**TRANSNET ENGINEERING**

an Operating Division of **TRANSNET SOC LTD**

[hereinafter referred to as **Transnet]**

[Registration No. 1990/000900/30]

# REQUEST FOR PROPOSAL [RFP]

**FOR THE PROVISION OF SUPPLY, INSTALLATION, COMMISSIONING, CONFIGURATION AND INTEGRATION OF ALL EQUIPMENT, SOFTWARE AND DATABASE FOR FULL HIGH-DEFINITION INTERNET PROTOCOL VIDEO SURVEILLANCE SYSTEM**

**FOR A PERIOD OF 3 MONTHS**

| | |
|---|---|
| **RFP NUMBER** | **TE23-SRX-1FG-06049** |
| **ISSUE DATE:** | **05 DECEMBER 2023** |
| **CLOSING DATE:** | **25 JANUARY 2024** |
| **CLOSING TIME:** | **11:00 AM** |
| **BID VALIDITY PERIOD:** | **120 Business Days from Closing Date** |

**Note to the bidders:**

***Bidders are required to ensure that electronic bid submissions are done at least a day before the closing date to prevent issues which they may encounter due to their internet speed, bandwidth or the size of the number of uploads they are submitting. Transnet will not be held liable for any challenges experienced by bidders as a result of the technical challenges. Please do not wait for the last hour to submit. A Bidder can upload 30mb per upload and multiple uploads are permitted.***

**PLEASE NOTE THAT OTHER PREQUALIFICATION CRITERIA:**

- **Director/s accreditation with the Private Security Industry Regulatory Authority (PSIRA).**
- **The Bidder must be accredited and certified by the Original Equipment Manufacturer (OEM)/ Accredited distributer as expert integrator of solution proposed. The bidder must provide a valid OEM accreditation certificate.**
- **Provide an OEM certified standard 5-year warrantee on the system hardware proposed. The warrantee certificate must have an OEM letter head with the OEM's contactable reference and be signed by the OEM.**
- **Bidders to conduct a security risk assessment report for Koedoespoort plant.**

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**RFP FOR THE PROVISION OF**
**SUPPLY, INSTALLATION, COMMISSIONING, CONFIGURATION AND INTEGRATION OF ALL EQUIPMENT, SOFTWARE AND DATABASE FOR FULL HIGH-DEFINITION INTERNET PROTOCOL VIDEO SURVEILLANCE SYSTEM**
**FOR A PERIOD OF 3 MONTHS**

## SECTION 1: SBD1 FORM

### PART A
### INVITATION TO BID

| **YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF TRANSNET ENGINEERING, A DIVISION TRANSNET SOC LTD** | | | | | | | |
|---|---|---|---|---|---|---|---|
| BID NUMBER: | **TE23-SRX-1FG-06049** | ISSUE DATE: | 05 December 2023 | CLOSING DATE: | 25 January 2024 | CLOSING TIME: | 11:00AM |
| DESCRIPTION | **SUPPLY, INSTALLATION, COMMISSIONING, CONFIGURATION AND INTEGRATION OF ALL EQUIPMENT, SOFTWARE AND DATABASE FOR FULL HIGH-DEFINITION INTERNET PROTOCOL VIDEO SURVEILLANCE SYSTEM** | | | | | | |

| **BID RESPONSE DOCUMENTS SUBMISSION** |
|---|
| **RESPONDENTS ARE TO UPLOAD THEIR BID RESPONSE PROPOSALS ONTO THE TRANSNET SYSTEM AGAINST EACH TENDER SELECTED** (*please refer to section 2, paragraph 3 for a detailed process on how to upload submissions*):<br>https://transnetetenders.azurewebsites.net |

| **BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO** | | **TECHNICAL ENQUIRIES MAY BE DIRECTED TO:** | |
|---|---|---|---|
| CONTACT PERSON | **Charl du Preez** | CONTACT PERSON | **Charl du Preez** |
| TELEPHONE NUMBER | **021 507 2016** | TELEPHONE NUMBER | **021 507 2016** |
| FACSIMILE NUMBER | **N/A** | FACSIMILE NUMBER | **N/A** |
| E-MAIL ADDRESS | charl.dupreez@transnet.net | E-MAIL ADDRESS | charl.dupreez@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<br>UNIQUE REGISTRATION REFERENCE NUMBER:<br>MAAA |

| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE | TICK APPLICABLE BOX]<br>☐ Yes ☐ No | B-BBEE STATUS LEVEL SWORN AFFIDAVIT | [TICK APPLICABLE BOX]<br>☐ Yes ☐ No |
|---|---|---|---|

| ***[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED FOR PURPOSES OF COMPLIANCE WITH THE B-BBEE ACT]*** | | | |
|---|---|---|---|
| **1** ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED? | ☐Yes ☐No<br>[IF YES ENCLOSE PROOF] | **2** ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?** | ☐Yes ☐No<br>[IF YES, ANSWER QUESTIONAIRE 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 1.3 BELOW.**

# PART B
# TERMS AND CONDITIONS FOR BIDDING

| **1. TAX COMPLIANCE REQUIREMENTS** | |
|---|---|
| 1.1 | BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. |
| 1.2 | 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. |
| 1.3 | APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA. |
| 1.4 | BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. |
| 1.5 | IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. |
| 1.6 | WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED. |

**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 RFP [hereinafter referred to as a **Bid** or a **Proposal**] are requested from persons, companies, close corporations or enterprises [hereinafter referred to as an **entity**, **Respondent** or **Bidder**].

| | |
|---|---|
| **DESCRIPTION** | **SUPPLY, INSTALLATION, COMMISSIONING, CONFIGURATION AND INTEGRATION OF ALL EQUIPMENT, SOFTWARE AND DATABASE FOR FULL HIGH-DEFINITION INTERNET PROTOCOL VIDEO SURVEILLANCE SYSTEM** [**the Goods and Services**] |
| **TENDER ADVERT** | All Transnet tenders are advertised on the National Treasury's e-Tender Publication Portal and the Transnet website. Should one of these media (i.e. National Treasury's e-Tender Publication Portal or Transnet website) not be available, bidders are advised to check on the other media for advertised tenders. |
| **RFP DOWNLOADING** | This RFP may be downloaded directly from National Treasury's e-Tender Publication Portal at www.etenders.gov.za free of charge.<br>To download RFP and Annexures:<br>• Click on "Tender Opportunities";<br>• Select "Advertised Tenders";<br>• In the "Department" box, select Transnet SOC Ltd.<br>Once the tender has been in the list, click on the 'Tender documents" tab and process to download all uploaded documents.<br><br>The RFP may also be downloaded from the Transnet Portal at https://transnetetenders.azurewebsites.net (please use **Google Chrome** to access Transnet link/site) free of charge *(refer to section 2, paragraph 3 below for detailed steps)* |
| **COMMUNICATION** | Transnet will publish the outcome of this RFP on the National Treasury e-tender portal and Transnet website with 10 days after the award has been finalised. All unsuccessful bidders have a right to request for reasons for their bid not being successful. This requested must be directed to the contact person stated in the SBD 1 form<br>Any addenda to the RFP 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 RFP.<br>Transnet will not be held liable if Bidders do not receive the latest information regarding this RFP with the possible consequence of either being disadvantaged or disqualified as a result thereof. |
| **BRIEFING SESSION** | Yes - Compulsory<br>Bidders are required to confirm their attendance and to send their contact details including the number of representatives (where applicable) to the following address: charl.dupreez@transnet.net<br>This is to ensure that Transnet may make the necessary arrangements for the briefing session.<br>Refer to paragraph 2 for details. |

| | |
|---|---|
| **CLOSING DATE** | **11:00 am on Thursday 25 January 2024**<br>Bidders must ensure that bids are uploaded timeously onto the system.<br>Generally, if a bid is late, it will not be accepted for consideration.<br>***Bidders are required to ensure that electronic bid submissions are done at least a day before the closing date to prevent issues which they may encounter due to their internet speed, bandwidth or the size of the number of uploads they are submitting. Transnet will not be held liable for any challenges experienced by bidders as a result of the technical challenges. Please do not wait for the last hour to submit. A Bidder can upload 30mb per upload and multiple uploads are permitted.*** |
| **VALIDITY PERIOD** | **120 Business Days from Closing Date**<br>Bidders are to note that they may be requested to extend the validity period of their bid, at 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 contract has been concluded.<br><br>Should a bidder fail to respond to a request for extension of the validity period before it expires, that bidder will be excluded from tender process.<br><br>With regard to the validity period of next highest ranked bidders, please refer to Section 2, paragraph 10.12 |

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

## 2 FORMAL BRIEFING

A compulsory pre-proposal site meeting and/or RFP briefing will be conducted at Transnet Engineering, Koedoespoort, Main Boardroom on the **12th of December 2023,** at 09:00 AM for a period of ± 2 hours. [Respondents to provide own transportation and accommodation]. The briefing session will start punctually and information will not be repeated for the benefit of Respondents arriving late.

2.1 *A Certificate of Attendance in the form set out in Section 10 hereto must be completed and submitted with your Proposal as proof of attendance is required for a **compulsory** site meeting and/or RFP briefing.*

2.2 Respondents failing to attend the compulsory RFP briefing will be disqualified.

## 3 PROPOSAL SUBMISSION

Transnet has implemented a new electronic tender submission system, the e-Tender Submission Portal, in line with the overall Transnet digitalization 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/ Portal ((transnetetenders.azurewebsites.net) Please use **Google Chrome** to access Transnet link/site);
- 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.

- No late submissions will be accepted. The bidder guide can be found on the Transnet Portal transnetetenders.azurewebsites.net

## 4 RFP INSTRUCTIONS

4.1 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 legally authorised by the respondent to do so.

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

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

4.4 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, paragraph 12 below (Legal Review) and Section 6 of the RFP, alterations, additions or deletions must not be made by the Respondent to the actual RFP documents.

## 5 JOINT VENTURES OR CONSORTIUMS

Respondents who would wish to respond to this RFP as a Joint Venture [**JV**] or consortium with B-BBEE entities, must state their intention to do so in their RFP 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, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by Transnet through this RFP process. This written confirmation must clearly indicate the 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.

- Respondents are to note that for the purpose of Evaluation, a JV will be evaluated based on one consolidated B-BBEE score card (a consolidated B-BBEE Status Level verification certificate) Preference points will be awarded to a bidder for attaining the specific goals requirements in accordance with the table indicated in Section 4.1 of the specific goals Claim Form.

COMMUNICATION

5.1 For specific queries relating to this RFP, an RFP Clarification Request Form should be submitted onto the system and to [**Charl du Preez**] before **12:00 pm on 20 January 2024**, substantially in the form set

out in Section 8 hereto. In the interest of fairness and transparency, Transnet's response to such a query will be published on the e-tender portal and Transnet website.

5.2 After the closing date of the RFP, a Respondent may only communicate with the TEDBAC Chairperson: Vuyisile Dlamini, at telephone number 012 391 1536, email vuyisile.dhlamini@transnet.net on any matter relating to its RFP Proposal.

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

5.4 It is prohibited for Respondents to attempt, either directly or indirectly, to canvass any officer or employee of Transnet in respect of this RFP between the closing date and the date of the award of the business.

5.5 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.

5.6 Transnet will publish the outcome of this RFP in the National Treasury e-tender portal and Transnet website with 10 days after the award has been finalised. Respondents are required to check the National Treasury e-tender Portal and Transnet website for the results of the tender process. All unsuccessful bidders have a right to request Transnet to furnish individual reasons for their bid not being successful. This requested must be directed to the contact person stated in the SBD 1 form

## 6 CONFIDENTIALITY

All information related to this RFP is to be treated with strict confidence. In this regard Respondents are required to certify that they have acquainted themselves with the Non-Disclosure Agreement. All information related to a subsequent contract, both during and after completion thereof, will be treated with strict confidence. Should the need however arise to divulge any information related to this RFP or the subsequent contract, written approval must be obtained from Transnet.

## 7 COMPLIANCE

The successful Respondent [hereinafter referred to as the [**Service provider**] shall be in full and complete compliance with any and all applicable laws and regulations.

## 8 EMPLOYMENT EQUITY ACT

Respondents must comply with the requirements of the Employment Equity Act 55 of 1998 applicable to it including (but not limited to) Section 53 of the Employment Equity Act.

## 9 DISCLAIMERS

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

9.1 modify the RFP's Goods/Services and request Respondents to re-bid on any such changes;

9.2 reject any Proposal which does not conform to instructions and specifications which are detailed herein;

9.3 disqualify Proposals submitted after the stated submission deadline [closing date];

9.4 award a contract in connection with this Proposal at any time after the RFP's closing date;

9.5 award a contract for only a portion of the proposed Goods/Services which are reflected in the scope of this RFP;

9.6 split the award of the contract between more than one Supplier/Service provider, should it at Transnet's discretion be more advantageous in terms of, amongst others, cost or developmental considerations;

9.7 cancel the bid process;

9.8 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. By submitting a bid, Respondents hereby irrevocably grant the necessary consent to Transnet to do so;

9.9 request audited financial statements or other documentation for the purposes of a due diligence exercise;

9.10 not accept any changes or purported changes by the Respondent to the bid rates after the closing date and/or after the award of the business, unless the contract specifically provided for it;

9.11 to cancel the contract and/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 contract was awarded on the strength of incorrect information furnished by the Respondent or on any other basis recognised in law;

9.12 to award the business to the next ranked bidder, provided that he/she is still prepared to provide the required Goods at the quoted price, should the preferred bidder fail to sign or commence with the contract 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 outcome of the tender has been published the outcome of the bid process on the National Treasury e-tender Portal and Transnet website. Bidders may therefore be requested to advise whether they would still be prepared to provide the required Goods at their quoted price.

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 contract.

## 10 LEGAL REVIEW

A Proposal submitted by a Respondent will be subjected to review and acceptance or rejection of its proposed contractual terms and conditions by Transnet's Legal Counsel, prior to consideration for an award of business. A material deviation from the Standard terms or conditions could result in disqualification.

## 11 SECURITY CLEARANCE

Acceptance of this bid could be subject to the condition that the Successful Respondent, its personnel providing the Goods/Services and its subcontractor(s) must obtain security clearance from the appropriate authorities to the level of **CONFIDENTIAL/ SECRET/TOP SECRET**. Obtaining the required clearance is the responsibility of the Successful Respondent. Acceptance of the bid is also subject to the condition that the Successful Respondent will implement all such security measures as the safe performance of the contract may require.

## 12 NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE

Respondents are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. Respondents must register on the CSD prior to submitting their bids. Business may not be awarded to a Respondent who has failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD.

***For this purpose, the attached SBD 1 form must be completed and submitted as a mandatory returnable document by the closing date and time of the bid.***

## 13 TAX COMPLIANCE

Respondents must be compliant when submitting a proposal to Transnet and remain compliant for the entire contract 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).

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.

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

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.

**Transnet urges its clients, suppliers and the general public to report any fraud or corruption to TIP-OFFS ANONYMOUS:**

Ethics Helpdesk (Pty) LTD.
Ethics Management System™

**You can choose to be Anonymous or Non-Anonymous on ANY of the platforms**
**PLEASE RETAIN YOUR REFERENCE NUMBER**





**AI Voice BoT "Jack"**
Speak to our AI Voice Chat Bot "JACK", you converse with him like chatting to a human, with the option to record a message and speak to an agent at anytime.



**What's App**
Speak to an Agent via What's App.



**Speak to an Agent**
Speak to an Agent via the platform with no call or data charge



**Telegram**
Speak to an Agent via Telegram

0800 003 056 | 086 551 4153 | reportit@ethicshelpdesk.com | *120*0785980808#

## SECTION 3: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS

### 1 BACKGROUND

Transnet Engineering (TE) is the advanced manufacturing division of Transnet SOC Limited. TE offers researching, engineering, manufacturing, and maintenance services products to the rail industry across the globe and specifically the African continent. TE operates six main factories situated in major city centres in South Africa, with each factory serving as a central hub satellite depot in each region. TE manufactures freight wagons, locomotives, and passenger coaches, as well as the maintenance and servicing of these products. TE Security and Forensic Business is entrusted to provide the safety and security of staff and assets, respectively. To achieve the mandate, TE has implemented several security measures aimed at protecting the organization's assets, information, and reputation, as well as ensuring compliance with laws and regulations. The measures include installing CCTV cameras within the Koedoespoort depot.

### 2 EXECUTIVE OVERVIEW

Whereas Transnet is seeking a partner(s) to provide solutions for its SUPPLY, INSTALLATION, COMMISSIONING, CONFIGURATION AND INTEGRATION OF ALL EQUIPMENT, SOFTWARE AND DATABASE FOR FULL HIGH-DEFINITION INTERNET PROTOCOL VIDEO SURVEILLANCE SYSTEM, FOR A PERIOD OF 3 NONTHS regionally at Koedoespoort, it also seeks to improve its current processes for providing these Goods and Services to its end user community throughout its locations.

The selected Service provider(s) must share in the mission and business objectives of Transnet. These mutual goals will be met by meeting contractual requirements and new challenges in an environment of teamwork, joint participation, flexibility, innovation and open communications. In this spirit of partnership, Transnet and its Service provider(s) will study the current ways they do business to enhance current practices and support processes and systems. Such a partnership will allow Transnet to reach higher levels of quality, service and profitability.

Specifically, Transnet seeks to benefit from this partnership in the following ways:

2.1 Transnet must receive reduced cost of acquisition and improved service benefits resulting from the Service provider's economies of scale and streamlined service processes.

2.2 Transnet must achieve appropriate availability that meets user needs while reducing costs for both Transnet and the chosen Service provider(s).

2.3 Transnet must receive proactive improvements from the Service provider with respect to supply/provision of Goods and Services and related processes.

2.4 Transnet's overall competitive advantage must be strengthened by the chosen Service provider's leading edge technology and service delivery systems.

2.5 Transnet end users must be able to rely on the chosen Service provider's personnel for service enquiries, recommendations and substitutions.

2.6 Transnet must reduce costs by streamlining its acquisition of Goods and Services, including managed service processes on a Group basis.

## 3 SCOPE OF REQUIREMENTS

Transnet is calling for proposals from experienced suppliers/service providers with a proven track record for the Supply, installation, commissioning, configuration, and integration of all equipment, software, and database for a full High-Definition Internet Protocol Video Surveillance (HDIPVS) system for a period of three (3) months.

**A total of 300 x Closed Circuit Television (CCTV) cameras will be installed strategically in the plant to achieve the track and tracking capabilities of the CCTV system. The business case lists a breakdown of quantities per building/area.**

**High-performance remote monitoring workstation for viewing up to four monitors.**

**Each remote monitoring workstation must come with 2 x 24" monitors.**

**Monitor, 43" LCD 4K UHD, 16:9 Widescreen Aspect Ratio.**

Also refer to the Specification for the detailed information.

## 4 GREEN ECONOMY / CARBON FOOTPRINT

Transnet wishes to have an understanding of your company's position with regard to environmental commitments, including key environmental characteristics such as waste disposal, recycling and energy conservation. *Please submit details of your entity's policies in this regard.*

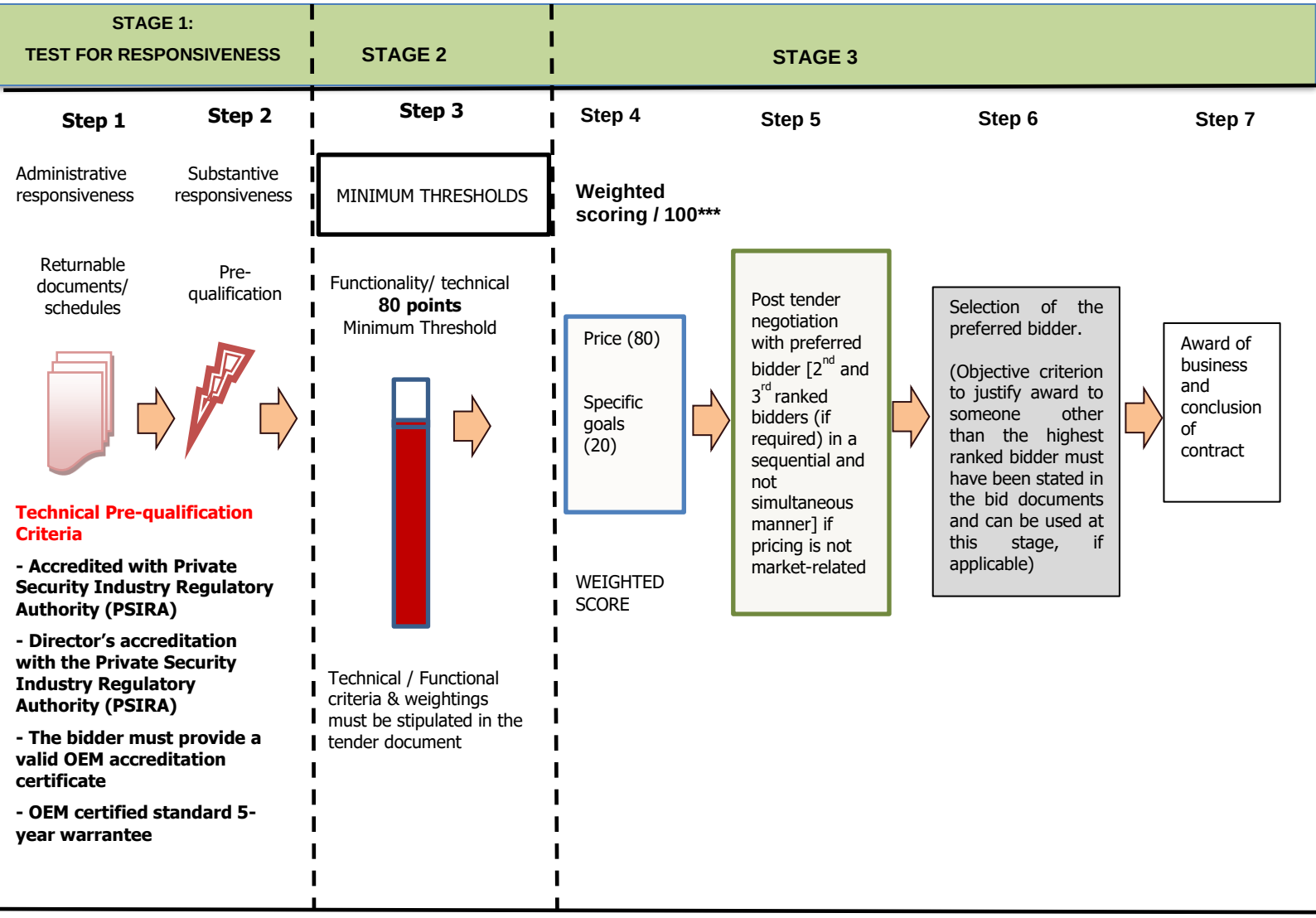
## 5 GENERAL SERVICE PROVIDER OBLIGATIONS

5.1 The Service provider(s) shall be fully responsible to Transnet for the acts and omissions of persons directly or indirectly employed by them.

5.2 The Service provider(s) must comply with the requirements stated in this RFP.

## 6 EVALUATION METHODOLOGY

Transnet will utilise the following methodology and criteria in selecting a preferred Service provider:




NB: Evaluation of the various stages will normally take place in a sequential manner. However, in order to expedite the process, Transnet reserves the right to conduct the different steps of the evaluation process in parallel. In such instances the evaluation of bidders at any given stage must not be interpreted to mean that bidders have necessarily passed any previous stage(s).

6.1 **STEP ONE: Test for Administrative Responsiveness**

The test for administrative responsiveness will include the following:

| Administrative responsiveness check | RFP Reference |
|---|---|
| • Whether the Bid has been lodged on time | *Section 1 paragraph 3* |
| • Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time | *Section 5* |
| • Verify the validity of all returnable documents | *Section 5* |
| • Verify if the Bid document has been duly signed by the authorised respondent | *All sections* |

***The test for administrative responsiveness [Step One] must be passed for a Respondent's Proposal to progress to Step Two for further pre-qualification***

6.2 **STEP TWO: Test for Substantive Responsiveness to RFP**

The test for substantive responsiveness to this RFP will include the following:

| Check for substantive responsiveness | RFP Reference |
|---|---|
| • Whether any general and legislation qualification criteria set by Transnet, have been met | *All sections including: Section 2 paragraphs, 2.2, 6, 11.2, General Bid Conditions clause 20* |
| • Whether the Bid contains a priced offer as prescribed in the pricing and delivery schedule | *Section 4* |
| • Whether the Bid materially complies with the scope and/or specification given | *All Sections* |
| • Whether any Technical prequalification criteria have been met as follows:<br>- Proof of the bidding company's accreditation with the Private Security Industry Regulatory Authority (PSIRA) (Only valid and active Company PSIRA certificates will be accepted)<br>- Proof of the bidding company's Director/s accreditation with the Private Security Industry Regulatory Authority (PSIRA) (Only valid and active Director/s PSIRA certificates will be accepted)<br>- The Bidder must be accredited and certified by the Original Equipment Manufacturer (OEM)/ Accredited distributer as expert integrator of solution proposed. The bidder must provide a valid OEM accreditation certificate.<br>- Provide an OEM certified standard 5-year warrantee on the system hardware proposed. The warrantee certificate must have an OEM letter head with the OEM's contactable reference and be signed by the OEM.<br>- Bidders to conduct a security risk assessment report for Koedoespoort plant. | *Section 3 – Specification for CCTV Cameras Annexure B* |

***The test for substantive responsiveness [Step Two] must be passed for a Respondent's proposal to progress to Step Three for further evaluation.***

6.3 **STEP THREE: Minimum Threshold 80 points for Technical Criteria**

The test for the Technical and Functional threshold will include the following:

| **Technical Evaluation Criteria** | **Points Weightings** | **Scoring guideline**<br>3 - The bidder fully meets requirements and value adding is extensive<br>2 - Meets critical requirements<br>1 - Partially meets requirements<br>0 - Company cannot meet, high risk |
|---|---|---|
| Reference letter/s to proof that the bidding company well proven in the field, having performed the services like the ones required in the past.<br>The reference letter/s from the current and/or previous customers must meet the following criteria:-<br><br>(a) Be dated;<br>(b) Be signed by the customer/s;<br>(c) Have a customer's letter head;<br>(d) Have contactable reference/s (Email and contact number; and<br>(e) Mention the full scope of services provided by the bidding company | 5 | *0 = No Response, or blank organogram submitted - (0,00%)*<br>*1 = The letter meets one (01) to three (03) requirements of the criteria - (1,67%)*<br>*2 = The letter meets four (04) requirements of the criteria - (3,33%)*<br>*3 = The letter meets all five (05) requirements of the criteria - (5,00%)* |
| Bidding company's previous similar work.<br>The scope of works on the reference letter/s provided must clearly show the CCTV surveillance services below:-<br><br>(a) Supply of the system;<br>(b) System installation;<br>(c) System configuration;<br>(d) System integration;<br>(e) Commissioning of the system; and<br>(f) Provision of system maintenance services. | 10 | *0 = No Response - (0,00%)*<br>*1 = The letter mentions one (01) to three (03) similar services - (3,33%)*<br>*2 = The letter mentions four (04) to five (05) similar services - (6,67%)*<br>*3 = The letter mentions all six (06) similar services - (10,00%)* |

| **Technical Evaluation Criteria** | **Points Weightings** | **Scoring guideline**<br>3 - The bidder fully meets requirements and value adding is extensive<br>2 - Meets critical requirements<br>1 - Partially meets requirements<br>0 - Company cannot meet, high risk |
|---|---|---|
| Previous similar projects completed by the bidding company before.<br><br>Submit a project completion certificate of one of the similar project completed before. The certificate must be dated, signed, and stamped by the bidding company's previous and/or current customers as well as reflect the total value of the project completed. | 5 | *0 = No Response - (0,00%)*<br>*1 = The bidding company has successfully delivered a project worth R0 to R 3 million in the last 36 months - (1,67%)*<br>*2 = The bidding company has successfully delivered a project worth over R3 million and under R12 million in the last 36 months - (3,33%)*<br>*3 = The bidding company has successfully delivered a project worth over R13 million in the last 36 months - (5,00%)* |
| The bidding company must provide a certified training on system operation and administration.<br>The OEM approved training plan must cover the items below:<br>(a) Architecture and system requirements;<br>(b) Client installation;<br>(c) Logs and update packs installation;<br>(d) Database configuration;<br>(e) Gateway installation;<br>(f) System maintenance; and<br>(g) Monitoring and management of the system (Operator training).<br>(h) Network configuration | 30 | *0 = No Response - (0,00%)*<br>*1= The training plan makes a provision for one (01) to four (04) of the training requirements - (10,00%)*<br>*2 = The training plan makes a provision for five (05) to seven (07) of the training requirements - (20,00%)*<br>*3 = The training plan makes a provision for all eight (08) training requirements- (30,00%)* |
| The bidding company must provide an integrated system maintenance plan for the project.<br><br>The system maintenance plan must make a provision for the requirements below for a period of twenty four (24) months of which three (03) months will be for system installation and twenty one (21) months for system maintenance. | 30 | *0 = No Response - (0,00%)*<br>*1 = The plan covers one (01) to four (04) requirements - (10%)*<br>*2 = The plan covers five (05) to eight (08) requirements - (20%)*<br>*3 = The plan covers nine (09) to ten (10) requirements - (30%)* |

| **Technical Evaluation Criteria** | **Points Weightings** | **Scoring guideline**<br>3 - The bidder fully meets requirements and value adding is extensive<br>2 - Meets critical requirements<br>1 - Partially meets requirements<br>0 - Company cannot meet, high risk |
|---|---|---|
| (a) Support request;<br>(b) Support implementation;<br>(c) Support issuing;<br>(d) Support management;<br>(e) Support completion;<br>(f) Reporting;<br>(g) Reactive maintenance;<br>(h) Preventative maintenance;<br>(i) Incident management; and<br>(j) Standby escalations. | | |
| Project schedule to illustrate the estimated time frame to complete the system installation.<br>The bidder to submit a detailed installation Project Plan/Method clearly illustrating the projected timelines to complete the system installation.<br>1. System installation to be completed in over four (4) months<br>2. System installation to be completed between three (3) to four (4 )months<br>3. System installation to be completed within three (3) months post the award of the tender.<br>The system installation timelines proposed will form part of the Service Level Agreement | 10 | *0 = No Response/ no Contingency plan submitted - (0,00%)*<br>*1 = The system installation will be completed in over four (4) months - (3,33%)*<br>*2 = The system installation will be completed between three (3) and four (4) months - (6,67%)*<br>*3 = The system installation will be completed within a period of three (03) months - (10,00%)* |
| The bidder must provide detailed technical drawings of the system with interfaces, cabling specifications and equipment.<br>The drawings must have the deliverables below:<br>(a) Detailed network diagram;<br>(c) Hardware specifications; | 10 | *0 = No Response - (0,00%)*<br>*1 = The organogram makes a provision for one (1) requirement - 3,33%*<br>*2 = The organogram makes a provision for two (02) to four (04) requirements - 6,67%*<br>*3 = The organogram makes a provision for five (05) requirements- 10,00%* |

| **Technical Evaluation Criteria** | **Points Weightings** | **Scoring guideline**<br>3 - The bidder fully meets requirements and value adding is extensive<br>2 - Meets critical requirements<br>1 - Partially meets requirements<br>0 - Company cannot meet, high risk |
|---|---|---|
| (d) Cabling specifications; and<br>(e) Proposed configurations. | | |
| **Total Weighting:** | **100** | |
| **Minimum qualifying score required:** | 80 | |

*Respondents must complete and submit* ***Annexure A*** **which include a Technical Questionnaire.** *A Respondent's compliance with the minimum functionality/technical threshold will be measured by their responses to Annexure* ***A****.*

*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 for technical/functionality [Step Three] must be met or exceeded for a Respondent's Proposal to progress to Step Four for final evaluation***

## 6.4 STEP FOUR: Evaluation and Final Weighted Scoring

a) **Price and TCO Criteria** [Weighted score 80 points]:

| Evaluation Criteria | RFP Reference |
|---|---|
| • Commercial offer | *Section 4* |
| • Commercial discounts[1]<br>• Price adjustment conditions / factors<br>• Exchange rate exposure<br>• Disbursements | *Section 4* |

Transnet will utilise the following formula in its evaluation of Price:

$$PS = 80\left(1 - \frac{Pt - Pmin}{Pmin}\right)$$

Where:

*Ps* = Score for the Bid under consideration
*Pt* = Price of Bid under consideration
*Pmin* = Price of lowest acceptable Bid

b) **Specific Goals** [Weighted score 20 point]

- Specific goals preference points claim form
- Preference points will be awarded to a bidder for attaining the specific goals requirements in accordance with the table indicated in Section 4.1 of the specific goals Claim Form.

## 6.5 SUMMARY: Applicable Thresholds and Final Evaluated Weightings

| Thresholds | Minimum Threshold |
|---|---|
| Technical / functionality | 80 |

| Evaluation Criteria | Final Weighted Scores |
|---|---|
| Price and Total Cost of Ownership | 80 |
| Specific goals - Scorecard | 20 |
| **TOTAL SCORE:** | **100** |

[1] Only unconditional discounts will be taken into account during evaluation. A discount which has been offered conditionally will, despite not being taken into account for evaluation purposes, be implemented when payment is effected

6.7 **STEP FIVE: Post Tender Negotiations (if applicable)**

- Respondents are to note that Transnet may not award a contract if the price offered is not market-related. In this regard, Transnet reserves the right to engage in PTN with the view to achieving a market-related price or to cancel the tender. Negotiations will be done in a sequential manner i.e.:
  - first negotiate with the highest ranked bidder or cancel the bid, should such negotiations fail,
  - negotiate with the 2nd and 3rd ranked bidders (if required) in a sequential manner.
- In the event of any Respondent being notified of such short-listed/preferred bidder status, his/her bid, as well as any subsequent negotiated best and final offers (BAFO), will automatically be deemed to remain valid during the negotiation period and until the ultimate award of business.
- Should Transnet conduct post tender negotiations, Respondents will be requested to provide their best and final offers to Transnet based on such negotiations. Where a market related price has been achieved through negotiation, the contract will be awarded to the successful Respondent(s).

6.8 **STEP SIX: Objective Criteria (if applicable)**

Transnet reserves the right to award the business to the highest scoring bidder/s unless objective criteria justify the award to another bidder. The objective criteria Transnet may apply in this bid process include:

- Skills Transfer and Capacity Building for Transnet;
- Impact on Transnet's Return On Investment;
- Rotation of Suppliers to promote opportunities for other suppliers, by overlooking a supplier that has been awarded business repeatedly overtime in order to benefit other suppliers in the market;
- the tenderer:
- is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement,
- is not undergoing a process of being restricted by Transnet or other state institution that Transnet may be aware of,
- can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,
- has the legal capacity to enter into the contract
- is not insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act, 2008, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of any of the foregoing,
- complies with the legal requirements, if any, stated in the tender data and
- is able, in the option of the employer to perform the contract free of conflicts of interest.

6.9 **STEP SEVEN: Award of business and conclusion of contract**

- Immediately after approval to award the contract has been received, the successful bidder(s) will be informed of the acceptance of his/their Bid by way of a Letter of Award. Thereafter the final contract will be concluded with the successful Respondent(s).
- A final contract will be concluded and entered into with the successful Bidder at the acceptance of a letter of award by the Respondent.

## SECTION 4: PRICING AND DELIVERY SCHEDULE

*Respondents are required to complete the table below:*

***CONTROL HEAD END SERVICES***

| No | Deliverable/Description of Services | Quantity | Material Unit rate price | Installation unit rate price | Total price material | Total price install | Total (excl. VAT) [ZAR] |
|---|---|---|---|---|---|---|---|
| 1 | 128 Tera Byte (TB), Artificial Intelligence (AI) Network Video Recorder (NVR) Premium | 2 | | | | | |
| 2 | KIT, 10G SFP + LR Transceivers, NVR (2 per server) | 4 | | | | | |
| 3 | ACC 7 Enterprice camera channel for the PTZ, outdoor and indoor cameras | 288 | | | | | |
| 4 | ACC 7 Enterprice camera channel for the Licence Plate Recognition | 12 | | | | | |
| 5 | High performance remote monitoring workstation for viewing on up to FOUR monitors. Each remote monitoring workstations must come with 2 x 24" monitors. | 6 | | | | | |
| 6 | Monitor, 43" LCD 4K UHD, 16:9 Widescreen Aspect Ratio | 12 | | | | | |
| | | | | | | **10% Contingency** | |
| | | | | | | **TOTAL PRICE, exclusive of VAT:** | |
| | | | | | | **VAT 15% (if applicable)** | |
| | | | | | | **Disbursement** | |
| | | | | | | **Discount(s)** | |
| | | | | | | **Total Inclusive of VAT (where applicable)** | |

***FIELD DEVICES***

| No | Deliverable/Description of Services | Quantity | Material Unit rate price | Installation unit rate price | Total price material | Total price install | Total (excl. VAT) [ZAR] |
|---|---|---|---|---|---|---|---|
| 1 | 2.0MP IR PTZ, Pendant, 40 x 300m, 4.25 – 170mm, f/1.6 – f/4.7 | 50 | | | | | |
| 2 | IP67 customised PTZ bracket with full cable management for building mounted PTZs. | 30 | | | | | |
| 3 | IP66 rated large housing with heater and wall arm | 50 | | | | | |
| 4 | 3.0MP Outdoor Bullet camera, WDR, Light catcher, Day/Night, 10.5mm f/1.6, IR | 200 | | | | | |
| 5 | 2.0MP, H.264 Mini Dome Camera, WDR, Light catcher, DAY/Night, 2,9mm f/2.0, IR | 38 | | | | | |
| 6 | Gigabit 802.3bt 90 W PoE Injector, single port | 50 | | | | | |
| 7 | Licence Plate Recognition 3.0 MP WDR, Light Catcher, 3.3 – 9mm, f/1.3 P-iris lens, Integrated IR, Next-Generation Analytics | 12 | | | | | |
| 8 | 9m hollow spun concrete mast (PTZ), planted in 32Mpa concrete basis of 1.2 x 1.2 x 1.2. | 20 | | | | | |
| 9 | IP67 customised bracket with full cable management for concrete pole mounted PTZ cameras. | 20 | | | | | |
| | | | | | | **10% Contingency** | |
| | | | | | | **TOTAL PRICE, exclusive of VAT:** | |
| | | | | | | **VAT 15% (if applicable)** | |
| | | | | | | **Disbursement** | |
| | | | | | | **Discount(s)** | |
| | | | | | | **Total Inclusive of VAT (where applicable)** | |

***CONTAINMENT AND CONDUIT***

| No | Deliverable/Description of Services | Quantity | Material Unit rate price | Installation unit rate price | Total price material | Total price install | Total (excl. VAT) [ZAR] |
|---|---|---|---|---|---|---|---|
| 1 | Containment and conduit allowance per camera | 300 | | | | | |
| 2 | Supply and install 1.5m Cat 6 UTP fly leads, factory assembled with 8P8C connectors at both ends, including labelling | 300 | | | | | |
| 3 | Supply and install CAT 6 CABLE, including labelling | 300 | | | | | |
| | | | | | | **10% Contingency** | |
| | | | | | | **TOTAL PRICE, exclusive of VAT:** | |
| | | | | | | **VAT 15% (if applicable)** | |
| | | | | | | **Disbursement** | |
| | | | | | | **Discount(s)** | |
| | | | | | | **Total Inclusive of VAT (where applicable)** | |

***COMMISSIONING, CONFIGURATION, P & G AND SUNDRIES***

| No | Deliverable/Description of Services | Quantity | Material Unit rate price | Installation unit rate price | Total price material | Total price install | Total (excl. VAT) [ZAR] |
|---|---|---|---|---|---|---|---|
| 1 | Decommissioning of the existing cameras | 300 | | | | | |
| 2 | Administrator Training | 2 | | | | | |
| 3 | Operator Training | 12 | | | | | |
| 4 | Maintenance fixed cost for **24** months (1 day per month) | 24 | | | | | |
| 5 | System Commissioning | 6 | | | | | |
| 6 | System Configuration | 24 | | | | | |
| 7 | Specialist tooling - Cherry Picker Hire | 1 | | | | | |
| 8 | Sundries | 1 | | | | | |
| 9 | Preliminaries & General | 1 | | | | | |
| | | | | | | **10% contingency** | |
| | | | | | | **TOTAL PRICE, exclusive of VAT:** | |
| | | | | | | **VAT 15% (if applicable)** | |
| | | | | | | **Disbursement** | |
| | | | | | | **Discount(s)** | |
| | | | | | | **Total Inclusive of VAT (where applicable)** | |

*Respondents are to note that Transnet will round off final pricing scores to the nearest 2 (two) decimal places.*

_____ _____

Respondent's Signature Date & Company Stamp

**Notes to Pricing:**

a) Respondents are to note that if the price offered by the highest scoring bidder is not market-related, Transnet may not award the contract to that Respondent. Transnet may-

(i) negotiate a market-related price with the Respondent scoring the highest points or cancel the RFP;

(ii) if that Respondent does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the second highest points or cancel the RFP;

(iii) if the Respondent scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the third highest points or cancel the RFP.

If a market-related price is not agreed with the Respondent scoring the third highest points, Transnet must cancel the RFP.

b) Prices must be quoted in South African Rand inclusive of VAT.

c) Any disbursement not specifically priced for will not be considered/accepted by Transnet.

d) To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this pricing schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being declared non-responsive.

e) Rates proposed must be aligned with the Guide on Hourly Fee Rates for Consultants" by the Department of Public Service and Administration (DPSA);

f) Quantities given are estimates only. Any orders resulting from this RFP will be on an "as and when required" basis.

g) Prices are to be quoted on a delivered basis to Koedoespoort.

h) Please note that should you have offered a discounted price(s), Transnet will only consider such price discount(s) in the final evaluation stage if offered on an unconditional basis.

i) Where a Respondent's price(s) includes imported goods/items, the rate of exchange to be used must be in South African Rands for purposes of determining whether the price is market related or not and must be the currency's rate published by the South African Reserve Bank on the date of the advertisement of the bid:

Currency rate of exchange utilised: _____

j) In respect of incoterms conditions, if applicable, please refer to paragraph 25 of the General Bid Conditions which is attached to the RFQ as Annexure D

k) Manufacturing and delivery lead time calculated from date of receipt of purchase order: _____ weeks.

l) Respondents, if awarded the contract, are required to indicate that their prices quoted would be kept firm and fixed for the contract duration. [Not to be confused with bid validity period Section 2, clause 1]

| **YES** | |
|---|---|

## 2. DISCLOSURE OF CONTRACT INFORMATION

### PRICES TENDERED

Respondents are to note that, on award of business, Transnet is required to publish the tendered prices of the successful and unsuccessful Respondents *inter alia* on the National Treasury e-Tender Publication Portal, (www.etenders.gov.za), as required per National Treasury Instruction Note 01 of 2015/2016.

### JOHANNESBURG STOCK EXCHANGE DEBT LISTING REQUIREMENTS

Transnet may also be required to disclose information relating to the subsequent contract i.e. the name of the company, goods/services provided by the company, the value and duration of the contract, etc. in compliance with the Johannesburg Stock Exchange (JSE) Debt Listing Requirements.

### DOMESTIC PROMINENT INFLUENTIAL PERSONS (DPIP) OR FOREIGN PROMINENT PUBLIC OFFICIALS (FPPO)

Transnet is free to procure the services of any person within or outside the Republic of South Africa in accordance with applicable legislation. Transnet shall not conduct or conclude business transactions, with any Respondents without having:

- Considered relevant governance protocols;
- Determined the DPIP or FPPO status of that counterparty; and
- Conducted a risk assessment and due diligence to assess the potential risks that may be posed by the business relationship.

As per the Transnet Domestic Prominent Influential Persons (DPIP) and Foreign Prominent Public Officials (FPPO) and Related Individuals Policy available on Transnet website https://www.transnet.net/search/pages/results.aspx?k=FPIDP#k=DPIP, Respondents are required to disclose any commercial relationship with a DPIP or FPPO (as defined in the Policy) by completing the following section:

The below form contains personal information as defined in the Protection of Personal Information Act, 2013 (the "Act"). By completing the form, the signatory consents to the processing of her/his personal information in accordance with the requirements of the Act. Consent cannot unreasonably be withheld.

**Is the Respondent**
*(Complete with a "Yes" or "No")*

| **A DPIP/FPPO** | | **Closely Related to a DPIP/FPPO** | | **Closely Associated to a DPIP/FPPO** | |
|---|---|---|---|---|---|

**List all known business interests, in which a DPIP/FPPO may have a direct/indirect interest or significant participation or involvement.**

| **No** | **Name of Entity / Business** | **Role in the Entity / Business** (Nature of interest/ Participation) | **Shareholding %** | **Registration Number** | **Status** (Mark the applicable option with an X) | |
|---|---|---|---|---|---|---|
| | | | | | **Active** | **Non-Active** |
| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |

Respondents declaring a commercial relationship with a DPIP or FPPO are to note that Transnet is required to annually publish on its website a list of all business contracts entered into with DPIP or FPPO. This list will include successful Respondents, if applicable.

## 3. MANUFACTURERS

The Respondents must state hereunder the actual manufacturer(s) of the Goods tendered for:

3.1 Local Manufacturer(s):

| RFP ITEM NO. | NAME | BUSINESS ADDRESS |
|---|---|---|
| | | |
| | | |
| | | |

3.2 Foreign Manufacturer(s):

| RFP ITEM NO. | NAME | BUSINESS ADDRESS |
|---|---|---|
| | | |
| | | |
| | | |

## 4. INSPECTION DETAILS

The Respondents must state the actual name(s) and address/addresses of the suppliers of the Goods for inspection purposes only:

4.1 Local Manufacturer(s)

| RFP ITEM NO. | NAME | BUSINESS ADDRESS |
|---|---|---|
| | | |
| | | |
| | | |

4.2 Foreign Manufacturer(s):

| RFP ITEM NO. | NAME | BUSINESS ADDRESS |
|---|---|---|
| | | |
| | | |
| | | |

## 5. IMPORTED CONTENT

The Respondents must state hereunder the value and percentage of the imported content as well as the country of origin in respect of each item tendered for:

| RFP ITEM NO / DESCRIPTION. | VALUE | % COST | COUNTRY OF ORIGIN |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

Note: Where more than one country is applicable to one item, the Respondents must furnish this information separately.

## 6. EXCHANGE AND REMITTANCE

The attention of the Respondents is directed to clause 17 *[Exchange and Remittance]* of the General Bid Conditions. If Transnet is requested by the Respondent to effect payment overseas direct to the Respondent's principal or service provider, which is not a registered South African Company please complete the details below, using the rate of exchange published by the South African Reserve Bank 7 [seven] calendar days before the closing date of this RFP:

6.1 ZAR 1.00 [South African currency] being equal to _____ *[foreign currency]*

6.2 _____ % in relation to tendered price(s) to be remitted overseas by Transnet

6.3 _____ [Name of country to which payment is to be made]

6.4 Beneficiary details:

Name [Account holder] _____

Bank [Name and branch code] _____

Swift code _____

Country _____

6.5 _____ [Applicable base date of Exchange Rate used]

Respondents are advised that should a contract be awarded for deliveries on an "as and when required" basis, any future remittance(s) to overseas principals/service providers, as instructed above, will be based on an agreed rate of exchange related to the contractual price of the Goods/Services at that time.

Respondents should note that Transnet would prefer to receive fixed price offers expressed in South African Rand [ZAR].

## 7. EXPORT CREDIT AGENCY SUPPORTED FINANCE

In order to finance its payment obligations under a future contract where foreign transactions are involved, Transnet may consider raising debt financing [an **ECA Facility**] from one or more banks or financial institutions, with the benefit of export credit agency [**ECA**] credit support to be provided by an ECA.

Under such circumstances the successful Respondent will agree to undertake:

a) to provide [and/or cause the Parent/OEM to provide, as applicable] to Transnet and the banks and financial institutions that may participate in the ECA Facility all such assistance as an importer of Goods and/or Services, which are eligible for ECA credit supported finance by an ECA, is generally required to provide for the purposes of obtaining ECA support;

b) not to do or [as Supplier of the relevant eligible Goods or services] omit to do anything, which may adversely affect Transnet's prospects of qualifying for or, once obtained, maintaining ECA credit support by an ECA in respect of an ECA Facility.

All cost, expenses, charges and liabilities incurred by Transnet in establishing an ECA Facility with credit support from an Export Credit Agency, may be for the account of Transnet.

## 9. SERVICE LEVELS

9.1 An experienced national account representative(s) is required to work with Transnet's procurement department. [No sales representatives are needed for individual department or locations]. Additionally, there shall be a minimal number of people, fully informed and accountable for this agreement.

9.2 Transnet will have quarterly reviews with the Supplier/Service provider's account representative on an on-going basis.

9.3 Transnet reserves the right to request that any member of the Supplier/Service provider's team involved on the Transnet account be replaced if deemed not to be adding value for Transnet.

9.4 The Service provider guarantees that it will achieve a 95% [ninety-five per cent] service level on the following measures:

a) Random checks on compliance with quality/quantity/specifications

b) On-time delivery

If the Service provider does not achieve this level as an average over each quarter, Transnet will receive a 1.5% [one and a half per cent] rebate on quarterly sales payable in the next quarter

9.5 The Service provider must provide a telephone number for customer service calls.

9.6 Failure of the Service provider to comply with stated service level requirements will give Transnet the right to cancel the contract in whole, without penalty to Transnet, giving 30 [thirty] calendar days' notice to the Service provider of its intention to do so.

**Acceptance of Service Levels:**

| **YES** | | **NO** | |
|---|---|---|---|

## 10. TOTAL COST OF OWNERSHIP AND CONTINUOUS IMPROVEMENT INITIATIVES

10.1 Respondents shall indicate whether they would be committed, for the duration of any contract which may be awarded through this RFP process, to participate with Transnet in its continuous improvement initiatives to reduce the total cost of ownership [**TCO**], which will reduce the overall cost of transportation Goods/Services and related logistics provided by Transnet's operating divisions within South Africa to the ultimate benefit of all end-users.

**Accepted:**

| **YES** | | **NO** | |
|---|---|---|---|

If "yes", please specify details in paragraph 6.2 below.

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

_____

_____

## 12. RISK

Respondents must elaborate on the control measures put in place by their entity, which would mitigate the risk to Transnet pertaining to potential non-performance by the Respondent, in relation to:

12.1 **Quality and specification of Goods/Services delivered:**

_____

_____

12.2 **Continuity of supply**:

_____

_____

12.3 **Compliance with the Occupational Health and Safety Act, 85 of 1993:**

_____

_____

SIGNED at _____ on this _____ day of _____ 20___

SIGNATURE OF WITNESSES

1 _____

Name _____

2 _____

Name _____

ADDRESS OF WITNESSES

_____

_____

_____

_____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

## SECTION 5: PROPOSAL FORM AND LIST OF RETURNABLE DOCUMENTS

I/We_____
*[name of entity, company, close corporation or partnership]* of *[full address]*
_____

_____

carrying on business trading/operating as

_____

represented by_____

in my 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 supply/provide the abovementioned Goods/Services at the prices quoted in the schedule of prices in accordance with the terms set forth in the documents listed in the accompanying schedule of RFP documents.

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

(i) Master Agreement (which may be subject to amendment at Transnet'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.

I/We accept that unless Transnet should otherwise decide and so inform me/us in the letter of award, this Proposal [and, if any, its covering letter and any subsequent exchange of correspondence], together with Transnet's acceptance thereof shall constitute a binding contract between Transnet and me/us.

Should Transnet decide that a formal contract should be signed and so inform me/us in a letter of award [the **Letter of Award**], this Proposal [and, if any, its covering letter and any subsequent exchange of correspondence] together with Transnet's Letter of Award, shall constitute a binding contract between Transnet and me/us until the formal contract 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 contract if called upon to do so, or fail to commence the supply/provision of Goods/Services within 2 [two] weeks thereafter, 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, 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 RFP including the delayed delivery of the Goods/Services due to non-performance by ourselves, , etc.

I/we agree that non-compliance with any of the material terms of this RFP, including those mentioned above, will constitute a material breach of contract and provide Transnet with cause for cancellation.

**ADDRESS FOR NOTICES**

The law of the Republic of South Africa shall govern any contract created by the acceptance of this RFP. The *domicilium citandi et executandi* shall be a place 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 contract 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 contract.

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

Name of Entity:

_____

Facsimile: _____

Address: _____

_____

**NOTIFICATION OF AWARD OF RFP**

As soon as possible after approval to award the contract(s), the successful Respondent [**the Supplier/Service provider**] will be informed of the acceptance of its Proposal. Transnet will also publish the outcome of the tender, including successful and unsuccessful bidders, in the National Treasury e-tender portal. Any unsuccessful bidder has a right to request reasons for the bid not to be successful and Transnet has a duty to provide those reasons on receipt of the request from the bidder.

**VALIDITY PERIOD**

Transnet requires a validity period of 120 Business Days [from closing date] against this RFP, excluding the first day and including the last day.

**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 RFP 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)

_____

_____

_____

**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 RFP 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.**

**b) 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 | SUBMITTED [Yes/No] |
|---|---|
| SECTION 4 : Pricing and Delivery Schedule | |
| Proof of the bidding company's accreditation with the Private Security Industry Regulatory Authority (PSIRA) (Only valid and active Company PSIRA certificates will be accepted) | |
| Proof of the bidding company's Director/s accreditation with the Private Security Industry Regulatory Authority (PSIRA) (Only valid and active Director/s PSIRA certificates will be accepted) | |
| The Bidder must be accredited and certified by the Original Equipment Manufacturer (OEM)/ Accredited distributer as expert integrator of solution proposed. The bidder must provide a valid OEM accreditation certificate | |
| Provide an OEM certified standard 5-year warrantee on the system hardware proposed. The warrantee certificate must have an OEM letter head with the OEM's contactable reference and be signed by the OEM. | |
| ANNEXURE A : Technical Submission/Questionnaire | |

**c) 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 | SUBMITTED [Yes or No] |
|---|---|
| Respondent's valid proof of evidence to claim points for compliance with Specific Goals' requirements as stipulated in Section 9 of this RFP | |
| Valid proof of Respondent's compliance to B-BBEE requirements stipulated in Section 9 of this RFP (Valid B-BBEE certificate or Sworn- Affidavit as per DTIC guidelines) | |
| SECTION 9 : SPECIFIC GOALS POINTS CLAIM FORM | |
| | |

**e) Essential Returnable Documents:**

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 & SCHEDULES | SUBMITTED [Yes or No] |
|---|---|
| In the case of Joint Ventures, a copy of the Joint Venture Agreement or written confirmation of the intention to enter into a Joint Venture Agreement | |
| Latest Financial Statements signed by your Accounting Officer or latest Audited Financial Statements plus 2 previous years | |
| Section 1: SBD1 Form | |
| SECTION 2: NOTICE TO BIDDERS | |
| SECTION 3: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS | |
| SECTION 5 : Proposal Form and List of Returnable documents | |
| SECTION 6 : Certificate Of Acquaintance with RFP, Terms & Conditions & Applicable Documents | |
| SECTION 7 : RFP Declaration and Breach of Law Form | |
| SECTION 8: RFP CLARIFICATION REQUEST FORM | |
| SECTION 10 : Certificate of attendance of compulsory / non-compulsory Site Meeting / RFP Briefing | |

**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 contract emanating from this RFP. Should the Respondent be awarded the contract [**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___

SIGNATURE OF WITNESSES ADDRESS OF WITNESSES

1 _____ _____

Name _____ _____

2 _____ _____

Name _____ _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

## SECTION 6: CERTIFICATE OF ACQUAINTANCE WITH RFP, MASTER AGREEMENT & 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 RFP. 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 recognise no claim for relief based on an allegation that the Respondent overlooked any such term or condition or failed properly to take it into account for the purpose of calculating tendered prices or any other purpose:**

| | |
|---|---|
| 1 | Transnet's General Bid Conditions |
| 2 | Master Agreement and SLA attached |
| 3 | Transnet's Supplier Integrity Pact |
| 4 | Non-disclosure Agreement |
| 5 | Specifications and drawings attached to this RFP |

**Note:** Should a Respondent be successful and awarded the bid, they will be required to complete a Supplier Declaration Form for registration as a vendor onto the Transnet vendor master database.

Should the Bidder find any terms or conditions stipulated in any of the relevant documents quoted in the RFP 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 Transnet's Legal Counsel 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 RFP was unclear but in respect of which he/she failed to obtain clarity.**

The bidder understands that his/her Bid will be disqualified if the Certificate of Acquaintance with RFP documents included in the RFP as a returnable document, is found not to be true and complete in every respect.

SIGNED at _____ on this _____ day of _____ 20___

SIGNATURE OF WITNESSES ADDRESS OF WITNESSES

1 _____ _____

Name _____ _____

2 _____ _____

Name _____ _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

## SECTION 7: RFP 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 RFP Clarification purposes;

2. We have received all information we deemed necessary for the completion of this Request for Proposal [**RFP**];

3. We have been provided with sufficient access to the existing Transnet facilities/sites and any and all relevant information relevant to the Goods/Services as well as Transnet information and Employees, and have had sufficient time in which to conduct and perform a thorough due diligence of Transnet's operations and business requirements and assets 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 the Respondent in arriving at his Bid Price.

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

5. We are satisfied, insofar as our entity is concerned, that the processes and procedures adopted by Transnet in issuing this RFP and the requirements requested from Bidders in responding to this RFP 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 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 RFP; 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. Information provided in the declarations may be used by Transnet and/or its affiliates to verify the correctness of the information provided]***

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.

**BIDDER'S DISCLOSURE (SBD4)**

**12 PURPOSE OF THE FORM**

12.1 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 and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

12.2 Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

**13 Bidder's declaration**

13.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest[2] in the enterprise, employed by the state? **YES/NO**

[2] the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

13.1.2. If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

| Full Name | Identity Number | Name of State institution |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

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

13.2.1. If so, furnish particulars:

……

……

13.3 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**

13.3.1. If so, furnish particulars:

……

……

## 14 DECLARATION

I, the undersigned, (name)……. in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

14.1 I have read and I understand the contents of this disclosure;

14.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

14.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium[3] will not be construed as collusive bidding.

14.4 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.

14.5 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.

14.6 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.

14.7 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 No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 12, 13 and 14 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

**BREACH OF LAW**

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:

[3] Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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___

| For and on behalf of<br><br>_____<br><br>duly authorised hereto | AS WITNESS: |
|---|---|
| Name: | Name: |
| Position: | Position: |
| Signature: | Signature: |
| Date: | Registration No of Company/CC |
| Place: | Registration Name of Company/CC |

## SECTION 8: RFP CLARIFICATION REQUEST FORM

RFP No: TE23-SRX-1FG-06049

RFP deadline for questions / RFP Clarifications: Before 12:00 pm on 12 December 2023

| | |
|---|---|
| TO: | Transnet SOC Ltd |
| ATTENTION: | Charl du Preez |
| EMAIL | [charl.dupreez@transnet.net] |
| DATE: | _____ |
| FROM: | _____ |
| | _____ |

RFP Clarification No *[to be inserted by Transnet]* .....

**REQUEST FOR RFP CLARIFICATION**

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
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_____
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_____

## SECTION 9 : SPECIFIC GOALS POINTS CLAIM FORM

This preference form must form part of all bids invited. It contains general information and serves as a claim for preference points for specific goals Contribution. Transnet will award preference points to companies who provide valid proof of evidence of as per the table below.

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF SPECIFIC GOALS, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000.**

---

### 1. GENERAL CONDITIONS

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

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

1.2 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable. Despite the stipulated preference point system, Transnet shall use the lowest acceptable bid to determine the applicable preference point system in a situation where all received acceptable bids are received outside the stated preference point system.

1.3 Preference points for this bid shall be awarded for:

(a) Price;

(b) B-BBEE Status Level of Contribution; and

(c) Any other specific goal determined in Transnet preferential procurement policy.

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

| | | POINTS |
|---|---|---|
| **PRICE** | | **80** |
| **B-BBEE STATUS LEVEL OF CONTRIBUTION** | | **20** |
| B-BBEE Level of contributor – Level 1 or Level 2 | 5 | |
| 30% Black Women Owned Entities | 5 | |
| 51% Black Youth Owned Entities | 5 | |
| Entities Owned by People with Disability (PWD) | 5 | |
| Non-Compliant and/or B-BBEE Level 3-8 contributors | 0 | |
| **Total points for Price and Specific Goals must not exceed** | | **100** |

1.5 Failure on the part of a bidder to submit proof of evidence for any of the specific goals together with the bid will be interpreted to mean that preference points are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 2. DEFINITIONS

(a) **"all applicable taxes"** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

(b) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(c) "**B-BBEE status level of contributor"** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(d) **"Ownership"** means 51% black ownership

(e) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the supply/provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;

(f) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(g) **"EME"** means an Exempted Micro Enterprise as defines by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(h) **"functionality"** means the ability of a bidder to provide goods or services in accordance with specification as set out in the bid documents

(i) **"Price"** includes all applicable taxes less all unconditional discounts.

(j) **"Proof of B-BBEE Status Level of Contributor"**

i) the B-BBBEE status level certificate issued by an authorised body or person;

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

iii) any other requirement prescribed in terms of the B-BBEE Act.

(k) **"QSE"** means a Qualifying Small Enterprise as defines by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 ( Act No. 53 of 2003);

(l) **"rand value"** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties.

(m) **"Specific goals"** means targeted advancement areas or categories of persons or groups either previously disadvantaged or falling within the scope of the Reconstruction and Development Programme identified by Transnet to be given preference in allocation of procurement contracts in line with section 2(1) of the PPPFA.

## 3. POINTS AWARDED FOR PRICE

### 3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

In terms of Transnet Preferential Procurement Policy (TPPP) and Procurement Manuals, the following preference points must be awarded to a bidder who provides the relevant required evidence for claiming points

| Selected Specific Goal | Number of points allocated (80/20) |
|---|---|
| B-BBEE Level of contributor (1 or 2) | 5 |
| +51% Black Youth Owned Entities | 5 |
| 30% Black women Owned entities | 5 |
| Entities Owned by People with Disability (PWD) | 5 |
| Non-Compliant and/or B-BBEE Level 3-8 contributors | 0 |

## 4. EVEDINCE REQUIRED FOR CLAIMING SPECIFIC GOALS

4.1 In terms of Transnet Preferential Procurement Policy (TPPP) and Procurement Manuals, preference points must be awarded to a bidder for providing evidence in accordance with the table below:

| Specific Goals | Acceptable Evidence |
|---|---|
| B-BBEE | B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline |
| 30% Black Women Owned Entities | B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline |
| +51% Black Youth Owned Entities | Certified copy of ID Documents of the Owners and B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline |

4.2 The table below indicates the required proof of B-BBEE status depending on the category of enterprises:

| **Enterprise** | **B-BBEE Certificate & Sworn Affidavit** |
|---|---|
| **Large** | Certificate issued by SANAS accredited verification agency |
| **QSE** | Certificate issued by SANAS accredited verification agency<br>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)<br>[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**[4] | Sworn Affidavit signed by the authorised EME representative and attested by a Commissioner of Oaths confirming annual turnover and black ownership<br>Certificate issued by CIPC (formerly CIPRO) confirming annual turnover and black ownership<br>Certificate issued by SANAS accredited verification agency only if the EME is being measured on the QSE scorecard |

4.3 A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level verification certificate for every separate bid.

4.4 Tertiary Institutions and Public Entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

4.5 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

4.6 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

4.7 Bidders are to note that the rules pertaining to B-BBEE verification and other B-BBEE requirements may be changed from time to time by Transnet or regulatory bodies such as National Treasury or the DTI. It is the Bidder's responsibility to ensure that his/her bid complies fully with all B-BBEE requirements at the time of the submission of the bid.

**5. BID DECLARATION**

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

**6. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 6.1**

6.1 B-BBEE Status Level of Contribution: . = ……(maximum of 20 points)

(Points claimed in respect of paragraph 6.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

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

(***Tick applicable box***)

| YES | | NO | |
|---|---|---|---|

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%
ii) The name of the sub-contractor……..
iii) The B-BBEE status level of the sub-contractor.....
iv) Whether the sub-contractor is an EME or QSE.
***(Tick applicable box***)

| YES | | NO | |
|---|---|---|---|

v) Specify, by ticking the appropriate box, if subcontracting with any of the following enterprises:

| Designated Group: An EME or QSE which is at last 51% owned by: | EME √ | QSE √ |
|---|---|---|
| Black people | | |
| Black people who are youth | | |
| Black people who are women | | |
| Black people with disabilities | | |
| Black people living in rural or underdeveloped areas or townships | | |
| Cooperative owned by black people | | |
| Black people who are military veterans | | |
| OR | | |
| Any EME | | |
| Any QSE | | |

8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:……

8.2 VAT registration number:……

8.3 Company registration number:……

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

……
……

8.6 COMPANY CLASSIFICATION

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

[*TICK APPLICABLE BOX*]

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

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

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

iv) If a bidder submitted false information regarding its B-BBEE status level of contributor or any other matter required in terms of the Preferential Procurement Regulations, 2022 which will affect or has affected the evaluation of a bid the purchaser may, in addition to any other remedy it may have

(a) disqualify the person from the bidding process;

(b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

(d) if the successful bidder subcontracted a portion of the bid to another person without disclosing it, Transnet reserves the right to penalise the bidder up to 10 percent of the value of the contract;

(e) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and

(f) forward the matter for criminal prosecution.

| | |
|---|---|
| WITNESSES<br>1. ……..<br>2. …… | ……<br>SIGNATURE(S) OF BIDDERS(S)<br>DATE: ……..<br>ADDRESS…….. |

## SECTION 10: CERTIFICATE OF ATTENDANCE OF COMPULSORY/NON-COMPULSORY RFP BRIEFING

It is hereby certified that –

1. _____

2. _____

Representative(s) of _____ *[name of entity]*
attended the site meeting / RFP briefing in respect of the proposed Goods/Services to be rendered in terms of this RFP on _____20___

_____ _____

TRANSNET'S REPRESENTATIVE RESPONDENT'S REPRESENTATIVE

DATE _____ DATE _____

EMAIL _____

**NOTE:**

This certificate of attendance must be filled in duplicate, one copy to be kept by Transnet and the other copy to be kept by the bidder.

## SECTION 11: PROTECTION OF PERSONAL INFORMATION

1. The following terms shall bear the same meaning as contemplated in Section 1 of the Protection of Person information act, No.4 of 2013.("POPIA"):

   consent; data subject; electronic communication; information officer; operator; person; personal information; processing; record; Regulator; responsible party; special information; as well as any terms derived from these terms.

2. Transnet will process all information by the Respondent in terms of the requirements contemplated in Section 4(1) of the POPIA:

   Accountability; Processing limitation; Purpose specification; Further processing limitation; Information quality; Openness; Security safeguards and Data subject participation.

3. The Parties acknowledge and agree that, in relation to personal information that will be processed pursuant to this RFP, the Responsible party is "Transnet" and the Data subject is the "Respondent". Transnet will process personal information only with the knowledge and authorisation of the Respondent and will treat personal information which comes to its knowledge as confidential and will not disclose it, unless so required by law or subject to the exceptions contained in the POPIA.

4. Transnet reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in this RFP and the Respondent is required to comply with all prescripts as detailed in the POPIA relating to all information concerning Transnet.

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

6. Transnet further agrees that in submitting any information or documentation requested in this RFP, the Respondent is consenting to the further processing of their personal information for the purpose of, but not limited to, risk assessment, assurances, contract award, contract management, auditing, legal opinions/litigations, investigations (if applicable), document storage for the legislatively required period, destruction, de-identification and publishing of personal information by Transnet and/or its authorised appointed third parties.

7. Furthermore, Transnet will not otherwise modify, amend or alter any personal data submitted by the Respondent or disclose or permit the disclosure of any personal data to any third party without the prior written consent from the Respondent. Similarly, Transnet requires the Respondent to process any personal information disclosed by Transnet in the bidding process in the same manner.

8. Transnet shall, at all times, ensure compliance with any applicable laws put in place and maintain sufficient measures, policies and systems to manage and secure against all forms of risks to any information that may be shared or accessed pursuant to this RFP (physically, through a computer or any other form of electronic communication).

9. Transnet shall notify the Respondent in writing of any unauthorised access to information, cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such crimes or suspected crime. The Respondent must

take all necessary remedial steps to mitigate the extent of the loss or compromise of personal information and to restore the integrity of the affected personal information as quickly as is possible.

10. The Respondent may, in writing, request Transnet to confirm and/or make available any personal information in its possession in relation to the Respondent and if such personal information has been accessed by third parties and the identity thereof in terms of the POPIA. The Respondent may further request that Transnet correct (excluding critical/mandatory or evaluation information), delete, destroy, withdraw consent or object to the processing of any personal information relating to the Respondent in Transnet's possession in terms of the provision of the POPIA and utilizing Form 2 of the POPIA Regulations.

11. In submitting any information or documentation requested in this RFP, the Respondent is hereby consenting to the processing of their personal information for the purpose of this RFP and further confirming that they are aware of their rights in terms of Section 5 of POPIA

**Respondents are required to provide consent below:**

| | | | |
|---|---|---|---|
| **YES** | | **NO** | |

12. Further, the Respondent declares that they have obtained all consents pertaining to other data subject's personal information included in its submission and thereby indemnifying Transnet against any civil or criminal action, administrative fines or other penalty or loss that may arise as a result of the processing of any personal information that the Respondent submitted.

13. The Respondent declares that the personal information submitted for the purpose of this RFP is complete, accurate, not misleading, is up to date and may be updated where applicable.

Signature of Respondent's authorised representative: _____

Should a Respondent have any complaints or objections to processing of its personal information, by Transnet, the Respondent can submit a complaint to the Information Regulator on https://www.justice.gov.za/inforeg/, click on contact us, click on complaints.IR@justice.gov.za