

**Request for Quotations – Scope of work
FOR THE RENTAL OF FORKLIFT TRUCKS AT TRANSNET ENGINEERING, CAPITAL
PARK FOR A TWELVE (12) MONTHS PERIOD.
RFQ Number TE25-GMX-07D-14094**



Dear Bidder,

SBD 1 FORM

PART A - INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF TRANSNET ENGINEERING, A DIVISION TRANSNET SOC LTD

BID NUMBER:	TE25-GMX-07D-14094	ISSUE DATE:	09.04.2025	CLOSING DATE:	17.04.2025	CLOSING TIME:	15:00
DESCRIPTION	FOR THE RENTAL OF FORKLIFT TRUCKS AT TRANSNET ENGINEERING, CAPITAL PARK FOR A TWELVE (12) MONTHS PERIOD.						

BID RESPONSE DOCUMENTS 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.

RESPONDENTS ARE TO UPLOAD THEIR BID RESPONSE PROPOSALS ONTO THE TRANSNET SYSTEM AGAINST EACH TENDER/RFQ SELECTED.

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 free of charge);
- 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

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.

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON	Mduduzi Mkhantshwa	CONTACT PERSON	Mduduzi Mkhantshwa
TELEPHONE NUMBER	011 820 2502	TELEPHONE NUMBER	011 820 2502
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	Mduduzi.Mkhantshwa@transnet.net	E-MAIL ADDRESS	Mduduzi.Mkhantshwa@transnet.net

SUPPLIER INFORMATION

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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	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT 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 [IF YES ENCLOSE PROOF]		2.ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO					
DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO					
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO					
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO					
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO					
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.					

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. TAX COMPLIANCE REQUIREMENTS

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- 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: _____

2. Scope of work/Specification

Specification for twelve months Rental of Forklift trucks.

1. Scope of work:

- 1.1 Rental of new or at least not older than two years Forklift trucks. The service provider shall produce proof of purchase.
- 1.2 Delivery and collection of Forklift trucks.
- 1.3 Service level agreement on Forklift trucks.
- 1.4 Documentation.

2. Rental Period:

- 2.1 The rental period shall be for Twelve months.

3. Delivery and collection of Forklift trucks:

- 3.1 Service providers shall be responsible for the delivery, offloading and collection of Forklift truck at Transnet Engineering, Wagon Business Capital Park.

4. Requirement from the service provider:

4.1 It shall be required that service providers shall be fully responsible for the servicing of all Forklift truck rented to Transnet Engineering.

4.2

- Service providers to clearly state the type of service and service intervals required and give full-service breakdown report regarding each type of service.
- In the event of an operator default and breakdown (Not covered by the warranty), the service provider shall be given first preference in providing a quotation to repair the fault. Failure to provide the quotation within five working days, Transnet will initiate a three-quote system to source out a service provider to repair the fault.

4.3 Service providers to clearly state the service intervals.

4.4 Service providers also to indicate how long in advance they must be notified for a scheduled service.

4.5 Transnet Engineering would also know how long it would take the service providers technicians to be on-site to attend to any breakdown, faults/defects on any of the machines.

5. Forklift truck equipment required:

5.1 The following material handling equipment is required:

- 5.1.1 1 x new Forklift truck with SWL of 3 Ton with long forks
- 1 x new Forklift truck with SWL of 7 Ton with long forks

5.2 Requirements for Forklift trucks:

- 5.2.1 All forklift trucks shall be fitted with diesel-powered engines.
- 5.2.2 Load center of machine shall be 500mm.
- 5.2.3 Maximum height of closed machine shall be 2 500mm. This is for the machine to enter buildings.
- 5.2.4 Fork length required: 1600mm.
- 5.2.5 Lifting height required: 4 000mm. (This shall be to the bottom of the fork in the up/lifted position).
- 5.2.6 All machines shall be fitted with hydraulic side shift. Minimum 300mm.
- 5.2.7 Fork positioning shall be hydraulic. Full length of operation.
- 5.2.8 Forklift trucks shall be fitted with solid rubber tyres.
- 5.2.9 All forklift trucks shall be fitted with flicker lights front and back.
- 5.2.10 All forklift trucks shall be fitted with working lights front and back. Lights to be switch on by operator.

- 5.2.11 All forklift trucks shall be fitted with a rotating warning or flashing strobe light if switched on.
- 5.2.12 All forklift trucks to have a reverse buzzer.
- 5.2.13 All forklift trucks to be fitted with overhead guard that is constructed in a manner that does not interfere with the visibility.
- 5.2.14 All forklift trucks to be fitted with load back rest.
- 5.2.15 All forklift trucks to be fitted with single adjustable operator seat with safety belt and seat must be fitted with a flex force sensor.
- 5.2.16 All forklift trucks to be fitted with fire extinguisher and the supplier to provide service as required by legislation.
- 5.2.17 All forklift trucks to be fitted with horn.
- 5.2.18 All forklift trucks shall be fitted with side-mounted rear-view mirrors.
- 5.2.19 The forklift to have identification number or registration number on both sides (the same size as a vehicle registration number plate)
- 5.2.20 The service provider shall ensure that for the duration of this contract the vehicles are repaired and serviced at all service intervals, as required by the Manufacturers/OEM of the Forklift manual.
The Forklift repair records and service books for the duration of the contract shall be made available to Transnet Engineering.
- 5.2.21 The service provider to manage service intervals and load testing intervals.
- 5.2.22 Deflecting repairs will be done at the end of the contract by Transnet Engineering, only for damages that are a result of abuse, negligence and/or poor safekeeping by Transnet Engineering staff not expected normal wear and tear items. Inspection for defleet repairs will be conducted by Transnet Engineering representative and Service provider using the check list that was given during the delivery of the equipment.
- 5.2.23 The service provider shall pay for repairs of vehicles resulting from poor interval service/non-adherence to service schedule caused by supplier, skipping of service intervals and use of inferior parts / spares.
- 5.2.24 All vehicle breakdowns shall be attended to immediately.
 - The service provider to ensure that if their Forklift cannot be repaired within 48 hrs after receiving a call from Transnet, a substitute Forklift shall be made available to prevent Transnet production interruption.
- 5.2.25 Transnet Engineering will not accept old Forklift that are not economical to operate.

5.2.26 The service provider shall have a call center to receive calls emanating from breakdowns and any other issues disrupting the continuous operation of Forklift. If there is no call center, there shall be a person dedicated to answer calls from Transnet Engineering (TE). Service provider shall supply alternative number to be used for reporting faults on emergency breakdowns on weekends and after hours.

NB. Bidders to provide proposals on how to handle calls.

6.DELIVERY CONDITIONS

6.1 All forklift trucks equipment shall be delivered with the following documentation:

6.1.1 Condition report for each machine clearly stating the identification/registration number of the machine and the overall condition of the equipment.

6.1.2

- LMI Letter of scope from Engineering Council of South Africa (ECSA).
- LMI certificate.
- LME certificate.
- Performance test certificate.
- Inspection report.

All credentials regarding the LME and LMI shall come with the certification and letter of scope. The test must be done as per SANS standards

6.1.3 All material handling equipment shall be supplied with a valid load test report/certificate and inspection report not older than a month from an accredited Lifting Machinery Entity (LME) registered with department of Labor and inspected by an Engineering Council of South Africa (ECSA) registered Lifting Machinery Inspector (LMI) with the scope of Forklift. The certified copy proof of credentials regarding the LME with LME number and LMI shall be submitted to Transnet Engineering for verification by Transnet LMI before forklift are put to service. (Documentation shall be current and up to date).

6.2 These documents shall be verified by Transnet's responsible persons in the presence of the bidder on the day of delivery.

Mandatory Documents:

- Adherence to TE specification (read, complete, and sign off all the pages and return with the tender document).

- Read, complete by ticking yes or no and sign off the last page and return with the tender document SHE Specification (Contract questionnaire)

7. GUARANTEE

- 7.1 The supplier shall guarantee for the rental period of Six (6) months after successful delivering the material handling equipment that all material handling equipment are fit for the specific purpose which they are rented, and free from any defects in design, workmanship, and material, and are in strict accordance with the contract, unless otherwise agree in writing.
- 7.2 The supplier shall agree to replace at his/her cost any defective items discovered within the guaranteed period. Defects that are not caused by Transnet Engineering.
- 7.3 The supplier shall clearly stipulate the nature of the guarantee and how long it will take their maintenance staff to be on site. Transnet Engineering requires a response time of no more than 3 hours.
- 7.4 Should the supplier fail, when called upon, to make good or remedy a defect (under guarantee or declared inherent) within two weeks after defects have been reported, Transnet Engineering may affect the loss in production and repairs and thereafter recover from the supplier all costs and expenses associated with the supplier.
- 7.5 The service provider shall give credit for the number of days that the forklift was down for more 4 days

8. General:

- 8.1 The usage of material handling equipment shall be as follows:

- 8.1.1 Indoor/warehouse usage 50%.
- 8.1.2 Outdoor/Yard usage 50%.
- 8.1.3 Terrain Tar surface 100%.
- 8.1.4 Terrain Cement surfaces 90%.
- 8.1.5 Roadways 100%.
- 8.1.6 Terrain level 100%.
- 8.1.7 Terrain maxim incline 15°.

9. Price Schedule:

- 9.1 Bidders to give a full price breakdown for the individual areas identifying all equipment that shall be supplied and services that they will perform.

Evaluation to be done in line with the below methodology

1.1 STEP ONE: Test for Administrative and Substantive Responsiveness

The test for administrative and Substantive responsiveness will include the following:

Administrative & Substantive responsiveness check	RFQ Reference
Whether the Bid has been lodged on time	
Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time	<i>Section 3</i>
Verify the validity of all returnable documents	<i>Section 3</i>
Verify if the Bid document has been duly signed by the authorised respondent	<i>All sections</i>
Whether any general and legislation qualification criteria set by Transnet, have been met	<i>All sections</i>
Whether the Bid contains a priced offer	<i>Section 4 - Quotation Form</i>
Whether the Bid materially complies with the scope and/or specification given	<i>All Sections</i>

1. EVALUATION: SPECIFIC GOALS AND PRICE

The following will be considered in the evaluation:

EVALUATION CRITERIA
Price (80)
Specific goals (20)

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1.1. Price schedule:

Transnet Engineering invites you to supply a quote for **FOR THE RENTAL OF FORKLIFT TRUCKS AT TRANSNET ENGINEERING, CAPITAL PARK FOR A TWELVE (12) MONTHS PERIOD.**

as per the Scope of work below.

NB:- for fair price comparison, bidders must indicate whether they are VAT registered.

Item	Scope of work	Delivery Date	Numeric Quantity	UOM	Unit price (ZAR)	Total Price (ZAR)
1	3-ton Forklift Rental		12	Months		
2	Forklift delivery to Wagon CPK Depot (3-ton forklift)		1	EA		
3	Forklift collection from to Wagon CPK Depot (3-ton forklift)		1	EA		
4	Service and Minor Repairs (3-ton forklift)		2	EA		
5	7-ton Forklift Rental		12	Months		
6	Forklift delivery to Wagon CPK Depot (7-ton forklift)		1	EA		
7	Forklift collection from Wagon CPK Depot (7-ton forklift)		1	EA		
8	Service and Minor Repairs (7-ton forklift)		2	EA		
	TOTAL PRICE EXCL. VAT					
	VAT (15%)					
	TOTAL PRICE INCL. VAT					

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1.2. SPECIFIC GOALS:

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

Specific Goals	Number of points allocated (80/20)
B-BBEE Level of contributor – Level 1	15
B-BBEE Level of contributor - Level 2	10
51% Black Youth Owned Entities	5
Non-Compliant and/or B-BBEE Level 3-8 contributors	0

1.3. EVIDENCE REQUIRED FOR CLAIMING SPECIFIC GOALS

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 level of contributor	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

2. NB: Please note that the following documentation are to be submitted together with the quotation:

2.1. Mandatory Returnable documents:

- 2.1.1. Completed pricing schedule. (All Items on the pricing schedule must be priced 100%). **Failure to do so will lead bidders to being disqualified.**

Failure to submit the above stated documents by the closing date and time will result in your quotation been disqualified.

2.2. Essential Returnable documents:

- 2.2.1. SBD1 Form
- 2.2.2. RFQ Declaration and Breach of Law Form
- 2.2.3. Protection of Personal Information
- 2.2.4. Tax reference number.
- 2.2.5. Proof of CSD

Failure to submit the above stated documents may result in your quotation been disqualified.

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2.3. Returnable documents used for scoring:

2.3.1. Valid proof of Respondent's compliance to the Specific Goals evidence requirements

Failure to submit the above stated documents by the closing date and time will result in you scoring a zero (0) points for the particular specific Goals.

Kindly note that if your company is interested in submitting a quotation then a response has to be submitted on or before **17 April 2025 15:00**

LATE TENDERS WILL BE DISQUALIFIED.

Validity Period

Transnet requires a validity period of **One Hundred- and twenty-days [120]** Business Days from the closing date of this RFQ, excluding the first day and including the last day. Bidders are to note that they may be requested to extend the validity period of their bid, on the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be deemed to remain valid until a final contract has been concluded.

3. DISCLAIMERS

Please note that **Transnet reserves the right to:**

- a) modify the RFQ's Goods/Services and request Respondents to re-bid on any such changes;
- b) reject any Proposal which does not conform to instructions and specifications which are detailed herein;
- c) disqualify Proposals submitted after the stated submission deadline [closing date];
- d) award a contract in connection with this Proposal at any time after the RFQ's closing date;
- e) award a contract for only a portion of the proposed Goods/Services which are reflected in the scope of this RFQ;
- f) 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;
- g) cancel the bid process;
- h) 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;
- i) request audited financial statements or other documentation for the purposes of a due diligence exercise;
- j) 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;
- k) 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;

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- l) to award the business to the next ranked bidder, provided that he/she is still prepared to provide the required Goods/Services 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 next ranked bidder(s) were issued with a Letter of Regret. Bidders may therefore be requested to advise whether they would still be prepared to provide the required Goods/Services at their quoted price, even after they have been issued with a Letter of Regret.

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.

All clarifications prior to closing should be submitted onto the system or be directed to **Mduduzi Mkhantshwa** via email: **Mduduzi.Mkhantshwa@transnet.net**

4. DISCLOSURE OF CONTRACT INFORMATION

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:

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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.

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RFQ 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 RFQ Clarification purposes;
2. We have received all information we deemed necessary for the completion of this Request for Quotation [**RFQ**];
3. We have been provided with sufficient access to the existing Transnet facilities/sites and all relevant information relevant to the Supply of the Goods 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 RFQ from Transnet sources, other than information formally received from the designated Transnet contact(s) as nominated in the RFQ documents;
5. We have complied with all obligations of the Bidder/Supplier as indicated in the Transnet Supplier Integrity Pact 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;
6. We are satisfied, insofar as our entity is concerned, that the processes and procedures adopted by Transnet in issuing this RFQ and the requirements requested from Bidders in responding to this RFQ have been conducted in a fair and transparent manner;
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 Transnet 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 the 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 RFQ; 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 interest¹ in the enterprise, employed by the state?

YES/NO

13.1.1. 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

¹ 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.

13.2 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 consortium² 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.

² 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.

**Request for Quotations – Scope of work
FOR THE RENTAL OF FORKLIFT TRUCKS AT TRANSNET ENGINEERING, CAPITAL
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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 have/have not been* [delete as applicable] found guilty during the preceding 5 [five] years of a serious breach of law, including but not limited to a breach of the Competition Act, 89 of 1998, by a court of law, tribunal or other administrative body. The type of breach that the Respondent is required to disclose excludes relatively minor offences or misdemeanours, e.g. traffic offences. This includes the imposition of an administrative fine or penalty.

Where found guilty of such a serious breach, please disclose:

NATURE OF BREACH:

DATE OF BREACH: _____

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

SIGNED at _____ on this ____ day of _____ 20__

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

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 RFQ, 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 RFQ 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 RFQ, 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 RFQ (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

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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 RFQ, the Respondent is hereby consenting to the processing of their personal information for the purpose of this RFQ 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	
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NO	
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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 RFQ 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/infoereg/>, click on contact us, click on complaints.IR@justice.gov.za