.4 Requirements to verify equity funding

4.5.1.4.1 If self-funded, bidders must provide

4.5.1.4.1.1 their audited or if relevant, otherwise independently verified annual financial statements; and

4.5.1.4.1.2 a bank confirmation letter, confirming the cash or facility balance supporting those financials.

4.5.1.4.2 If equity funding is from other equity partners (including holding companies or shareholders), bidders must provide

4.5.1.4.2.1 written confirmation of the undertaking to fund the investment;

4.5.1.4.2.2 written confirmation of the amount of funding available to this project;

4.5.1.4.2.3 the equity funder's audited or if relevant, otherwise independently verified annual financial statements; and

4.5.1.4.2.4 a bank confirmation letter, confirming the cash or facility supporting those financials.

4.5.2 **Financial Viability Evaluation: Financial documentation requirements**

4.5.2.1 Companies in existence for more than three years:

4.5.2.1.1 Bidders must provide audited Annual or if relevant, otherwise independently verified Financial Statements for the last three completed financial years.

4.5.2.1.2 Where a bidder is not legally required to have audited financial statements, independently reviewed financial statements or other suitable financial information must be submitted together with an explanation confirming why audited financial statements are not available.

4.5.2.1.3 Management accounts not older than three months where the latest audited financial statements are more than six months old.

4.5.2.1.4 Financial Statements may come from either the bidding company, the Holding Company or the Group.

4.5.2.1.5 Where a bidder relies on holding company or group financial statements, the following shall be submitted as part of the bid response:

4.5.2.1.5.1 A letter of consent from the Parent Company; and

4.5.2.1.5.2 a signed Letter of Financial Support.

4.5.2.2 In the case of an entity that has been in existence for less than three years, the bidder must provide

4.5.2.2.1 Audited or if relevant, otherwise independently verified financial statements for the period during which it has operated (provisions regarding audited financial statements stated above will apply); and

4.5.2.2.2 Management accounts not older than three months where the latest audited financial statements are more than six months old.

4.5.2.3 In addition to financial statements as described above the bidder must supply details of any pending litigation or insolvency proceedings.

4.5.2.4 When contracting, TRIM may request the bidder the following additional financial information:

4.5.2.4.1 A bank confirmation letter.

4.5.2.4.2 Details of available funding facilities or working capital available for contract execution, where applicable.

4.5.2.4.3 Any parent company guarantee or financial support undertaking, where applicable.

4.5.2.5 The above documents will be verified and if it does not meet the TRIM financial viability requirements can lead to disqualification

4.5.2.6 The winning bidder will be subject to a Credit Risk Assessment (risk grade) to determine deposit and guarantees required.

4.5.3 **Financial Viability Evaluation**

4.5.3.1 TRIM will calculate the averaged Key Financial Ratios which will be used to assess the Bidder's liquidity and solvency.

4.5.3.2 The Bidder is responsible to ensure the following data is provided:

4.5.3.2.1 Profitability EBITDA

4.5.3.2.2 Current Ratio = Current Assets / Current Liabilities (Norm 2:1)

4.5.3.2.3 Solvency Ratio = Total Assets / Total Liabilities (Norm 1:1)

4.5.3.3 Companies in existence for more than three years will be measured on the average over the three financial years.

4.5.3.4 Where a Bidder has been in existence for less than three financial years, TRIM will

4.5.3.4.1 calculate the Key Financial Ratios using all available audited or if relevant, otherwise independently verified financial statements for the period during which the Bidder has operated.

4.5.3.4.2 Where applicable, management accounts and independently certified projected cashflows may be considered to assess the Bidder's liquidity, solvency and financial sustainability.

4.5.3.4.3 The absence of three years of financial history will not, in itself, result in a lower score.

4.6 Concept Operational Model

4.6.1 Bidders are required to submit a concept Operations and Project Delivery Model demonstrating how the Siding will be developed, operated, and progressively enhanced throughout the 10-year lease period.

4.6.2 The model must demonstrate the Bidder's ability to establish and sustain an efficient, safe and commercially viable operation while ensuring business continuity and supporting the long-term densification and growth of the rail network.

4.6.3 Bidders must provide a concept Operational Model detailing the concept use of the siding.

4.6.3.1 The concept operational model used should align to the investment proposed, design layout, equipment deployed and operational methodology.

4.6.3.2 The bidder must provide a high-level simulation of the operational model. The purpose of this is to articulate how the volume throughput will be achieved.

4.6.3.3 Operational Readiness: The successful bidder must ensure that the siding has all required environmental approvals (i.e. authorisations, permits and licences) before commencing with operations.

4.6.3.4 The successful Bidder will be required to submit a clearly defined project schedule, key milestones, implementation phases, and overall project delivery timelines demonstrating readiness and viability of executing operations.

4.6.3.5 TRIM reserves the right to review the operational plan times submitted by the bidder, and should they prove not to be feasible, adjust these times accordingly during contract negotiations.

4.6.4 Facility Utilisation and Concept Design

4.6.4.1 Bidders must submit a concept design demonstrating how the facility will be configured and utilised to support the safe and efficient receipt, handling, stockpiling and dispatch of cargo.

4.6.4.2 The concept design must, as a minimum, demonstrate:

4.6.4.2.1 the allocation and use of areas for rail receiving, cargo handling, stockpiling, loading/unloading, internal circulation and dispatch;

4.6.4.2.2 the proposed movement of cargo through the facility, from receipt through handling and stockpiling to dispatch; and

4.6.4.2.3 the proposed use and optimisation of available stockpiling areas, including access to and recovery of stockpiled cargo.

4.6.4.3 The concept design must demonstrate that the proposed arrangement makes practical and efficient use of the available facility and minimises unnecessary movement, congestion, operational conflicts and inefficient use of space.

4.6.4.4 The concept design must be sufficiently detailed to demonstrate the bidder's proposed approach but is not required to constitute a detailed engineering design. Bidders must submit a concept design demonstrating how the available facility and associated infrastructure will be configured and utilised to provide a safe, functional and efficient cargo receiving, handling, stockpiling and dispatch operation.

4.6.5 Throughput and Logistics Efficiency

4.6.5.1 Bidders must demonstrate how the proposed operating model will support the efficient movement of cargo through the siding and maximise the use of available rail, handling and dispatch infrastructure.

4.6.5.2 The proposal must, as a minimum, address:

4.6.5.2.1 the anticipated throughput capacity and the proposed approach to achieving efficient cargo handling;

4.6.5.2.2 train receiving, loading/unloading and anticipated train turnaround;

4.6.5.2.3 the utilisation of siding infrastructure and the interface between rail, road and cargo-handling activities; and

4.6.5.2.4 potential operational bottlenecks or delays and the proposed approach to minimising or managing these.

4.6.5.3 Bidders must provide sufficient information to demonstrate that the proposed operating model is practical and achievable. Key assumptions relevant to throughput, turnaround times, operating hours, equipment and cargo volumes must be identified.

4.6.5.4 Where truck staging or holding outside the facility is required, bidders must indicate how this will be managed to minimise queuing, congestion and interference with the operation of the siding and traffic flow on adjacent roads and commercial areas.

4.6.6 Organisational Structure and Skills

4.6.6.1 Bidders must demonstrate that they have an appropriate organisational structure and management team to effectively and safely operate the siding.

4.6.6.2 The proposal must identify:

4.6.6.2.1 the key management and operational functions required to operate the siding;

4.6.6.2.2 the proposed roles and responsibilities; and

4.6.6.2.3 the key personnel responsible for the management and operation of the siding.

4.6.6.3 Bidders must demonstrate that the proposed management and operational team has the appropriate skills, qualifications, experience and competencies for the scale and nature of the proposed operation.

4.6.6.4 The proposed staffing structure must appropriately address the key functions required for the operation of the siding, including, where applicable, rail operations, cargo handling, logistics, safety, security, maintenance, quality and environmental management.

4.6.7 Technology and Innovation

4.6.7.1 Bidders must demonstrate how technology and innovation will be used to improve the safety, efficiency, reliability and utilisation of the siding throughout the Lease Period.

4.6.7.2 The proposal must identify the key technologies, systems, equipment or innovative practices proposed for the operation of the siding, including, where applicable:

4.6.7.2.1 cargo handling and movement;

4.6.7.2.2 rail and road operations;

4.6.7.2.3 safety and security;

4.6.7.2.4 stockpile management and cargo tracking;

4.6.7.2.5 operational monitoring and reporting; and

4.6.7.2.6 maintenance and asset management.

4.6.7.3 Bidders must explain how the proposed technologies or innovations will improve the operation of the siding and identify the key benefits expected.

4.6.7.4 Bidders must demonstrate their approach to the ongoing modernisation and improvement of the siding, including how new technologies or improved operating practices may be introduced during the Lease Period.

4.6.7.5 Proposed technologies and innovations must be practical, appropriate to the scale and nature of the siding, and capable of being implemented and maintained by the bidder.

4.6.7.6 Bidders are not required to propose technology in every area. The evaluation will consider the relevance, practicality and potential benefit of the proposed solutions rather than the number of technologies proposed.

4.6.8 **Project Schedule**

4.6.8.1 Bidders must provide a high-level development, rehabilitation, upgrade and/or construction schedule for the 10-year Lease Period, appropriate to the current condition and operating status of the siding.

4.6.8.2 For sidings that are currently operational, the schedule must indicate the proposed timing and phasing of development, upgrades and associated infrastructure improvements and demonstrate how these activities will be integrated with ongoing operations while minimising disruption to existing cargo and rail operations.

4.6.8.3 For vacant or non-operational sidings, the schedule must demonstrate the proposed process and timeframe for bringing the siding into operation, including, where applicable, site preparation, rehabilitation, infrastructure development, installation of equipment, commissioning and commencement of operations.

4.6.8.4 Where applicable, bidders must demonstrate how the proposed programme will support the transition from the existing operating environment to the proposed future operating model without compromising service delivery.

4.6.8.5 The schedule must identify the key development phases, major activities and anticipated timeframes, together with significant dependencies, constraints and measures required to manage implementation risks.

4.6.8.6 The proposed schedule must be realistic and aligned with the bidder's proposed operational model, facility utilisation and infrastructure requirements.

4.7 Security Initiatives

4.7.1 The Bidder should identify security risks associated with the siding location and proposed operations (e.g. physical location and accessibility of the facility, criminal activity or theft risks, community and stakeholder-related risks, and environmental or geographic factors affecting security, etc) and provide mitigation measures.

4.7.2 Based on these risks, the bidder should include a high-level security management strategy and upon contracting a security and emergency plan (SERP).

4.7.3 The bid submission should contain a high-level description of the security measures that will be implemented to safeguard the siding infrastructure, movable assets, and cargo. The

submission should demonstrate rate how these measures will mitigate security risks and support the safe and secure operation of the siding.

4.7.4 The bidder should describe the measures it will implement to build constructive relationships with local communities, thereby contributing to the prevention and mitigation of security threats.

4.7.5 Prior to commencing operations, the lessee shall have a fully developed security plan for the siding. Guidelines for this security plan can be obtained in Annexure S.

4.8 Siding Investment

4.8.1 Investment Plan

4.8.1.1 As part of the bid response a bidder must submit a plan that details their investment commitment detailing how they would optimally develop the operational efficiency siding. The Bidders must complete Annexure K: Detailed Investment with full details of the intended investment.

4.8.1.2 The investment plan must include all planned investment (immovable and movable assets), and the scoring will take both into account.

4.8.1.3 Bidders must apply the following definitions for the purposes of this RFP:

4.8.1.3.1 **Immovable Assets** are assets permanently attached to land or buildings, or which form part of the fixed property and cannot be removed without damage or alteration. Immovable assets are usually treated as property improvements and will likely revert to the landowner at the end of a lease, e.g. buildings and warehouses, paved areas, drainage systems, security fencing, loading and offloading platforms.

4.8.1.3.2 **Movable Assets** are assets that can be relocated, transported, or removed without materially damaging the asset or the land/building to which it is attached. Movable assets can generally be repossessed, financed separately, insured independently, or removed by the lessee, e.g. heavy earthmoving and construction machinery, computers and IT equipment, hand tools and workshop equipment, office furniture, security cameras (where not permanently integrated into a structure).

4.8.1.4 All investment commitments in the bid response will form part of the lease agreement and will be contractually binding.

4.8.1.5 The lease will be managed against the full investment plan (immovable and movable assets).

4.8.1.6 Bidders must submit one set of figures, and not several scenarios.

4.8.1.7 Bidders need to include the cost and timing of each line item of the investment over the period of the lease.

4.8.1.8 As a minimum requirement, sidings must be fenced.

4.8.2 **Maintenance**

4.8.2.1 The maintenance of the rail infrastructure within the siding boundary shall be the responsibility of the siding lessee.

4.8.2.2 This will include, but is not limited to, maintenance on

4.8.2.2.1 fencing;

4.8.2.2.2 buildings;

4.8.2.2.3 platforms; and

4.8.2.2.4 railway infrastructure.

4.8.2.3 The cost of maintenance is not included in the investment evaluation and scoring.

4.8.3 **Examples**

4.8.3.1 The table below provides examples of immovable investment, movable investment and maintenance costs

Examples of Immovable Assets Investment in Infrastructure (considered in scoring)	Examples of Movable Assets Investment in Infrastructure (considered in scoring)	Examples of Maintenance (not considered in scoring)
• Fencing installation/upgrades • Building refurbishment • Railway formation upgrades • Loop extensions • Provision of Yard Lighting • Signalling systems • Ballast Offloading and Screening works • Turnout upgrades • Access roads • Drainage • Rail line refurbishments and upgrades (e.g. Formation upgrades to accommodate heavier axle loading and extension of lines to accommodate more wagons) • Stock and switches • Crossings and guard rails • Condition-based formation repairs • Rail replacements • Sleepers Replacement • etc	• Security Controls • Heavy Earth Moving Equipment • Water Tankers • Mobile Offices • Etc	• Cleaning loading spillages • Turnout general maintenance • Repair slacks • Replace damaged sleepers and fastenings • Minor Repairs following incident damages / rail-breaks/hookups and vandalism • Track MICA • Rail to mast bonding • Re-set stagger • Track tamping • Welding activities • Etc

4.8.4 **Siding Condition: End of Lease Period**

4.8.4.1 At the end of the lease period a joint inspection between TRIM and Lessee's Track Master/Inspector should be conducted to determine the asset condition and to identify areas required for corrective action. This will be for the account of the Lessee at the end of the lease period.

4.8.4.2 Permissible deviations from the C-standard as stated in the Manual for Track Maintenance (current version at time of lease expiry) shall be deemed acceptable.

4.8.4.3 Rails must not exceed the wear limits as stated in the Manual for Track Maintenance (current version at time of lease expiry).

4.8.4.4 Please see table below for reference:

RECOMMENDED MINMUM TRACK STANDARDS 1065 GAUGE				
MAXIMUM WAGON AXLE LOAD (t/axle)		26	20	15
RAIL MASS (kg/m)		57	40	30
SLEEPER SPACING (mm)	CONCRETE F4/P2	700	800	900
	WOOD		800	900
	STEEL		800	900
BALLAST (m^3/km)		1000	800	700

4.9 Price: Commercial Rental Offer

4.9.1 For monthly rental, TRIM may commission a Registered Professional Valuer and Member of the South African Institute of Valuers to conduct market evaluation study for each siding it takes out to the market.

4.9.2 The market valuation may represent a minimum acceptable rental threshold.

4.9.3 Bidders must submit Annexure I with their rental offer.

4.9.4 The rental offer must contain the monthly rental offer.

4.9.5 Winning bids falling below the TRIM determined market valuation may be negotiated to increase the rental offer.

4.9.6 If the business case warrants, TRIM may negotiate a turnover rental with the successful bidders.

4.10 Preference: Specific Goals

4.10.1 In accordance with the Preferential Procurement Regulations, 2022, and the Transnet Preferential Procurement Policy, bids will be evaluated against specific goals identified by TRIM. These goals are intended to advance socio-economic transformation and deliver measurable outcomes arising from the execution of the contract. Bidders must provide the required commitments and supporting information in the prescribed format. Scores will be awarded strictly in accordance with the evaluation criteria and scoring methodology set out in this RFP.

4.10.2 The specific goals identified by TRIM are B-BBEE Level, Job Creation and Labour Intensification Black Women Ownership, and Local Enterprise Participation.

4.10.3 The bidder warrants that the commitments contained within the Specific Goals Schedules are true and correct.

4.10.4 The bidder further acknowledges that these commitments shall become contractual obligations should the Bidder be appointed. Failure to achieve the committed targets without reasonable cause may constitute a breach of contract and may result in contractual remedies being enforced.

4.10.5 Where the Bidder is an unincorporated Joint Venture or Consortium, Specific Goals relating to ownership shall be determined by calculating the weighted average of the respective Joint Venture or Consortium members, based on each member's percentage participation in the Joint Venture or Consortium as disclosed in the Joint Venture or Consortium Agreement. The weighted average shall be used for evaluation purposes.

4.10.6 If the bidder is an unincorporated Joint Venture or Consortium, the bid submission must include the following information to enable assessment of Specific Goals.

4.10.6.1 the Joint Venture or Consortium Agreement;

4.10.6.2 the percentage participation of each member;

4.10.6.3 the ownership information of each member;

4.10.6.4 the management control information of each member.

4.10.7 The bidder must complete Annexure J: Specific Goals for the submission of their bid response regarding Specific Goals.

4.10.8 If there is a discrepancy between the information contained between the detailed information provided in Annexure J: Specific Goals and the summary information in Section 9: Specific Goals Points Claim Form, TRIM will used the verified information in Annexure J for scoring.

4.10.9 **B-BBEE Status Level**

4.10.9.1 The Bidder shall submit a valid B-BBEE Verification Certificate issued by a SANAS-accredited verification agency or a valid Sworn Affidavit, where applicable, confirming its B-BBEE Status Level of Contributor.

4.10.9.2 Only B-BBEE Status Levels supported by valid documentary evidence submitted with the Proposal shall be considered for evaluation.

4.10.9.3 Supporting Evidence

4.10.9.3.1 Valid B-BBEE Verification Certificate; or

4.10.9.3.2 Valid Sworn Affidavit, where applicable.

4.10.9.4 Evaluation shall be based solely on the Bidder's verified B-BBEE Status Level of Contributor.

4.10.9.5 If the winning Bidder has a B-BBEE score of less than Level 1 or Level 2, they have to commit to improving their score to minimum Level 2 in a B-BBEE Improvement Plan. This will be dealt with during the contracting process.

4.10.10 **Job Creation and Labour Intensification**

4.10.10.1 The Bidder shall indicate the number of new permanent full-time equivalent (FTE) jobs that will be created directly because of the contract, during the first five years of the lease. The expectation is that jobs should be created in the first five years of the lease and maintained over the remaining period of the contract.

4.10.10.2 Only jobs meet the following criteria shall qualify. Jobs that are

4.10.10.2.1 additional to the Bidder's existing workforce;

4.10.10.2.2 sustained for at least twelve consecutive months;

4.10.10.2.3 based in South Africa; and

4.10.10.2.4 directly attributable to this lease agreement,

4.10.10.3 The Bidder shall submit the following supporting evidence:

4.10.10.3.1 a Job Creation Plan over the first five years of the lease agreement;

4.10.10.3.2 proposed organisational structure for the lease agreement;

4.10.10.3.3 positions to be created;

4.10.10.3.4 commencement dates;

4.10.10.3.5 employment duration; and

4.10.10.3.6 signed declaration by the authorised representative.

4.10.10.4 Points will be allocated based solely on the number of permanent Full-Time Equivalent (FTE) jobs to be created within South Africa as a direct result of the lease during the first five years of the lease. No narrative motivation will be evaluated.

4.10.11 **Black Women Ownership**

4.10.11.1 The Bidder shall indicate the percentage ownership held by Black Women, as defined in section 1 of the Broad-Based Black Economic Empowerment Act 53 of 2003.

4.10.11.2 For purposes of this requirement, "ownership" shall be determined according to the legal form of the Bidder, as follows:

4.10.11.2.1 *Private Company* – ownership shall mean the percentage shareholding held by shareholders.

4.10.11.2.2 *Partnership*, *incorporated* practice, or similar entity without shareholders – ownership shall mean the percentage equity participation held by equity partners or members having an economic interest in the business.

4.10.11.2.3 *Trust or similar arrangement – ownership* shall be determined with reference to the beneficiaries or persons exercising effective control, as applicable.

4.10.11.2.4 *Listed public company* – the Bidder shall *provide* ownership information to the extent reasonably available in terms of applicable legislation and regulatory disclosure requirements. The Bidder shall not be required to identify individual minority shareholders whose interests fluctuate through public trading.

4.10.11.2.5 If the Bidder is a consortium or unincorporated joint venture, the ownership percentages shall be calculated using the weighted participation percentage of each consortium or joint venture member.

4.10.11.3 The Bidder shall submit supporting evidence appropriate to its legal form, including, where applicable:

4.10.11.3.1 CIPC Disclosure Certificate;

4.10.11.3.2 Share Register;

4.10.11.3.3 Shareholding Structure;

4.10.11.3.4 Register of Equity Partners or Members (for partnerships or similar entities);

4.10.11.3.5 Trust Deed or equivalent governing instrument (where applicable);

4.10.11.3.6 Identity documents or other proof of ownership or equity participation, where applicable;

4.10.11.3.7 For listed public companies, publicly available shareholder disclosures required in terms of applicable legislation or stock exchange listing requirements, together with a valid B-BBEE Verification Certificate.

4.10.11.4 Where the Bidder is a consortium or unincorporated joint venture, each consortium or joint venture member shall submit the supporting documentation applicable to its own legal form.

4.10.11.5 Evaluation will be based solely on the verified percentage ownership held by Black Women, determined in accordance with the Bidder's legal form and verified by the supporting documentation submitted.

4.10.12 Local Enterprise Participation

4.10.12.1 The Bidder shall commit to promoting local economic participation through the utilisation of enterprises located within the province, region or municipal area in which the leased premises are situated.

4.10.12.2 Local Enterprise Participation may include:

4.10.12.2.1 procurement of goods from local enterprises;

4.10.12.2.2 procurement of services from local enterprises;

4.10.12.2.3 appointment of local contractors or service providers;

4.10.12.2.4 supplier development initiatives benefiting local enterprises; and

4.10.12.2.5 other measurable initiatives that promote sustainable local economic participation.

4.10.12.3 Only measurable commitments capable of verification during the contract period shall be evaluated.

4.10.12.3.1 Supporting Evidence.

4.10.12.3.2 Local Enterprise Participation Plan.

4.10.12.3.3 Estimated percentage of annual procurement expenditure to be directed towards qualifying local enterprises.

4.10.12.3.4 Description of proposed goods and/or services to be procured locally.

4.10.12.3.5 Implementation timeframes.

4.10.12.3.6 Signed declaration by the authorised representative.

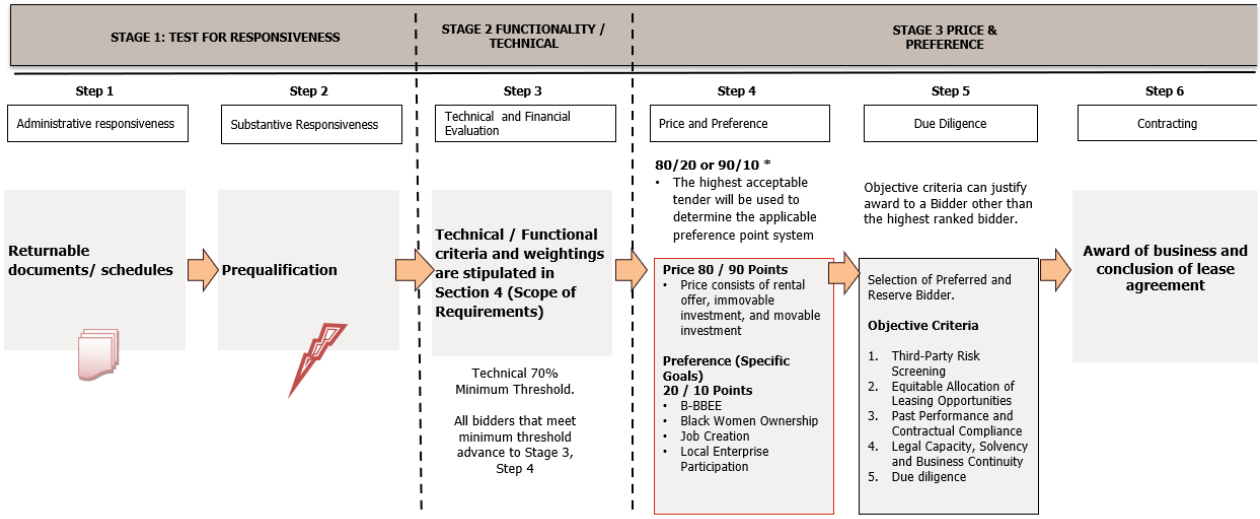
4.10.12.4 Evaluation will be based on the Bidder's committed annual procurement expenditure directed towards enterprises located within the province, region or municipal area in which the leased premises are situated.

5 General Bidder Obligations

5.1 The Bidder shall be fully responsible to Transnet for the acts and omissions of persons directly or indirectly employed by them.

5.2 The Bidder must comply with the requirements stated in this Request for Proposal.

6 Evaluation Methodology



6.1 Stage 1: Test for Responsiveness

6.1.1 Step 1: The test for administrative responsiveness will include the following:

6.1.1.1 Whether the Bid has been submitted on time.

6.1.1.2 Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time.

6.1.1.3 Verify the validity of all returnable documents.

6.1.1.4 Verify if the Bid document has been duly signed by the authorised respondent.

6.1.2 Step 2: The test for substantive responsiveness will include the following:

6.1.2.1 Signed Transnet's General Bid Conditions (Annexure B)

6.1.2.2 Signed Transnet's Lessee Integrity Pact (Annexure C)

6.1.2.3 Signed Non-disclosure Agreement (Annexure D)

6.1.2.4 Signed Supplier Declaration Form (Annexure E) and all supporting documents (new customers only).

6.1.2.5 Signed Rental Offer (Annexure I)

6.1.2.6 SECTION 10: SBD4: Bidder's Disclosure

6.2 Stage Two: Functional Evaluation, Minimum Threshold 70%

6.2.1 Step 3: The test for the Technical and Functional threshold will include the following measures:

6.2.1.1 Experience and Track Record

Description	Max Score	Scoring Table
Where there is a discrepancy between the experience claimed for in Annexure F and in the Portfolio of Evidence, TRIM will use the verified information from the portfolio of evidence.		
Expertise and experience (years) of the company in integrated logistics planning and operations, warehousing, commercial, industrial engineering and continuous improvement of the end-to-end supply value chains • Company profile • Annexure Q • Minimum of one (1) reference letter from a customer	10	**10**: ≥ 4 Years **8**: ≥ 3 and < 4 Years **6**: ≥ 2 Years and < 3 Years **4**: ≥1 Year < 2 Years **2**: < 1 Year **0**: Failure to submit all necessary documentation/ No portfolio of evidence Failure to submit the Company Profile, and Annexure Q including at least one reference letter will result in a score of 0.
Collective years of experience of directors, shareholders, owners and/or the relevant lead members of the consortium in integrated logistics planning, cargo handling and operations and/or warehousing. • Curriculum Vitae • Annexure R • Minimum of one (1) letter of reference	10	**10**: ≥ 20 Years **8**: ≥ 15 Years and < 20 Years **6**: ≥ 10 Year < 15 Years **4**: ≥ 1 Year < 10 Years **0**: Failure to submit all necessary documentation/ No portfolio of evidence Failure to submit the CV, Annexure R and at least one reference letter per director, shareholder or owner claimed for will result in that person not being considered for scoring

6.2.1.2 Financial Capacity

Description	Max Score	Scoring Table
Proof of Funding relating to investment		
Proof of funding as detailed in section 4.5.1	10	**10**: Verifiable Funding (Confirmed / Provisional / Conditional / Debt and/or Equity) is equal to or exceeds 100% of the bidder's committed capital investment **5:** Verifiable Funding (Confirmed / Provisional / Conditional / Debt and/or Equity) less than 100% of the bidder's committed capital investment **0:** No proof of funding documentation submitted *Verification requirements listed above*

Description	Max Score	Scoring Table
Financial Viability		
Scoring principles **Years in operation:** • *3 years or more:* Average ratios over the most recent 3 financial years. • *2 to 3 years:* Average ratios over the available audited financial years. • *1 to 2 years:* Average ratios over the available audited financial years, supported by management accounts and projected cashflows • *Less than 1 year:* Latest available independently reviewed financial information (or opening financial statements where applicable), management accounts and projected cashflows		
Profitability EBITDA	4	Average bidder EBITDA over the applicable period, based on audited, or if relevant, independently reviewed financial statements **4:** ≥ R2 million **3:** ≥ R1.5 million <R2 million **2:** ≥R1 million <R1.5 million **1:** ≤ R1 million **0:** No financial statements submitted
Solvency Ratio (Norm is 1:1) *Total Assets Divided by Total Liabilities*	3	Average bidder Solvency Ratio over the applicable period, based on audited or if relevant, independently reviewed financial statements **3**: Ratio ≥ 1 **2**: Ratio ≥ 0.5 < 1 **1**: Ratio 0 < 0.5 **0**: No financial statements submitted
Current Ratio (Norm is 2:1) *Current Assets Divided by Current Liabilities*	3	Average bidder Current Ratio over the applicable period, based on audited, or if relevant, independently reviewed financial statements. **3**: Ratio ≥ 2 **2**: Ratio ≥ 1 < 2 **1**: Ratio < 1 **0**: No financial statements submitted

6.2.1.3 Operational Model

Description	Max Score	Scoring Table
Facility Utilisation and Concept Design		
Facility layout and functional utilisation	4	**4:** Concept design clearly and appropriately allocates and integrates the required functional areas and demonstrates effective use of the available facility. **3:** Good overall layout that addresses the required functional areas, with only minor weaknesses or areas requiring clarification.

Description	Max Score	Scoring Table
		2: Adequate layout that identifies the principal functional areas but contains some limitations in their allocation or integration. **1:** Layout only partially addresses the required functional areas and contains material weaknesses. **0:** Not addressed or fundamentally impractical.
Material flow	4	**4:** Clearly demonstrates a logical and efficient flow of cargo from receipt → handling → stockpiling → dispatch, with unnecessary movement, backtracking, double handling and congestion minimised. **3:** Good and generally efficient material flow, with only minor weaknesses or potential areas of congestion. **2:** Material flow is demonstrated but contains some unnecessary movements, potential congestion or operational conflicts. **1:** Material flow is poorly demonstrated or contains significant inefficiencies. **0:** Material flow is not demonstrated or is fundamentally impractical.
Stockpiling optimisation	2	**2:** Demonstrates effective use of available stockpiling space while maintaining practical access, appropriate separation and efficient recovery of cargo. **1:** Stockpiling arrangements are demonstrated but provide limited evidence of optimisation, access or efficient cargo recovery. **0:** Stockpiling arrangements are not addressed or are impractical.
Throughput and Logistics Efficiency		
Throughput capacity and operational efficiency	4	**4:** Clearly demonstrates a credible and efficient approach to achieving the required throughput, with appropriate consideration of cargo handling, equipment, operating arrangements and use of available infrastructure. **3:** Strong and credible approach that addresses the throughput requirements, with only minor gaps or assumptions. **2:** Adequate approach that addresses the principal requirements but contains some limitations or gaps. **1:** Limited demonstration of throughput capability, with material weaknesses or concerns regarding feasibility or efficiency. **0:** Not addressed or fundamentally impractical.
Train turnaround and siding utilisation	2	**2:** Clearly demonstrates an efficient approach to train receiving, loading/unloading, turnaround and utilisation of siding infrastructure.

Description	Max Score	Scoring Table
		1: Requirements are addressed but the proposed approach has limitations or requires clarification. **0:** Not addressed or impractical.
Rail and road access and logistics interface	2	**2:** Provides a practical and well-integrated approach to rail and road access, vehicle movements and the interface with cargo-handling activities, including truck staging where required. **1:** Requirements are addressed but the proposed arrangements have limitations or potential congestion/interface issues. **0:** Not addressed or impractical.
Operational bottlenecks and delay management	2	**2:** Clearly identifies potential bottlenecks or sources of delay and provides practical measures to minimise or manage them. **1:** Some potential bottlenecks are identified, but mitigation measures are incomplete or insufficiently demonstrated. **0:** Not addressed or inadequate.
Organisational Structure and Skills		
Organisational structure and functional coverage	10	**10:** Clear and appropriate organisational structure that adequately covers the functions required to operate the siding. Roles, responsibilities, reporting lines and authority are clearly defined. **8:** Appropriate organisational structure that addresses the main operational functions, with only minor gaps or areas requiring clarification. **6:** Organisational structure is generally adequate but contains some gaps or weaknesses in functional coverage, roles or reporting lines. **4:** Organisational structure is generally adequate but contains significant gaps or weaknesses in functional coverage, roles or reporting lines. **2:** Structure is only partially developed and contains material gaps in functional coverage or accountability. **0:** Not addressed or fundamentally inadequate.
Technology and Innovation		
Technology and innovation	4	**4:** Proposes relevant and credible technologies and/or innovative operating practices that provide clear and meaningful improvements to siding operations, safety, efficiency, reliability or utilisation. **3:** Proposes good and relevant technology and innovation with clear operational benefits, but with some limitations or areas requiring clarification. **2:** Proposes some relevant technology or innovation, but the benefits, applicability or implementation approach are only adequately demonstrated.

Description	Max Score	Scoring Table
		1: Limited or largely generic technology/innovation proposals, with limited evidence of practical benefit. **0:** Not addressed or proposals are impractical or inappropriate.
Operational efficiency and safety	4	**4:** Clearly demonstrates how the proposed technology, cargo-handling methods or innovative practices will improve safety, cargo handling, operational efficiency and/or asset utilisation. The proposed solutions are practical and well-integrated into the operating model. **3:** Demonstrates clear potential to improve safety and operational efficiency, with only minor gaps in the proposed approach or benefits. **2:** Identifies potential improvements but provides limited evidence of how they will be achieved or sustained. **1:** Limited demonstration of meaningful improvements to safety or operational efficiency. **0:** Not addressed or proposed solutions are impractical.
Modernisation and continuous improvement	2	**2:** Provides a credible approach to ongoing modernisation and continuous improvement during the Lease Period, including the ability to adopt new technologies, systems or improved operating practices as they become available. **1:** Addresses future improvement and modernisation but the approach is limited or insufficiently developed. **0:** Not addressed.
Project Schedule		
Development and implementation programme	2	**2:** Clear, logical and realistic high-level programme that appropriately reflects the current status and proposed development of the siding. Key activities, phases and timeframes are clearly identified. **1:** Programme is generally appropriate, but some activities, sequencing or timeframes are insufficiently defined. **0:** Programme is not adequately provided or is unrealistic.
Phasing and integration with operations	2	**2:** For operational sidings, clearly demonstrates how development and upgrade activities will be phased and integrated with ongoing operations to minimise disruption. For vacant sidings, clearly demonstrates an appropriate sequence for development, rehabilitation, commissioning and commencement of operations. **1:** Addresses phasing and operational integration/commissioning but contains some gaps or areas requiring clarification. **0:** Does not adequately address phasing, operational integration or commissioning.

Description	Max Score	Scoring Table
Transition and commencement of operations	2	**2:** Provides a clear and credible approach to either maintaining continuity of existing operations during development or, for vacant sidings, achieving a practical transition from a non-operational facility to full operation. **1:** Transition or commencement of operations is addressed but the approach is only partially developed or contains some gaps. **0:** Transition/commencement of operations is not adequately addressed or is impractical.
Programme feasibility and risk management	2	**2:** Programme is realistic and identifies key dependencies, constraints and implementation risks, with appropriate measures to manage them. **1:** Some key dependencies or risks are identified, but mitigation measures or programme assumptions are incomplete. **0:** Programme is unrealistic, insufficiently developed or does not adequately address key implementation risks.

6.2.1.4 Security

Description	Max Score	Scoring Table
Security risk identification and mitigation	3	**3:** A comprehensive, siding-specific assessment that identifies and prioritises material security risks. Practical and proportionate mitigation measures are clearly linked to the identified risks and demonstrate a sound understanding of the location and proposed operations. **2:** An adequate assessment identifying most material security risks, with generally appropriate mitigation measures. Minor gaps exist in risk prioritisation, siding-specific detail or the linkage between risks and mitigation measures. **1:** A limited, incomplete or largely generic assessment. Material risks are omitted, inadequately assessed or not prioritised. Mitigation measures are vague, impractical or poorly linked to the identified risks. **0:** No relevant risk assessment is submitted, no material security risks are identified, or no corresponding mitigation measures are provided.
Security management strategy and Security and Emergency Response Plan (SERP)	3	**3:** A coherent and implementable strategy and SERP aligned with the identified risks. Governance, responsibilities, incident reporting, escalation, emergency response, communication, coordination, training, recovery and pre-operational implementation arrangements are clearly addressed. **2:** An adequate strategy and SERP substantially aligned with the identified risks. The arrangements are generally implementable,

Description	Max Score	Scoring Table
		but minor gaps exist in responsibilities, escalation, coordination, training, recovery or implementation timeframes. **1:** A generic, incomplete or poorly aligned strategy and/or SERP. Material elements are unclear or absent, and the submission provides limited assurance of readiness before operations commence. **0:** The required strategy and SERP are not submitted, are irrelevant, or do not describe workable security management and emergency response arrangements.
Security measures for infrastructure, movable assets and cargo	3	**3:** A comprehensive, balanced and siding-specific security approach covering infrastructure, movable assets and cargo. Controls are appropriate and proportionate to the identified risks, with clear responsibilities and arrangements for implementation, monitoring, maintenance and review. **2:** An adequate security approach substantially covering infrastructure, movable assets and cargo. Controls are generally suitable, but minor gaps exist in coverage, integration, responsibilities, implementation, monitoring, maintenance or review. **1:** A limited, generic or incomplete security approach. One or more asset categories are inadequately protected, controls are poorly aligned with identified risks, or responsibilities and monitoring arrangements are unclear. **0:** No relevant security measures are proposed, or the response does not demonstrate how infrastructure, movable assets and cargo will be safeguarded against identified risks.
Community relationships and security threat mitigation	3	**3:** A structured, practical and location-relevant approach that identifies affected communities and stakeholders. Responsibilities, engagement, communication, grievance and escalation arrangements are clearly defined and integrated into security risk prevention and mitigation. **2:** An adequate and generally workable community engagement approach with a reasonable link to security risk prevention and mitigation. Minor gaps exist in stakeholder analysis, responsibilities, communication, grievance handling, escalation or monitoring. **1:** A limited or largely generic approach. Stakeholders, responsibilities, communication or grievance arrangements are inadequately described, and the link to security threat prevention and mitigation is weak. **0:** No relevant community engagement approach is provided, or the response does not demonstrate how community relationships will assist in preventing or mitigating security threats.

Respondents are to note that Transnet will round off final technical scores to the nearest 2 (two) decimal places for the purposes of determining whether the technical threshold has been met.

The minimum threshold of 70% for technical/functionality [Stage 2, Step 3] must be met or exceeded for a Respondent's Proposal to progress to the Stage 3 for final evaluation.

6.3 Stage 3, Step 4: Price and Preference

6.3.1 In terms of the Preferential Procurement Policy Framework Act (PPPFA) and its applicable Regulations, either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system.

6.3.2 **Price Evaluation**

6.3.2.1 There are three elements that together make up the price calculation:

6.3.2.2 Investment in immovable assets;

6.3.2.3 Investment in movable assets; and

6.3.2.4 Rental offer.

6.3.2.5 The three price-related criteria are scored to a combined maximum of 100 points.

6.3.2.6 The total score achieved will thereafter be proportionally scaled to a maximum of either 80 or 90 points, depending on the scoring calculator (determined by the highest acceptable tender).

Description	Max Score	Scoring Table
Siding Investment Investment in Immovable Assets	50	The highest offer will receive the maximum points allocated to each of these segments. All other bidders with lower offers will proportionally receive points based on the following formula: Formula: $\mathrm{Pr} = \mathrm{Ap}(\mathrm{Xhigh} + (\mathrm{Pt} - \mathrm{Phigh})\frac{(\mathrm{Xlow} - \mathrm{Xhigh})}{(\mathrm{Plow} - \mathrm{Phigh})})$ *Pr:* Points to be awarded for the offer under consideration *Pt:* Offer under consideration *Phigh:* Highest offer received
Siding Investment Investment in Movable Assets	12.5	

Description	Max Score	Scoring Table
Rental Offer: Total rental offer over the 10-year lease period, including escalations.	37.5	*Plow:* Lowest offer received *Xhigh:* Score for highest offer received *Xlow:* Score for lowest offer received *Ap:* Percentage allocated for this segment.

6.3.3 Preference evaluation (Specific Goals)

Description	Max Score if 80/20	Max Score if 90/10	Scoring Table 80/20	Scoring Table 90/10
B-BBEE Status Level The bidder's verified B-BBEE Status Level of Contributor, supported by a valid B-BBEE Certificate or Sworn Affidavit submitted with the Proposal	5	2.5	**5**: Level 1 or Level 2 Contributor **0**: Level 3–8 Contributor and Non-Compliant Contributor	**2.5:** Level 1 or Level 2 Contributor **0**: Level 3–8 Contributor and Non-Compliant Contributor
Job Creation and Labour Intensification Number of permanent Full-Time Equivalent (FTE) jobs to be created within South Africa as a direct result of the lease during the first five years of the contract.	5	2.5	**5**: ≥21 **4**: 11 – 20 **3**: 6 – 10 **2**: 1 – 5 **0**: 0	**2.5**: ≥21 **2**: 11 – 20 **1.5**: 6 – 10 **1**: 1 – 5 **0**: 0
Black Women Ownership The verified ownership percentages owned by Black women in the bidding entity.	5	2.5	**5**: ≥ 30% **4**: ≥ 25% **3**: ≥ 20% **2**: ≥ 15% **1**: ≥ 10% **0**: < 10%	**2.5**: ≥ 30% **2**: ≥ 25% **1.5**: ≥ 20% **1**: ≥ 15% **0.5**: ≥10% **0:** < 10%

Description	Max Score if 80/20	Max Score if 90/10	Scoring Table 80/20	Scoring Table 90/10
Local Enterprise Participation (Corporate Social Investment) The bidder's monetary (ZAR) commitment to promote local economic participation through the utilisation of enterprises located within the province, region or municipal area in which the leased premises are situated, including the procurement of goods and services from such enterprises and, where applicable, supplier development initiatives in support of local enterprises.	5	2.5	The highest offer will receive the maximum points allocated to each of these segments. All other bidders with lower offers will proportionally receive points based on the following formula: Formula: $$Pr = Ap(Xhigh + (Pt - Phigh)\frac{(Xlow - Xhigh)}{(Plow - Phigh)})$$ Pr: Points to be awarded for the offer under consideration Pt: Offer under consideration Phigh: Highest offer received Plow: Lowest offer received Xhigh: Score for highest offer received Xlow: Score for lowest offer received Ap: Percentage allocated for this segment.	
TOTAL SCORE FOR PREFERENCE	**20**	**10**		

6.4 Objective Criteria

6.4.1 The objective criteria to justify awarding the bid to someone other than the highest ranked bidder can be used at this stage.

6.4.2 TRIM reserves the right to award the Lease Agreement to the highest-scoring Bidder unless objective criteria justify the award to another Bidder in accordance with the applicable provisions of the Preferential Procurement Policy Framework Act, 2000 (PPPFA) and the Preferential Procurement Regulations, 2022.

6.4.3 The objective criteria used by TRIM are the following:

6.4.3.1 Third-Party Risk Screening;

6.4.3.2 Equitable Allocation of Leasing Opportunities;

6.4.3.3 Past Performance and Contractual Compliance;

6.4.3.4 Legal Capacity, Solvency and Business Continuity; and

6.4.3.5 Due Diligence

6.4.4 Third Party Risk Screening

6.4.4.1 TRIM conducts independent third-party risk screening as part of its due diligence process. The results of such screening can be considered as objective criteria.

6.4.4.2 The following aspects are assessed during the risk screening:

6.4.4.2.1 *Corporate Status:* Company registration, business status, liquidation, business rescue, deregistration

6.4.4.2.2 *Legal Standing:* Court judgments, pending litigation, liquidation applications, statutory non-compliance

6.4.4.2.3 *Governance and Integrity:* Director disqualifications, fraud findings, corruption matters, conflicts of interest, adverse governance findings

6.4.4.2.4 *Financial Standing:* Financial sustainability, insolvency indicators, material adverse financial findings

6.4.4.3 Risks that are flagged in the screening process will be investigated in a process that would involve the affected bidder.

6.4.4.4 High risks that cannot be satisfactorily mitigated can result in awarding the siding to a bidder other than the highest scoring bidder.

6.4.5 Equitable Allocation of Leasing Opportunities

6.4.5.1 TRIM reserves the right, where objectively justifiable, to promote equitable access to rail infrastructure leasing opportunities by taking into account the extent to which a Bidder already holds leases for similar rail siding operations.

6.4.5.2 To support the participation of a broader range of market participants, including new entrants, TRIM may elect to rotate lessees and opt not to award to a Bidder that has repeatedly been awarded sidings.

6.4.6 Past Performance and Contractual Compliance

6.4.6.1 The Bidder's performance under existing or previous agreements with Transnet SOC Ltd, including TRIM, where documented evidence demonstrates material breaches, persistent non-performance, failure to meet contractual obligations, unresolved disputes, or other significant performance deficiencies that create a reasonable and substantiated risk to the successful execution of the Lease Agreement.

6.4.6.2 In such circumstances, TRIM may award the Lease Agreement to a lower-ranked Bidder where objectively justified.

6.4.7 Legal Capacity, Solvency and Business Continuity

6.4.7.1 TRIM reserves the right, where objectively justifiable, not to award the Lease Agreement to a Bidder that lacks the legal capacity to enter into the agreement or

whose financial or corporate status presents a material risk to the successful performance of the Lease Agreement.

6.4.7.2 In assessing this criterion, TRIM may consider whether the Bidder is insolvent, formally under business rescue, in liquidation, subject to a court order affecting its affairs, has ceased or suspended business operations, or is subject to legal proceedings relating to any of the foregoing circumstances.

6.4.8 Due Diligence

6.4.8.1 TRIM will conduct due diligence assessments and may elect not award to the highest scoring bidders if any aspect of the bidder's submission is illegal, fraudulent or a misrepresentation of facts.

6.5 Step 5: Award of Lease and Conclusion of Lease Agreement

6.5.1 Immediately after approval to award the lease has been received, the successful or preferred bidder(s) will be informed of the acceptance of his/their Bid either by way of a Letter of Award or Letter of Intent where TRIM will negotiate the final terms and condition of the lease agreement with the successful Respondent(s).

6.5.2 Thereafter the final lease agreement will be concluded with the successful Respondent(s).

6.5.3 Should the parties fail to reach agreement on the terms of the Lease Agreement, TRIM reserves the right to withdraw the award letter and proceed to engage the next ranked bidder in Stage 3.

SECTION 4: Summary of Offer

1. Railway Safety Act

In compliance with the Railway Safety Act 30 of 2024, the successful Respondent [**the Bidder**] shall comply fully with the specifications as set out in this Request For Proposal and shall also comply to railway safety requirements and/or regulations, where applicable. The Bidder shall grant Transnet access, during the term of the lease agreement, to review any safety-related activities, including the coordination of such activities across all parts of the organisation.

2. Service Levels

2.1 Service Levels will be determined and approved as per the Lease Agreement

3. Total Cost of Logistics and Continuous Improvement Initiatives

3.1 Respondents commit, for the duration of any lease agreement which may be awarded through this Request For Proposal process, to participate with Transnet in its continuous improvement initiatives to reduce the total cost of logistics, which will reduce the overall cost of siding maintenance and logistics provided by Transnet's operating divisions within South Africa to the ultimate benefit of all end-users.

3.2 Respondents must briefly describe their commitment to the reduction of the total cost of logistics and continuous improvement initiatives and give examples of specific areas and strategies where efficiency improvement initiatives can be introduced. Specific areas and proposed benefits should be included. Additional information can be appended to the Respondent's Proposal if there is insufficient space available below.

_____

_____

_____

_____

SIGNED at _____ on this _____ day of _____ 20___

SIGNATURE OF WITNESSES

1 _____

Name _____

ADDRESS OF WITNESSES

_____

_____

2 _____ _____

Name _____ _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

SECTION 5: Business Proposal Form and list of required documents

I/We_____

[name of entity, company, close corporation or partnership] of *[full address]*

_____

_____

carrying on business trading/operating as

_____

represented by _____

in his / her capacity as

_____

being duly authorised thereto by a Resolution of the Board of Directors or Members or Certificate of Partners, dated _____to enter into, sign execute and complete any documents relating to this proposal and any subsequent Agreement. The following list of persons are hereby authorised to negotiate on behalf of the abovementioned entity, should Transnet decide to enter into Post Tender Negotiations with highest ranked bidder(s).

FULL NAME(S)	CAPACITY	SIGNATURE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I/We hereby offer to lease the abovementioned siding at the Rental Offer quoted in the bid submission. The offer to lease also includes delivering on all commitments in the bid submission including but not limited to

the implementation of the Operational Model and investment in the siding. This will be done in accordance with the terms set forth in the documents listed in the accompanying schedule of Request For Proposal documents.

I/We agree to be bound by those conditions in Transnet's:

(i) Lease Agreement (which may be subject to amendment at TRIM's discretion if applicable);

(ii) General Bid Conditions; and

(iii) any other standard or special conditions mentioned and/or embodied in this Request For Proposal (Commercial Proposal).

Should Transnet decide that a formal lease agreement should be signed and so inform me/us in a letter of intent [the **Letter of Intent**], this Proposal [and, if any, its covering letter and any subsequent exchange of correspondence] together with Transnet's Letter of Intent, shall constitute a binding contract between Transnet and me/us until the formal lease agreement is signed.

I/We further agree that if, after I/we have been notified of the acceptance of my/our Proposal, I/we fail to enter into a formal written lease agreement if called upon to do so, or fail to commence the occupation and use of the leased siding within the time period, or on the date stipulated by Transnet, Transnet may, without prejudice to any other legal remedy which it may have, recover from me/us any expense to which it may have been put in calling for Proposals afresh and/or having to accept any less favourable Proposal.

Furthermore, in the absence of a formal written lease agreement, I/we agree to a penalty clause/s which will allow Transnet to invoke a penalty against us for non-compliance with material terms of this Request For Proposal including non-performance by ourselves. etc.

I/we agree that in the absence of a formal written lease agreement, non-compliance with any of the material terms of this Request For Proposal, including those mentioned above, will constitute a material breach of the terms of this Request For Proposal, and provide Transnet with cause for cancellation.

Address for Notices

The law of the Republic of South Africa shall govern this Request For Proposal, and any contract or lease agreement created by the acceptance of this Request For Proposal or entered into pursuant to this Request For Proposal.

The *domicilium citandi et executandi* shall be an address in the Republic of South Africa to be specified by the Respondent hereunder, at which all legal documents may be served on the Respondent, who shall agree to submit to the jurisdiction of the courts of the Republic of South Africa. Foreign Respondents shall, therefore, state hereunder the name of their authorised representative in the Republic of South Africa who

has the power of attorney to sign any lease agreement which may have to be entered into in the event of their Proposal being accepted, and to act on their behalf in all matters relating to such lease agreement.

Respondent to indicate the details of its *domicilium citandi et executandi* hereunder:

Name of Entity: _____

Address: _____

_____

A. Notification of award of Request For Proposal

As soon as possible after internal approval to award the contract(s)/lease(s), the successful Respondent [**the Bidder**] will be informed in writing of the acceptance of its Proposal. Unsuccessful Respondents will be advised in writing of the name of the successful Bidder and the reason as to why their Proposals have been unsuccessful, for example, in the category of price, delivery period, quality, B-BBEE status or for any other reason.

B. Validity Period

Transnet requires a validity period of 365 Business Days against this Request For Proposal, excluding the first day and including the last day.

C. Name(s) and Address (Addresses) of Director(s) or Member(s)

The Respondent must disclose hereunder the full name(s) and address(s) of the director(s) or members of the company or close corporation [**C.C.**] on whose behalf the Request For Proposal is submitted.

(i) Registration number of company / C.C.

_____

(ii) Registered name of company / C.C.

_____

(iii) Full name(s) of director/member(s) Address/Addresses ID Number(s)

_____

_____

D. Returnable Documents

Returnable Documents means all the documents, Sections and Annexures, as listed in the tables below. There are three types of returnable documents as indicated below and Respondents are urged to ensure that these documents are returned with their bids based on the consequences of non-submission as indicated below:

Mandatory Returnable Documents	Failure to provide all these Mandatory Returnable Documents at the Closing Date and time of this Request For Proposal will result in a Respondent's disqualification.
Returnable Documents Used for Scoring	Failure to provide all Returnable Documents used for purposes of scoring a bid, by the closing date and time of this bid will not result in a Respondent's disqualification. However, Bidders will receive an automatic score of zero for the applicable evaluation criterion.
Essential Returnable Documents	Failure to provide essential Returnable Documents will result in Transnet affording Respondents a further opportunity to submit by a set deadline. Should a Respondent thereafter fail to submit the requested documents, this may result in a Respondent's disqualification.

All Returnable Sections, as indicated in the header and footer of the relevant pages, must be signed, stamped and dated by the Respondent.

a) Mandatory Returnable Documents

Respondents are required to submit with their bid submissions the following **Mandatory Returnable Documents,** and also to confirm submission of these documents by so indicating [Yes or No] in the tables below:

MANDATORY RETURNABLE DOCUMENTS (Signed and Stamped)	**SUBMITTED [Yes/No]**
Transnet's General Bid Conditions (Annexure B)	
Transnet Bidder Integrity Pact (Annexure C)	

Non-disclosure Agreement (Annexure D)	
Supplier Declaration Form (Annexure E) and all supporting documents (new customers only).	
Rental Offer (Annexure I)	
SECTION 10: SBD4: Bidder's Disclosure	

b) Returnable Documents Used for Scoring

In addition to the requirements of section (a) above, Respondents are further required to submit with their Proposals the following **Returnable Documents Used for Scoring** and also to confirm submission of these documents by so indicating [Yes or No] in the table below:

RETURNABLE DOCUMENTS USED FOR SCORING (Signed and Stamped)	**SUBMITTED [Yes/No]**
Company Experience and Track Record: Company Profile4.3	
Company Experience and Track Record: Annexure Q: Company Experience Summary	
Company Experience and Track Record: At least one (1) letter of reference	
Individual Experience and Track Record: Proof of Ownership of each individual claimed for	
Individual Experience and Track Record: Curriculum Vitae per individual claimed for	
Individual Experience and Track Record: Annexure R: Individual Experience Summary per individual claimed for	
Individual Experience and Track Record: At least one (1) letter of reference per individual claimed for	
Proof of Funding relating to investment as described in 4.5.1	
Financial Statements as described in 4.5.2	
Concept Operational Model as described in 4.6	
Section 9: Specific Goals Points Claim Form	
Annexure J: Specific Goals	
Supporting documentation relating to Specific Goals as outlined in Annexure J	
Annexure K: Detailed Investment Plan	

RETURNABLE DOCUMENTS USED FOR SCORING (Signed and Stamped)	SUBMITTED [Yes/No]
Submit stamped and signed PDF document as well as a soft copy in Excel	
B–BBEE certificate/ Sworn Affidavit	

c) Essential Returnable Documents required in the Lease Application Form:

Over and the above the requirements of section (a) and (b) mentioned above, Respondents are further required to submit with their Proposals the following **Essential Returnable Documents** and also to confirm submission of these documents by so indicating [Yes or No] in the table below:

ESSENTIAL RETURNABLE DOCUMENTS (Signed and Stamped)	SUBMITTED [Yes/No]
SECTION 1: SBD1 form Section	
SECTION 6: Certificate Of Acquaintance with RFP, Terms & Conditions & Applicable Documents	
SECTION 7: RFP Declaration and Breach of Law Form	
Tax Pin or Tax Clearance Certificate	
In the case of Joint Ventures or Consortia, a copy of the Joint Venture Agreement or written confirmation of the intention to enter into a Joint Venture Agreement, as well as the participation percentage.	
Letter of Good Standing	
Annexure G: SHER Compliance Declaration and Undertaking	
Annexure H: Lease Agreement	
Certificate of Incorporation or any amendment thereto	
Certificate to Commence Business	
Memorandum of Incorporation	
Resolution signed by the company Secretary or Chairperson and copy/copies of identity document/s of person/s authorised to act on behalf of the company and sign the lease agreement and in what capacity	
Certificate from Secretary / Auditor of the company confirming address of registered office where processes are to be served	

E. CONTINUED VALIDITY OF RETURNABLE DOCUMENTS

The successful Respondent will be required to ensure the validity of all returnable documents, including but not limited to its valid proof of B-BBEE status, for the duration of any lease agreement emanating from this Request For Proposal. Should the Respondent be awarded the lease agreement [**the Agreement]** and fail to present Transnet with such renewals as and when they become due, Transnet shall be entitled, in addition to any other rights and remedies that it may have in terms of the eventual Agreement, to terminate such Agreement immediately without any liability and without prejudice to any claims which Transnet may have for damages against the Respondent.

SIGNED at _____ on this _____ day of _____ 20___

WITNESSES

Name: _____ Date: _____

Signature:

Name: _____ Date: _____

Signature:

RESPONDENT'S AUTHORISED REPRESENTATIVE:

Name: _____ Date: _____

Signature:

SECTION 6: Certificate of Acquaintance with Request For Proposal, Lease Agreement and applicable documents

By signing this certificate, the Respondent is deemed to acknowledge that he/she has made himself/herself thoroughly familiar with and agrees with all the conditions governing this Request for Proposal. This includes those terms and conditions contained in any printed form stated to form part hereof, including but not limited to the documents stated below. As such, Transnet SOC Ltd will not be liable, directly or indirectly for any loss or damage based on an allegation that the Respondent overlooked any such term or condition or failed to properly take it into account for the purpose of calculating tendered prices or for any other purpose

1	Transnet's General Bid Conditions (Annexure B)
2	Lease Agreement (Annexure H)
3	Transnet's Lessee Integrity Pact (Annexure C)
4	Non-disclosure Agreement (Annexure D)
5	Facility specifications and drawings attached to this Request For Proposal (Annexure A: TRIM Siding Profile)
6	Supplier Declaration Form (Annexure E) and all supporting documents (new customers only).

Should the Bidder find any terms or conditions stipulated in any of the relevant documents quoted in the Request For Proposal unacceptable, it should indicate which conditions are unacceptable and offer alternatives by written submission on its company letterhead, attached to its submitted Bid. Any such submission shall be subject to review by TRIM Legal Department who shall determine whether the proposed alternative(s) are acceptable or otherwise, as the case may be. A material deviation from any term or condition may result in disqualification.

Bidders accept that an obligation rests on them to clarify any uncertainties regarding any bid to which they intend to respond on, before submitting the bid. **The Bidder agrees that he/she will have no claim or cause of action based on an allegation that any aspect of this Request For Proposal was unclear but in respect of which he/she failed to obtain clarity.**

The Bidder understands that the Bid submitted will be disqualified if the Certificate of Acquaintance with Request For Proposal documents included in the Request For Proposal as a returnable document, is found not to be true and complete in every respect.

SIGNED at _____ on this _____ day of _____ 20___

WITNESSES

Name: _____ Date: _____

Signature:

Name: _____ Date: _____

Signature:

RESPONDENT'S AUTHORISED REPRESENTATIVE:

Name: _____ Date: _____

Signature:

SECTION 7: Request For Proposal Declaration and Breach of Law Form

NAME OF ENTITY: _____

We _____ do hereby certify that:

1. Transnet has supplied and we have received appropriate responses to any/all questions [as applicable] which were submitted by ourselves for Request For Proposal Clarification purposes;

2. We have received all information we deemed necessary for the completion of this Request For Proposal;

3. We have been provided with sufficient access to the existing Transnet facilities/sites and any and all relevant information relevant to the sidings and/or the leasing of such sidings as well as related Transnet information and employees and have had sufficient time in which to conduct and perform a thorough due diligence of Transnet's operations, business requirements and assets owned and/or used by Transnet. Transnet will therefore not consider or permit any pre- or post-contract verification or any related adjustment to pricing, service levels or any other provisions/conditions based on any incorrect assumptions made by us (the Respondent) in arriving at our Bid Price or our conclusion of the relevant contracts.

4. At no stage have we received additional information relating to the subject matter of this Request For Proposal from Transnet sources, other than information formally received from the designated Transnet contact(s) as nominated in the Request For Proposal documents;

5. We are satisfied, insofar as our entity is concerned, that the processes and procedures adopted by Transnet in issuing this Request For Proposal and the requirements requested from Bidders in responding to this Request For Proposal have been conducted in a fair and transparent manner;

6. We have complied with all obligations of the Bidder/Supplier as indicated in the Transnet Supplier Integrity document which includes but are not limited to ensuring that we take all measures necessary to prevent corrupt practices, unfairness and illegal activities in order to secure or in furtherance to secure a contract with Transnet;

7. We declare that a family, business and/or social relationship **exists / does not exist** [delete as applicable] between an owner / member / director / partner / shareholder of our entity and an employee or board member of the Transnet Group including any person who may be involved in the evaluation and/or adjudication of this Bid;

8. We declare that an owner / member / director / partner / shareholder of our entity **is / is not** [delete as applicable] an employee or board member of Transnet;

9. In addition, we declare that an owner / member / director / partner / shareholder/employee of our entity **has / has not been** [delete as applicable] a former employee or board member of Transnet in the past 10 years. I further declare that if they were a former employee or board member of Transnet in the past 10 years that they **were/were not** involved in the bid preparation or had access to the information related to this Request For Proposal; and

10. If such a relationship as indicated in paragraph 7, 8 and/or 9 exists, the Respondent is to complete the following section:

    FULL NAME OF OWNER/MEMBER/DIRECTOR/

    PARTNER/SHAREHOLDER/EMPLOYEE: ADDRESS:

    _____

    _____

    Indicate nature of relationship with Transnet:

    _____

    _____

Failure to furnish complete and accurate information in this regard will lead to the disqualification of a response and may preclude a Respondent from doing future business with Transnet

11. We declare, to the extent that we are aware or become aware of any relationship between ourselves and Transnet [other than any existing and appropriate business relationship with Transnet] which could unfairly advantage our entity in the forthcoming adjudication process, we shall notify Transnet immediately in writing of such circumstances.

Breach of Law

12. We further hereby certify that *I/we* (the bidding entity and/or any of its directors, members or partners) ***have/have not been*** [delete as applicable] found guilty during the preceding 5 [five] years of a serious breach of law, including but not limited to a breach of the Competition Act, 89 of

1998, by a court of law, tribunal or other administrative body. The type of breach that the Respondent is required to disclose excludes relatively minor offences or misdemeanours, e.g. traffic offences. This includes the imposition of an administrative fine or penalty.
Where found guilty of such a serious breach, please disclose:

NATURE OF BREACH:

_____

_____

DATE OF BREACH: _____

Furthermore, I/we acknowledge that Transnet SOC Ltd reserves the right to exclude any Respondent from the bidding process, should that person or entity have been found guilty of a serious breach of law, tribunal or regulatory obligation.

SIGNED at _____ on this _____ day of _____ 20___

DULY AUTHORISED AND FOR AND ON BEHALF OF	Registered Company name:
	Registration No of Company/CC
Name:	
Position:	
Signature:	
Date:	
Place:	

AS WITNESS:	
Name:	
Position:	
Signature:	

SECTION 8: Request For Proposal Clarification

TRIM has implemented an online RFP Clarification Question system. Click on the following link to access online form.

CLARIFICATION QUESTIONS

1. The online platform can be accessed by using the following URL: Clarification Questions
2. Bidders can submit only one clarification question at a time.
3. There is no limit on the number of clarification questions a bidder can ask.
4. A reference number will be issued to the email address that was provided in the online form.
5. The system will close for clarification questions two weeks prior to the tender close, on the date provided on the RFP cover page.
6. Responses to clarification questions will be posted on the etender system.
7. In case you experience any problems with logging clarification questions online or want to follow up on a query, please contact the TRIM Commercial Secretariat at the following email address: TRIMSidingsAugust26@transnet.net.
8. All substantive clarification questions, whether received via the online link or the email address, will be recorded, and all material responses will be shared with all bidders through formal clarification notices or addenda.

SECTION 9: Specific Goals Points Claim Form

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

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

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

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1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

- In terms of Regulation 3(2) of the Preferential Procurement Regulations, either the 80/20 or 90/10 preference point system will apply. The highest acceptable tender will be used to determine the applicable preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

a. Price; and
b. Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80 or 90 See note below
SPECIFIC GOALS	20 or 10 See note below
Total points for Price and SPECIFIC GOALS	**100**

Note: *Either the 80/20 or 90/10 preference point system will apply. The highest acceptable tender will be used to determine the applicable preference point system*

1.5 Failure by the Bidder to submit the prescribed documentary evidence in support of any specific goal claimed, as set out in Clause 4.4 and Annexure J, shall result in no preference points being awarded for that specific goal.

6.2 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

7 DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

(b) **"price"** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

(c) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"the Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

8 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

8.1 POINTS AWARDED FOR PRICE

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

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

8.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

8.2.1 POINTS AWARDED FOR PRICE

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

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

or $$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right) Ps = 90\left(1 + \frac{Pt - P\,max}{Pmax}\right)$$

Where

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

9 POINTS AWARDED FOR SPECIFIC GOALS

9.1 In terms of the Preferential Procurement Regulations, 2022, preference points shall be awarded for specific goals stated in this Request for Proposal.

9.2 Preference points will only be awarded where the Bidder submits the prescribed documentary evidence in support of each specific goal claimed. Failure to submit the required documentary evidence together with the Proposal shall result in no preference points being awarded for that specific goal.

9.3 The specific goals applicable to this Request for Proposal, together with the maximum points available under the applicable preference point system, are set out below.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
B-BBEE Status Level of Contributor	2.5	5		
Job Creation and Labour Intensification	2.5	5		

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Black Women Ownership	2.5	5		
Local Enterprise Participation	2.5	5		
Total	**10**	**20**		

9.4 Documentary Evidence Required

The Bidder shall submit the following documentary evidence in support of the specific goals claimed:

Specific Soal	Documentary Evidence Required
B-BBEE Status Level of Contributor	A valid B-BBEE Certificate or Sworn Affidavit submitted together with the Proposal.
Job Creation and Labour Intensification	Completed Annexure J indicating the number of permanent Full-Time Equivalent (FTE) jobs to be created within South Africa during the first five (5) years of the lease.
Black Women Ownership	A valid B-BBEE Certificate or Sworn Affidavit reflecting the percentage of Black Women ownership together with any supporting ownership information where required.
Local Enterprise Participation	Completed Annexure J indicating the projected expenditure on enterprises located within the province, region or municipal area where the leased premises are situated, expressed as a percentage of Annual Gross Revenue.

9.5 Scoring Criteria

Preference points shall be allocated as follows:

a. B-BBEE Status Level of Contributor

Supported by a valid B-BBEE Certificate or Sworn Affidavit submitted with the Proposal.

Level	80/20	90/10
Level 1 and Level 2	5	2.5
Level 3-8 and non-compliant	0	0

b. Job Creation and Labour Intensification

Number of permanent Full-Time Equivalent (FTE) jobs to be created within South Africa during the first five (5) years of the lease.

Permanent FTE Jobs	80/20	90/10
21 or more	5	2.5
11-20	4	2
6-10	3	1.5
1-5	2	1
0	0	0

c. Black Women Ownership

Verified percentage of ownership held by Black Women.

Ownership	80/20	90/10
≥ 30%	5	2.5
≥ 25%	4	2
≥ 20%	3	1.5
≥ 15%	2	1
≥ 10%		
< 10%	0	0

d. Local Enterprise Participation

Projected expenditure on enterprises located within the province, region or municipal area where the leased premises are situated, expressed as a percentage of Annual Gross Revenue.

Projected Spend	80/20	90/10
The highest offer will receive the maximum points allocated to each of these segments. All other bidders with lower offers will proportionally receive pointsl	5	2.5
	4	2
	3	1.5
	2	1
	0	0

DECLARATION WITH REGARD TO COMPANY/FIRM

9.6 Name of company/firm.....

9.7 Company registration number: .....

9.8 TYPE OF COMPANY/ FIRM

- ☐ Partnership
- ☐ Incorporated Joint Venture
- ☐ Unincorporated Joint Venture
- ☐ Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

SECTION 10: SBD4: Bidder's Disclosure

1. PURPOSE OF THE FORM

1.1 Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa, 1996 (Constitution), and further expressed in the various applicable legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

1.2 If a person is listed in the Register for Tender Defaulters and/or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. DECLARATION ON EMPLOYMENT BY ORGAN OF STATE

2.1 Is the bidder, or any of the directors / trustees / shareholders / members / partners of the bidder employed by an organ of state, as defined in section 239 of the Constitution? **YES/NO**

2.2 If YES, furnish particulars of the names, individual identity numbers, in the table below:

Full Name	**Identity Number**	**Name of organ of state**

2.3 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.3.1 If so, furnish particulars:

.....

.....

2.4 Does the bidder or any of its directors/trustees/shareholders members/partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise, whether or not they are bidding for this contract? **YES/NO**

2.4.1 If so, indicate all companies registered in the CSD in the table below:

Supplier registration number (MAAA)	**Status (active/inactive/deleted)**

Failure to disclose all CSD-registered active companies linked to all Directors will lead to disqualification**.**

3 GENERAL DECLARATION

I, ..., the undersigned, in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in

every respect:

3.1 I have read and I understand the contents of this disclosure.

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found to be false.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act, 1998 (Act No. 89 of 1998) and or may be referred to law enforcement agencies for criminal investigation and or may be restricted from conducting business with the state for a period not exceeding 10 years in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) or any other applicable legislation.

I CERTIFY THAT THE ABOVE IS CORRECT.

I ACCEPT THAT THE PROCURING INSTITUTION MAY REJECT THE BID OR TAKE APPROPRIATE ACTION AGAINST ME IF THIS DECLARATION IS FALSE.

.....	.....
Signature	Date
.....	.....
Designation	Name of bidder