

NON-COMPULSORY BRIEFING SESSION MINUTES

TPT/2024/04/0014/63443/RFP - iCLM HQ 791/TPT

FOR THE PROVISION OF TYRES MAINTENANCE SERVICE, RIM REPAIRS AND RETREADING FOR TRANSNET SOC LTD (REG.NO 1990/000900/30) OPERATING AS TRANSNET PORT TERMINALS (HEREINAFTER REFERRED TO AS "TPT"), FOR THE PORTS OF RICHARDS BAY, DURBAN, EAST LONDON, NGQURA, PORT ELIZABETH, CAPE TOWN AND SALDANHA TERMINALS FOR A PERIOD OF FIVE (5) YEARS.

LOCATION: EAST LONDON

15 JULY 2024 – 10H00-16H00.

Notes

Welcome (Thulane Msibi)

Thulane Msibi welcomed all bidders and thanked them for attending the meeting, she further informed the bidders that the briefing session attendance is non- compulsory. He then advised bidders that they need to ensure that **Section 9** – compulsory briefing certificate needs to be completed and signed by both parties. Thulane further advised bidders that they need to send through their full contact details, company name and the name of the representative that is in attendance.

Attendance Register

Thulane Msibi advised bidders that they need to send through their full contact details, company name and the company representative that is in attendance, this will allow TPT to make use of the contact details by communicating with all bidders should need be and to create an attendance register.

Safety Briefing

All attendees were requested to adhere to TPT's safety protocols and evacuate using the exit door if there's any form of danger in the building.

Introduction of TPT Team

Thulane Msibi introduced all TPT representatives and their roles.

Thulane Msibi informed the meeting that should one wish to tender for this RFP, they must comply with the following requirements:

NON-COMPULSORY BRIEFING SESSION MINUTES



- Bidders to note that the briefing session is non- compulsory
- Cellphones must be switched off or put on silent
- An opportunity for clarification questions will be provided after the briefing session.
- Thulane requested that all bidders remain for the entire duration of the briefing session as important information pertaining to the RFP would be presented.
- Attendees must confirm their attendance on the attendance register and **Section 9** of the tender document.

Communication

Bidders were requested to put their clarifications on Section 8 of the RFP document and submit them on or before 31 July 2024 on or before 16:00pm and these must be emailed through to Thulane Msibi, at Thulane.Msibi@transnet.net in order to allow TPT to consolidate responses and upload on Transnet etenders website (<https://transnetetenders.azurewebsites.net/>) and on National Treasury website together with the briefing session notes and all three (3) presentations. This is to allow the technical team to provide responses before the closing date, in order to allow all bidders to submit their bids on time.

Bidders were informed that communication at this point must be sent through to Thulane Msibi and no one else even after the closing date bidders should communicate with Thulane via email on Thulane.Msibi@transnet.net .

Copies of the tender process, technical, supplier development presentation, and briefing notes will be provided to all bidders whose attendance has been confirmed by Transnet.

Bidders were requested to remain for the entire duration of the briefing session as important information pertaining to the RFP will be presented.

Disclaimers

Thulane requested bidders to read the disclaimers in order to understand what the requirements are. She also mentioned that bidders should read the Master agreement with understanding as well as Schedule 1 of requirements with their Legal department for review prior completion of the tender document.

Thulane briefly explained the Mandatory returnable documents and the importance of submitting these documents. Failure to provide these documents will result in the bidder being disqualified.

The mandatory returnables that should be met by bidders are:

- SECTION 4: Pricing Schedule – **Annexure C**
- Proof of registration with the Waste Bureau or Proof of registration for the outsourced company that will be utilized
- The Bidder to attach proof of ownership logbooks, letter of intention to lease and/or lease agreement, for the minimum of nine (9) vehicles for KZN region / Four (4) vehicles for WC Regions / three (3) vehicles for EC Regions, that will support the Transnet Port Terminals, as per SOW vehicle requirements.

Instructions for completing the Tender

Thulane emphasized that bidders who wish to do business with Transnet, they must be registered on the CSD. Bidders were urgently requested to start the registration process immediately if they are not registered so that by the time they submit their proposals it won't give them any problems. Thulane further advised bidders that Transnet cannot award business to a service provider that is not registered on CSD. Furthermore, Thulane informed bidders that Transnet reserves the right to award the business to the highest scoring bidder/s unless objective criteria justify the award to another bidder. Thulane emphasized that instructions for completing the tender are attached in page 6 of the pricing schedule

In terms of the tender process, Thulane explained the sections of the RFP, being the following:

- **SBD1 FORM** - Thulane informed the bidders that SBD 1 needs to be completed and signed by bidders.
- **SECTION 2: NOTICE TO BIDDERS** – Bidders were encouraged to read this section before signing it as it contains most information about this RFP.
- **SECTION 3: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS**
Thulane advised that Lucky Doncabe will provide a proper guidance on this requirement.

- **SECTION 5: PROPOSAL FORM AND LIST OF RETURNABLE DOCUMENTS**

Bidders were advised to go through this section as it guides bidders on what needs to be submitted.

- **SECTION 6: CERTIFICATE OF ACQUAINTANCE WITH RFP, MASTER AGREEMENT & APPLICABLE DOCUMENTS**

Thulane stressed out the importance of sending these documents to the bidder's legal department in order for them to raise any concerns/objections that they may have prior the submission of the proposal.

- **SECTION 7: RFP DECLARATION AND BREACH OF LAW FORM**

Thulane requested bidders to read and fully understand this requirement.

- **SECTION 8: RFP CLARIFICATION REQUEST FORM**

Bidders were encouraged to send their clarifications (Section 8) on or before **16:00pm** on 31 **July 2024** and responses to these will be uploaded on the Transnet etenders website (**<https://transnetetenders.azurewebsites.net/>**) and National Treasury website and will be accessed by all bidders who attended the compulsory briefing session to ensure that such information is made available to all.

- **SECTION 9: SPECIFIC GOALS POINTS CLAIM FORM**

Thulane requested bidders to read and fully understand this requirement. As per the attached SD presentation.

- **SECTION 10: CERTIFICATE OF ATTENDANCE FOR NON-COMPULSORY RFP BRIEFING**

- **SECTION 11: PROTECTION OF PERSONAL INFORMATION**

Bidders were requested to read this requirement with an understanding as this pertains the confidentiality of their personal information.

- **RFP Annexures**

ANNEXURE A – **SCOPE OF WORK**

ANNEXURE B – **TECHNICAL EVALUATION**

ANNEXURE C – **PRICING SCHEDULE** – Bidders must submit pricing strictly in accordance with this pricing schedule and not utilise a different format.

ANNEXURE D - **MASTER AGREEMENT**

ANNEXURE E - **TRANSNET'S GENERAL BID CONDITIONS**

ANNEXURE F - **TRANSNET'S SUPPLIER INTEGRITY PACT**

ANNEXURE G - **NON-DISCLOSURE AGREEMENT**

ANNEXURE H- **CHECKLIST**- The checklist will be used during site visits and checks for the preferred bidders.

RFP RETUNABLE DOCUMENTS:

RETURNABLE B1 – ELIGIBILITY

RETURNABLE B2 – ELIGIBILITY

RETURNABLE B3– CALIBRATION CERTIFICATES

RETURNABLE B4- TIMELINES

RETURNABLE B5- RETREADING

RETURNABLE B6- REFERENCE S

RFP Annexures

ANNEXURE A – SCOPE OF WORK

Thulane Msibi informed the meeting that this will be covered by Richard Shandu when they are presenting the technical scope of work.

ANNEXURE B – TECHNICAL EVALUATION CRITERIA

Thulane informed the meeting that this section will be covered by Richard Shandu when he is presenting the technical scope of work.

ANNEXURE C – PRICING SCHEDULE

Thulane stressed out that the Pricing schedule is a mandatory returnable document, failing to submit it with the tender pack they will be disqualified. Further to that Thulane advised bidders that they cannot change the pricing schedule as it is a standard document. Any pricing schedule submitted other than the one provided by Transnet will not be accepted. Thulane emphasized that it is important for bidders to note that the contract will be awarded per region, and that failure to include the pricing schedule for all terminals in a region when submitting a bid will result in disqualification.

ANNEXURE D - MASTER AGREEMENT

As previously mentioned, that this document is very important, and bidders must ensure that their Legal department's review this document before they complete their RFP pack to ensure consistency.

ANNEXURE E - TRANSNET'S GENERAL BID CONDITIONS

Thulane requested bidders to read and fully understand this requirement and ensure that they adhere to the context.

ANNEXURE F - TRANSNET'S SUPPLIER INTEGRITY PACT

Thulane requested bidders to read and fully understand this requirement and ensure that they adhere to this context

ANNEXURE G - NON-DISCLOSURE AGREEMENT

Thulane requested bidders to read and fully understand this requirement and ensure that they adhere to this context.

RFP RETURNABLE DOCUMENTS:

Thulane informed the bidder about the importance of these returnables as some of them are

mandatory documents.

RETURNABLE B1 – ELIGIBILITY

RETURNABLE B2 – ELIGIBILITY

RETURNABLE B3– CALIBRATION CERTIFICATES

RETURNABLE B4- TIMELINES

RETURNABLE B5- RETREADING

RETURNABLE B6- REFERENCES

TENDER EVALUATION PROCESS

Thulane briefed the bidder that the evaluation adjudication is based on the following criteria:

Stage 1 – Administrative Responsiveness

Administrative Responsiveness (all returnable documents submitted). This is where evaluators check if all returnable documents submitted and are still valid.

Stage 2 – Substantive Responsiveness (Technical Pre-qualification Criteria)

Thulane emphasized that failure submit some of these documents will result to disqualification. Some of these are mandatory documents.

Stage 3 – (Technical Evaluation)

This is where bidders will be scored according to the documents they have submitted with their RFP proposal. The technical threshold is 65% to progress to the next stage of evaluations.

Stage 4 – Specific goals

Thulane advised on the importance of specifying the B-BBEE Level, and also adhere to the Promotion of locally based service providers.

Stage 5 - Approval & Post Tender Negotiations

Thulane informed bidders that Transnet will only negotiate if there is a need and will only negotiate with the highest ranked bidder(s).

Step 6 – Objective Criteria

Step 7 – Award of Contract

Once the negotiations have taken place, Transnet will then issue out a Letter of Award to the successful bidder or bidders.

CLOSING OF TENDER

Thulane informed bidders that the RFP will officially close on the **16th of August 2024 (Friday)** via the etender's website <https://transnetetenders.azurewebsites.net> and **National Treasury website**.

She further emphasized that bidders must ensure that bids are uploaded timeously (at least 2 days before the closing date) onto the system. As a rule, if a bid is late, it will not be accepted for consideration.

If the bidder fails to upload documents on or before the closing date there will be no alternative means (by email, by fax or physical submission) will be accepted.

Thulane then handed over to Richard Shandu who introduced himself as the Head of engineering: equipment and will be taking through the technical aspects of this RFP.

Shandu further informed the bidders that there is a mandatory schedule, which is **Annexure C**, there's also returnable documents that need to be returned for scoring. Richard then informed the bidders of the operational areas and equipment's available some being in all areas. He emphasized that bidders should comply fully to items discussed in the scope of work such all eligibility criteria and technical prequalification.

Failure to provide all Returnable Documents listed above, by the closing date and time of this bid will not result in a bidder not meeting the 65% technical threshold. However, Bidders will receive an automatic score of zero for the applicable evaluation criterion if not submitted.

Shandu advised that will be taking everyone through the site. He then moved on to the technical evaluation where he emphasized that there are certain returnables that must be completed as these would be required in terms of the performing the rating or the evaluation. Richard mentioned that a proper tyre management system is a requirement of the scope. Mr Shan

RETURNABLE B1 – ELIGIBILITY

RETURNABLE B2 – ELIGIBILITY

RETURNABLE B3– CALIBRATION CERTIFICATES

This will be tested by technical evaluators where they will be checking for a valid calibration certificate for all tools that are used for tyre maintenance as per OEM specification. **The scoring for this requirement is 20 in total.**

RETURNABLE B4- TIMELINES

For this requirement, bidders should provide references of lead times from previous experience that they have a good record of response time and have met the delivery dates for repairs, fittings, retreading and breakdown from the time it occurs. **The scoring for this requirement is 35 in total.**

RETURNABLE B5- RETREADING

Bidders are to provide historical data of life span of tyres after retreading without failure, three (3) supporting documents from the bidders' clients (not less than five (5) years). **The scoring for this requirement is 15 in total.**

RETURNABLE B6- REFERENCES

Provide evidence related to tyre maintenance services, three reference letters from different Companies or Operational divisions. Bidders should have 3 years of experience. **The scoring for this requirement is 30 in total.**

Supplier Development

Duduzile Sibiya greeted everyone and informed bidders that she will be presenting the supplier development requirements which are specific goals for B-BBEE Level 1 & 2 as well as Black owned entities(51%BO).

Duduzile Sibiya informed bidders that this tender might fall under the 80/20 or 90/10 preferential point strategy due to the split award strategy.

Bidders are required to have the following in order to qualify for the next stage of the evaluation:

- a valid B-BBEE certificate issued by SANAS accredited verification agency or a sworn affidavit signed by the bidder and the commissioner of oath.
- they must be a level **one** or **two** contributor.

Entities are requested to familiarize themselves with the with the two (2) B-BBEE specific goals

An affidavit bidders must have the following:

- The name of the deponent, the designation and the ID number.
- The name of the entity, indicating a revenue and the financial year.
- and B-BBEE level 1 or 2

Duduzile urged bidders to note that the date that the deponent signs must be the same with the one the Commissioner of oath signs, this means you must sign your affidavit in front of the Commissioner of oath. Further to that the Commissioner of oath cannot be an employee or a former employee of the enterprise, because a person cannot by law commission a sworn affidavit in which they have interest on.

A bidder who qualifies as an EME in terms of the B-BBEE Act must submit a sworn affidavit confirming annual total revenue and the level of black ownership.

A bidder other than EME or QSE must submit their original a valid B-BBEE certificate which is issued by SANAS accredited verification agency.

Duduzile also shared an example of a sworn affidavit. The format can be obtained on the TI's website, however for your affidavit to be a valid, it must have the name of the respondent and the enterprise details. The annual total revenue, the financial year, and the level of ownership, the B-BBEE status and the level based on black ownership.

At the bottom we have the dates. It's the date of the deponent and the date of the Commissioner of oath so these dates must be the same for the sworn affidavit to be deemed valid.

She further stressed that SD usually encounter some common mistakes in terms of sworn affidavits where you find that the bidder has omitted the full name and the surname and the identity number of the deponent, the dates of the deponent and the Commissioner of oath are not the same the date of either the Commissioner of oath or the deponent is omitted and don't complete the financial year in the format of a date, a month and a year. Sometimes you'll find that they only put a just a year maybe 2024.

There's no month or a day, so the format for your financial year must be the day, the month and the year.

Not ticking the applicable box of the B-BBEE level contributor, no stamp of the Commissioner of oath on the B-BBEE sworn affidavit, if the Commissioner of oath is using the stamp that does not have a date, the Commission of oath must insert the date manually. The B-BBEE certificate or sworn affidavit must be completed in the presence of the Commissioner of oath.

Bidders must note that it is the responsibility of the deponent, not the Commissioner of oath, to ensure that the B-BBEE on affidavit is completed in full.

Duduzile also shared the valid B-BBEE certificate that is issued by the SANAS verification agency, and one is for the generic enterprises. This type of certificate must have the enterprise name which is cross referenced to the Tax clearance certificate and the registration number and the B-BBEE level based on the QSE or large entity. The elements that that are verified and the validity period.

At the bottom we have the VA number, it has 3 digits and it's the one that we use to check with SANAS if the verification agency is accredited and their status is still valid.

In reference to B-BBEE, Joint Ventures, for respondents who'd wish to respond to these RFP as a joint invention, they must state their intentions to do so in the other RFP submissions, respondents must also submit the signed JV agreement between parties, which clearly states the percentage split of business and their associated responsibilities for each party.

Entities entering into a Joint Venture are argued to submit a consolidated proof of B-BBEE status level. That is a sworn affidavit or the B-BBEE certificate for the Joint Venture. This means if parties are

entering into a joint venture, they must submit a consolidated B-BBEE certificate, not certificate for each party.

Closure

Thulane thanked everyone for availing themselves for the briefing session and informed the bidders that notes, and presentations will be uploaded. The bidders and colleagues then proceeded to the site visits.

Thulane.Msibi@transnet.net

CLARIFICATIONS

Q1. Are suppliers allowed to add their own machinery or are required to use Transnet machinery?
A1. Some facilities at Transnet terminals have no workshops that performs tyre maintenance services, and some do have those facilities therefore suppliers are required to also physically setup their own on site.
Q2. If a bidder has 10 vehicles on site during the site visit for preferred bidders, will Transnet look at the current vehicles on site or will consider what the bidder has submitted on their tender returnable when returning the bid.
A2. It is expected that there are a minimum number of vehicles (at least 2) on the supplier's site during the visit however should comply to the required number of vehicles should the bidder be awarded.
Q3. If a service provider submits a valid BBB-EE certificate or Sworn Affidavit by closing date, and has expired by the time the contract is Awarded, is that allowed?
A3. Yes, it is still valid as the tender process and validity period is considered.