

RFQ Query Responses Clarification 6: Establishment of a rolling stock leasing company

Date Received	Question Mode	Question	Answer
16-Jul-25	Email	<p>We are sincere interest in participating in the RFQ process for the establishment of "LeaseCo" in partnership with a reputed South African entity. As a state-owned enterprise with significant international experience, fully capable both technically and financially of supporting the development, operations, and management of the proposed LeaseCo as a private sector partner.</p> <p>1.Participation Structure</p> <p>1.1 As a government-owned company, requires a lot of approvals from various Govt. Authorities for equity participation in overseas entities. However, we are keen to participate in the RFQ as a non-equity, non-financial technical partner within a consortium led by a qualified South African company.</p> <p>Under this proposed arrangement:</p> <ul style="list-style-type: none"> ✓The local partner will meet the equity and funding requirements and also arrange the necessary funding & Letter of Comfort from various banks & Financial Institutions. ✓ will contribute technical expertise, operational know-how, and the supply of rolling stock and related services. <p>We kindly request confirmation that this participation model, where acts solely as a technical partner without any equity stake, is acceptable under the RFQ framework. If such participation is currently not permitted, we respectfully request that Transnet consider allowing reputable international firms such as to join consortia in a non-equity capacity.</p> <p>1.2 In case non-equity participation is not permitted by Transnet and participates in the RFQ as an equity partner, suitable clause regarding exit at RFP and post RFP stage may also be clarified considering the fact that better clarity will emerge during RFP stage regarding business model and financial viability of the proposed arrangement.</p> <p>2.Role as Rolling Stock Supplier and Service Provider:</p> <p>We further seek confirmation that, under the above consortium structure, would be permitted to supply rolling stock and associated services directly to "LeaseCo", in accordance with LeaseCo's operational needs. This would include operating in its capacity as an OEM/exporter and technical expert, notwithstanding its non-equity status in the consortium. We would appreciate clarity on whether such supply arrangements are permissible under South African laws and the RFQ provisions. We believe that this proposed structure allows and its local partner to combine strengths effectively, supporting the strategic objectives of "LeaseCo" while ensuring compliance with the respective mandates of each party. We kindly request your early response to facilitate the timely preparation of our submission.</p>	<p>Transnet refers you to the RFQ which allows for consortia to be formed and respond to the technical and financial requirements. As such, equity participation must be discussed and agreed to in the consortia.</p> <p>The rolling stock requirements of the LeaseCo will be determined by the SPV to be formed by the partnership between Transnet and the external partner. Transnet cannot therefore pre-determine the LeaseCo's requirements and contractual arrangements for the supply and/or maintenance of rolling stock.</p>
14-Jul-25	Email	<p>Section 4/4.2 (i)-Minimum Tangible Net Worth of at least ZAR 4.0 billion. (Tangible Net Worth = Total Assets – Intangible Assets - Total Liabilities)</p> <ul style="list-style-type: none"> •Evidence of compliance with this requirement must be provided in the form of unqualified audited financial statements from a recognised auditor. •"Unqualified audited financial statements" refers to financial statements that have received an unqualified opinion (also known as a "clean opinion") from a recognised auditor. This opinion signifies that the auditor 	<p>The requirement stipulated in Section 4/4.2 (Minimum Tangible Net Worth of at least ZAR 4.0 billion) remains unchanged.</p>

		<p>has concluded that the company's financial statements are fairly and accurately presented in all material respects, are free from material misstatements, and comply with International Financial Reporting Standards (IFRS) without significant exceptions or reservations.</p> <ul style="list-style-type: none"> •If a Respondent's previous audited financial statements are qualified (the reasons for which a Respondent's management and auditors can provide explanations), but the Respondent's latest annual financial statement is unqualified as required, please consider whether this would render such Respondent's response to the RFQ successful. •We assume that the audited financial statements are required to be unqualified to demonstrate the computation of the Respondent's Tangible Net Worth which is based on the latest financial statements. •In this regard, we note that there could be multiple reasons for having a qualified audited financial statement in any of the previous 10 years, which may not directly impact the Tangible Net Worth computation, a qualification criterion, for the latest year. The requirement for unqualified audited financial statements for the last 10 years appears to be unnecessarily stringent. To promote larger participation and competitive bidding, it is requested that Transnet remove the requirement of Unqualified audited financial statements for all the previous 10 years, and whilst a Respondent would still be required to submit audited financial statements for the last 10 years, the requirement for unqualified audited financial statements be limited to the audited financial statements of the Respondent for the latest year. 	
14-Jul-25	Email	<p>Section 4/4.3 (i)-Minimum of 10 years of experience in leasing Moveable Assets Bidders must demonstrate they have provided leasing services of Moveable Assets for at least 10 years. This must be evidenced through verifiable evidence:</p> <ul style="list-style-type: none"> •Unqualified Audited Financial Statements or Asset Registers for the past 10 years – confirming ownership and deployment of leased assets. •Fleet Management or Lease Management Reports – showing leasing activity, asset utilization, and lessees. "Moveable Assets" means tangible, non-fixed capital assets capable of being moved between locations. For the purposes of this RFQ, this term includes any of the following categories relevant to assessing bidder experience: <ul style="list-style-type: none"> a)Rolling Stock: Including assets such as locomotives and wagons. b)Motor Vehicles: Including large-scale commercial or passenger vehicle rental/leasing fleets. <p>Heavy Equipment: Including machinery and equipment used in industrial, mining, or construction sectors.</p> <ul style="list-style-type: none"> •Transnet to please advise whether a Respondent may rely on accumulated experience in leasing movable assets of both the Respondent and a related party in the circumstances where the accumulated experience would meet the requirement of at least 10 years. 	<p>Either the nominated lead member or the party relied upon for the technical qualifications must have the minimum 10 years of experience in leasing movable assets. As such the proposed accumulated experience will not meet the requirements.</p>
14-Jul-25	Email	<p>RFQ Results:</p> <ol style="list-style-type: none"> 1.Will Transnet publish the list of Respondents who have participated in this RFQ, whether or not such Respondent's response was successful or is it Transnet's intention to publish only the list of successful Respondents? 2.In case any Respondent is not qualified for the RFQ stage, how will Transnet communicate this to such Respondent. Will the Respondent receive any direct and formal communication from Transnet, or will the list be published on Transnet's tender website? 3.If a Respondent's response is found to be unsuccessful for the reason that such Respondent did not strictly meet the requirements as set out in the RFQ, will this render such Respondent disqualified and will such 	<ol style="list-style-type: none"> 1. Yes, Transnet will publish the register of the list of service providers (tender open register) that responded to the RFQ, the successful bidder will be published at RFP stage. 2. Transnet will publish on the Transnet Tender website. Transnet e-tender portal and National Treasury e-tender portal.

		<p>Respondent receive a letter of disqualification?</p> <p>4. Will there be any impact on the prospects of a Respondent in other tenders of Transnet or any other tenders in South Africa, if the Respondent's response to this RFQ is found to be unsuccessful for the reason that such Respondent did not strictly meet the requirements as set out in the RFQ?</p>	<p>3. Unsuccessful bidders are entitled to a written response, providing adequate reasons why their bid was unsuccessful upon request. This must be requested by the Bidder within 90 (ninety) calendar days of the date on which the outcome was published or might reasonably have been expected to become aware.</p> <p>4. Participation in this RFQ has no bearing on any future RFQs that a respondent participates in whether it be in Transnet or anywhere else in South Africa.</p>
14-Jul-25	Email	Closing Date-We request Transnet to extend the Closing Date by another 6 weeks to comply with the documentation requirement for the RFQ.	Unfortunately, Transnet will not be able to extend the closing date any further as the closing date was already extended from 04 July 2025 to 04 August 2025.