

**TRANSNET RAIL INFRASTRUCTURE MANAGER**

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 FRAMING OF A STANDING APPROVED LIST FOR SUPPLY OF EQUIPMENT/ASSETS, SPARES FOR OHTE.**

<b>RFP NUMBER</b>	<b>HOAC HO 53200</b>
<b>ISSUE DATE:</b>	<b>16 March 2026</b>
<b>BRIEFING DATE:</b>	<b>27 March 2026 @ 11:00am</b>
<b>CLARIFICATION DATE:</b>	<b>07 April 2026 @ 16:00</b>
<b>CLOSING DATE:</b>	<b>17 April 2026</b>
<b>CLOSING TIME:</b>	<b>12H00pm</b>
<b>BID VALIDITY PERIOD:</b>	<b>02 February 2027, 180 Business Days from Closing Date</b>

**SUBMISSION TO:** Transnet e-tender submission portal – see SBD 1 for details.

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Respondent's Signature

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Date & Company Stamp

**RFP FOR THE PROVISION OF FRAMING OF A STANDING APPROVED LIST FOR SUPPLY OF EQUIPMENT/ASSETS, SPARES FOR OHTE****SECTION 1: SBD1 FORM****PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF TRANSNET RAIL INFRASTRUCTURE MANAGER, A DIVISION TRANSNET SOC LTD</b>							
BID NUMBER:	HOAC-HO-53200	ISSUE DATE:	16 March 2026	CLOSING DATE:	17 April 2026	CLOSING TIME:	12:00pm
DESCRIPTION	RFP FOR THE PROVISION OF FRAMING OF A STANDING APPROVED LIST FOR SUPPLY OF EQUIPMENT/ASSETS, SPARES FOR OHTE						
<b>BID RESPONSE DOCUMENTS SUBMISSION INSTRUCTIONS</b>							
<i>(please refer to section 2, paragraph 3 for a detailed process on how to upload submissions):</i> <a href="https://transnetetenders.azurewebsites.net">https://transnetetenders.azurewebsites.net</a>							
<b>BIDDING PROCEDURE / TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>							
CONTACT PERSON	Alex Baloyi						
TELEPHONE NUMBER	011 584 1425						
FACSIMILE NUMBER	N/A						
E-MAIL ADDRESS	Alex.baloyi@transnet.net						
<b>SUPPLIER INFORMATION</b>							
NAME OF BIDDER							
POSTAL ADDRESS							
STREET ADDRESS							
TELEPHONE NUMBER	CODE			NUMBER			
CELLPHONE NUMBER							
FACSIMILE NUMBER	CODE			NUMBER			
E-MAIL ADDRESS							
VAT REGISTRATION NUMBER							
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.							
TAX Reference number		TCP PIN		OR	CSD NO		
SUPPLIER COMPLIANCE STATUS	<input type="checkbox"/> Yes  <input type="checkbox"/> No			OR	<b>BBEEE STATUS LEVEL SWORN AFFIDAVIT</b>		
If Yes, Who was the Certificate issued by?							
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)					
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)					
	<input type="checkbox"/>	A REGISTERED AUDITOR					
		NAME:					

Respondent's Signature

Date &amp; Company Stamp

<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED FOR PURPOSES OF COMPLIANCE WITH THE B-BBEE ACT]</b>			
<b>1</b> ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	<b>2</b> ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER QUESTIONNAIRE BELOW ]
Signature of the Bidder	.....	Date:	.....
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>			
IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE BIDDER HAVE A BRANCH IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<p><b>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.</b></p>			

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. TAX COMPLIANCE REQUIREMENTS</b>
<p>1.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>1.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>1.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>1.5 IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>1.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>1.7 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. ONLY FOREIGN SUPPLIERS WITH NO LOCAL REGISTERED ENTITY NEED NOT REGISTER ON THE CSD. THE CSD CAN BE ACCESSED AT <a href="https://secure.csd.gov.za/">HTTPS://SECURE.CSD.GOV.ZA/</a>.</p>

**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: \_\_\_\_\_

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date & Company Stamp

**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**].

<b>DESCRIPTION</b>	RFP FOR THE PROVISION OF FRAMING OF A STANDING APPROVED LIST FOR SUPPLY OF EQUIPMENT/ASSETS, SPARES FOR OHTE
<b>TENDER ADVERT</b>	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.
<b>RFP DOWNLOADING</b>	<p>This RFP may be downloaded directly from National Treasury's e-Tender Publication Portal at <a href="http://www.etenders.gov.za">www.etenders.gov.za</a> free of charge.</p> <p>To download RFP and Annexures:</p> <ul style="list-style-type: none"> <li>• Click on "Tender Opportunities";</li> <li>• Select "Advertised Tenders";</li> <li>• In the "Department" box, select Transnet SOC Ltd.</li> </ul> <p>Once the tender has been in the list, click on the "Tender documents" tab and process to download all uploaded documents.</p> <p>The RFP may also be downloaded from the Transnet Portal at <a href="https://transnetetenders.azurewebsites.net">https://transnetetenders.azurewebsites.net</a> (</p>
<b>COMMUNICATION</b>	<p>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</p> <p>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.</p> <p>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.</p>
<b>BRIEFING SESSION</b>	<p>Yes – Non-compulsory</p> <p>Bidders are required to confirm their attendance and to send their contact details including the number of representatives (where applicable) to the following address: <a href="mailto:alex.baloyi@transnet.net">alex.baloyi@transnet.net</a></p> <p>This is to ensure that Transnet may make the necessary arrangements for the briefing session.</p> <p>Refer to paragraph 2 for details.</p>
<b>CLOSING DATE</b>	<p><b>12:00pm, Friday on 17 April 2026</b></p> <p>Bidders must ensure that bids are uploaded timeously onto the system. Generally, if a bid is late, it will not be accepted for consideration.</p> <p>Respondents are to submit bid documents by uploading them onto the Transnet system against each tender selected. A Bidder can upload 30mb per upload and multiple uploads are permitted.</p> <p>Bidders should ensure that electronic bid submissions are submitted at least a day before the closing date and bidders should not wait for the last hour before</p>

	the deadline to submit. This is to enable them to timeously address issues which they may encounter due to internet speed, bandwidth or the size of the number of uploads being submitted. Transnet will not be held liable for any challenges experienced by bidders as a result of their own technical challenges.
<b>VALIDITY PERIOD</b>	<p><b>Tuesday, on 02 February 2027 ,180 Business Days from Closing Date</b></p> <p>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.</p> <p>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.</p> <p>With regard to the validity period of next highest ranked bidders, please refer to Section 2, paragraph 10.12</p>

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

## 2 FORMAL BRIEFING

A non-compulsory pre-proposal RFP briefing will be conducted via Microsoft Teams on **Friday, 27 March 2026**, at **11:00** for a period of **± 1hour**. Bidders can join the meeting using this link- [RFP BRIEFING MEETING FOR THE FRAMING OF Ohte APPROVED LIST | Meeting-Join | Microsoft Teams](#)

The briefing session will start punctually, and information will not be repeated for the benefit of Respondents arriving late.

- 2.1 Despite the briefing session being non-compulsory, Transnet nevertheless encourages all Respondents to attend. Transnet will not be held responsible if any Respondent who did not attend the **non-compulsory** session subsequently feels disadvantaged as a result thereof.
- 2.2 Respondents are encouraged to bring a copy of the RFP-to-RFP briefing.

## 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:
  - a) Log on to the Transnet eTenders management platform website/ Portal ([transnetetenders.azurewebsites.net](https://transnetetenders.azurewebsites.net))
  - b) Click on "ADVERTISED TENDERS" to view advertised tenders;
  - c) Click on "SIGN IN/REGISTER –to register new bidder information and ensure that all mandatory information is completed) OR;
  - d) to sign in if already registered;
  - e) Toggle (click to switch) the "Log an Intent" button to submit a bid;
  - f) Submit bid documents by uploading them into the system against each tender selected.
  - g) Respondents are to submit bid documents by uploading them onto the Transnet system against each tender selected. A Bidder can upload 30mb per upload and multiple uploads are permitted.

- h) Bidders should ensure that electronic bid submissions are submitted at least a day before the closing date and bidders should not wait for the last hour before the deadline to submit. This is to enable them to timeously address issues which they may encounter due to internet speed, bandwidth or the size of the number of uploads being submitted. Transnet will not be held liable for any challenges experienced by bidders as a result of their own technical challenges.
- i) No late submissions will be accepted. The bidder guide can be found on the Transnet Portal [transnetetenders.azurewebsites.net](https://transnetetenders.azurewebsites.net)
- j) Each company must register its own profile using its company details and use the corresponding registered profile to log an intent to bid as well as submitting any bid.
- k) Transnet will not accept a bid or will disqualify a bidder who submits a bid in the Transnet e-tender submission through another bidders'/Company's profile. In other words, each bidder must register the intent to bid and submit its bid through its own profile under the same company name that will eventually bid for the tender. No company shall submit a bid on behalf of another company regardless of the company being a subsidiary or holding company.
- l) In case of a Joint Venture, any of the parties/companies to the Joint Venture may use its registered profile to submit a bid on behalf of the Joint Venture.
- m) A detailed bidder guide can be found on the Transnet Portal [transnetetenders.azurewebsites.net](https://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 (CLARIFICATIONS AND COMPLAINTS)

- 5.1 For specific clarification relating to this RFP, an RFP Clarification Request Form should be submitted to [**Alex Baloyi**] before **16:00pm on Tuesday, 7 April 2026** 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 Specific complaints relating to this RFP before or after the closing date should be formally submitted by emailing to [groupscmcomplaints@transnet.net](mailto:groupscmcomplaints@transnet.net). Once the complaint has been submitted, the Transnet SCM Complaints office will acknowledge your complaint and send you a complaint form for completion.
- 5.3 After the closing date of the RFP, a Respondent may only communicate with the (**Prudence Nkabinde**), at telephone number **011-584-0821**, email [Prudence.Nkabinde@transnet.net](mailto:Prudence.Nkabinde@transnet.net) on any matter relating to its RFP Proposal.
- 5.4 Respondents are to note that changes to its submission will not be considered after the closing date.
- 5.5 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.
- 5.6 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.
- 5.7 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 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 [**Supplier/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;
- 9.2 award a contract in connection with this Proposal at any time after the RFP's closing date;
- 9.3 award a contract for only a portion of the proposed Goods/Services which are reflected in the scope of this RFP;
- 9.4 split the award of the contract between more than one Supplier/Service provider, as may be explicitly articulated in the conditions or objective criteria to this RFP;
- 9.5 cancel the bid process;
- 9.6 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;
- 9.7 request audited financial statements or other documentation for the purposes of a due diligence exercise;
- 9.8 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;
- 9.9 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;
- 9.10 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.
- 9.11 Request a bidder to furnish further information relating to its Environmental, Social and Governance (ESG) standing at any stage of the procurement or contracting process. This information may not be used for purposes of evaluation and/or disqualify bidder but may be use for purpose of record and analysis of ESG compliance.
- 9.12 Where sub-contracting is applied in a tender, conduct due diligence assessment on the sub-contractor(s) and this may entail requesting the bidder to provide further information relating to the sub-contractor(s) or directly requesting the information from the sub-contractor(s) as well as conducting any necessary investigations on the sub-contractor(s) to detect issues of "FRONTING".

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.

**TRANSNET URGES ITS CLIENTS, SUPPLIERS AND THE GENERAL PUBLIC TO REPORT ANY FRAUD OR CORRUPTION TO**

**IF YOU DON'T REPORT IT, YOU SUPPORT IT!**



Email: [Transnet.Reportit@outlook.com](mailto:Transnet.Reportit@outlook.com)

Toll free: 0800 003 056

SMS:0637867403

Please Call Me number: \*120\*0637867403

Website: <https://whistleblowersoftware.com/secure/Transnet>

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

### 1 BACKGROUND

Transnet Rail Infrastructure Manager (TRIM) Overhead Track Equipment (OHTE) systems are installed across parts of the railway network that are electrified to supply 3kV DC, 25kV AC and 50kV AC to locomotives. OHTE can be divided into two main parts: distribution and traction.

Both systems are supported on mast poles, with one mast commonly serving both systems in areas where distribution is integrated into the network. Some of the main elements of the OHTE system include:

- Mast poles
- Conductors
- Supports
- Insulators

The Overhead track equipment is highly specialized, and their respective spares are extremely complex. All overhead track equipment performs safety-critical functions and require rigorous testing and type approval by Transnet Rail Infrastructure Manager's Technology Management prior to being acceptable for procurement for installation on the rail network.

Type approval testing of the equipment consists of:

- Step 1: A paper-based exercise to confirm compliance with functional and safety specifications;
- Step 2: Laboratory testing to confirm compliance to functional and safety specifications;
- Step 3: "On track" testing/"Field" testing (only if full compliance with steps 1 & 2 above have been confirmed).

The testing and approval period differs depending on the type of equipment and as such could take anything from 3 to 12 months. Complex systems, where operational stability and performance requirements are tested can take well beyond 12 months to complete the type of approval process.

This procurement event covers the testing of various Overhead Track Equipment (OHTE) with an aim of framing such onto an approved list of OHTE technologies and suppliers for new installations, spares and repairs.

### 2 EXECUTIVE OVERVIEW

Whereas Transnet is seeking a partner(s) to provide solutions for its framing a standing approved list for supply of equipment/ assets, spares for OHTE nationally, it also seeks to improve its current processes for providing these Goods to its end user community throughout its locations.

The selected Supplier (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 Supplier (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 Supplier/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 Supplier/Service provider(s).
- 2.3 Transnet must receive proactive improvements from the Supplier/Service provider with respect to supply/provision of Goods/Services and related processes.
- 2.4 Transnet's overall competitive advantage must be strengthened by the chosen Supplier/Service provider's leading-edge technology and service delivery systems.
- 2.5 Transnet end users must be able to rely on the chosen Supplier/Service provider's personnel for service enquiries, recommendations and substitutions.
- 2.6 Transnet must reduce costs by streamlining its acquisition of Goods/Services, including managed service processes on a Group basis.

### 3 SCOPE OF REQUIREMENTS

Overhead Track Equipment (OHTe) is installed across the railway network, which is electrified to ensure safe power transfer, consequently safe passage of trains through the network.

This procurement event is for the testing of various OHTe equipment with an aim of framing an approved list. OHTe equipment form part of safety critical systems and as such TRIM has strict specifications describing the functional and safety requirements of the systems.

- 3.1 The list of systems/technologies that Transnet Rail Infrastructure Manager needs to advertise to the market is listed below:
  - Catenary Wire
  - Feeder Wire
  - Earth Wire
  - Transmission Line Conductors
  - Continuity jumpers
  - Bonding Conductors
  - Transmission line insulators
  - OHTe Insulators
  - Tunnel Fittings
  - Transmission line steelwork
  - Small steel
  - Carrier steelwork
  - Tensioning Equipment
  - Section insulators and phase breaks
  - Electrification isolators
  - Track switches
  - Distribution line switches
  - Motor drives

**Also refer to Scope of work annexure B 1 & 2, and annexure A1 - Drawings OHTe Conductors annexure A2 - Drawings OHTe Small Components for the detailed information.**

3.2 The following scope is applicable to the systems mentioned above and subject to compliance to section.

- If the supplier possesses any approval letters or documentation pertaining to approval of material, for example, signed-off quality assurance certification from Transnet for previously tested and approved systems listed above, they must include these documents in their tender submission.
- Should the supplier be in possession of any information that can assist as evidence of successfully meeting requirements of the approval process, thus reducing the scope of the approval process, the supplier shall provide this information as part of the tender submission which shall be clearly labelled as such. The decision to reduce the scope of approval process shall be solely at TRIM's discretion.
- The above-mentioned approval letters will be reviewed by Transnet Rail Infrastructure Manager Technology Management (TRIM TM) for validity and upon successful validation, these materials/items will then be added on to the "Framed List of approved OHTE Technologies and Suppliers for new installations and spares".

3.3 Suppliers who have not supplied previously, or do not have documentation proving they have been a supplier in the last 5 (five) years, or are wishing to submit new products for evaluation, falling within the categories listed in Section 3.1, must meet the following requirements:

- Supplier to provide detailed technical specifications, designs, drawings of proposed systems that the supplier has selected to tender for.
- Provide product samples and a laboratory where the samples will be tested by TRIM TM.
- Design, Supply, Install and Pre-test the complete system and the relevant interfaces at a pilot selected by Transnet Freight Rail for 'on-track testing' at the supplier's cost.
- Decommission the existing equipment and safely store it such that it can be re-instated after the completion of the 'on-track testing'.
- Suppliers are responsible for performing first-line maintenance on the system throughout the 'on-track' testing period. Provide all installation, maintenance and training manuals required.
- Provide Training to TRIM personnel on maintenance and configuration.
- After the 'on-track' testing is complete, the supplier shall remove the piloted system and re-instate the original system at the supplier's cost.
- Should the pilot be successful, the supplier will be added onto the new TRIM framed approved list.
- The approved system shall be rolled out as and when required by TRIM, using the OHTE approved list to approach bidders.

### 3.4 **Technical Requirement**

#### **Mandatory requirements that suppliers must meet:**

- Each bidder's submission must contain a detailed cover letter clearly indicating what technologies they are submitting to TRIM. Each submission must also have a detailed index.
- All materials shall conform to Transnet drawings & specifications and applicable SANS and IEC standards.
- Duly completed check lists, compliance to TRIM pilot process is mandatory, and willingness to comply with all requirements set by TRIM to take part in the pilot process. These requirements are over and above technical compliance with the relevant technology specifications.

**Refer to ANNEXURE I - NEW MATERIALS EQUIPMENT ACCEPTANCE PROCESS DOCUMENT (BBH7342)**

### 3.5 Other Requirements

- a) The supplier must indicate if they are the:
- Original Equipment Manufacturer (OEM),
  - An approved agent of the OEM or,
  - Authorised third party with no legal limitations in terms of their right to distribute or sell the applicable products (e.g. MOU).
- b) The supplier is required to indicate if the product is supported by a warranty and the terms and conditions thereof must be clearly stated. All documents supplied must be signed and dated. Where agreements are provided; Transnet must be able to confirm validity.

### 3.6 Technical Evaluation Criteria

The technical evaluation criteria document is attached as part of this document. Transnet reserves the right to do tests and quality assurance on material to be supplied. The material will be tested at the manufacturing facility before delivery.

#### a) Testing Of Material

- The supplied materials shall be tested at the Original Equipment Manufacturer's factory (i.e. Factory Acceptance Tests).
- The supplier shall ensure that the calibration certificates of any equipment used in the tests is valid during the period of the testing.
- The minimum design requirements are specified in the Transnet specifications and drawings and applicable South African National Standards. The equipment shall be tested for compliance against the design requirements.
- The supplier shall provide test certificates of the minimum design requirements listed in the Transnet's specifications and drawings and South African National Standards.
- The supplier providing material which fails the minimum design tests after the given grace period shall not be framed onto the approved list.
- The following quality assurance tests shall be conducted by Transnet Rail Infrastructure Manager in addition to any other tests specified in drawings, specifications, and standards:
  - All material types shall be verified.
  - For conductive equipment composition test shall be requested in line with the specification of the material.
  - All minimum tensile loading shall be tested under routine tests.
  - Clamps shall be tested to fit wires profiles of standard wire samples.
  - All galvanizing shall be tested to SANS 121.
  - Quality of welding and workmanship shall be inspected.
  - Critical dimensions shall be measured and verified. Tolerances are provided in drawings.
  - All ratings (e.g. current ratings) shall be tested.
  - Sampling of the items shall be carried out in accordance with the ISO 9001.
  - Functionality of items shall be tested (e.g., moveable parts, sliding parts).

**3.7 Performance Requirements**

Will be dependent on the respective technology specifications described in Section 3.1 and scope of work Annexure B 1 & 2.

**3.8 Other Requirements**

Transnet Rail Infrastructure Manager may require training for the installation and maintenance for some of the equipment.

**Also refer to Annexure B1- Scope of Work OHTE conductors, Annexure B2- Scope of Work OHTE small components and annexure A1 - Drawings OHTE Conductors, annexure A2 - Drawings OHTE Small Components, and annexure E New Materials Equipment Acceptance Process Document.**

**4 GREEN ECONOMY / CARBON FOOTPRINT**

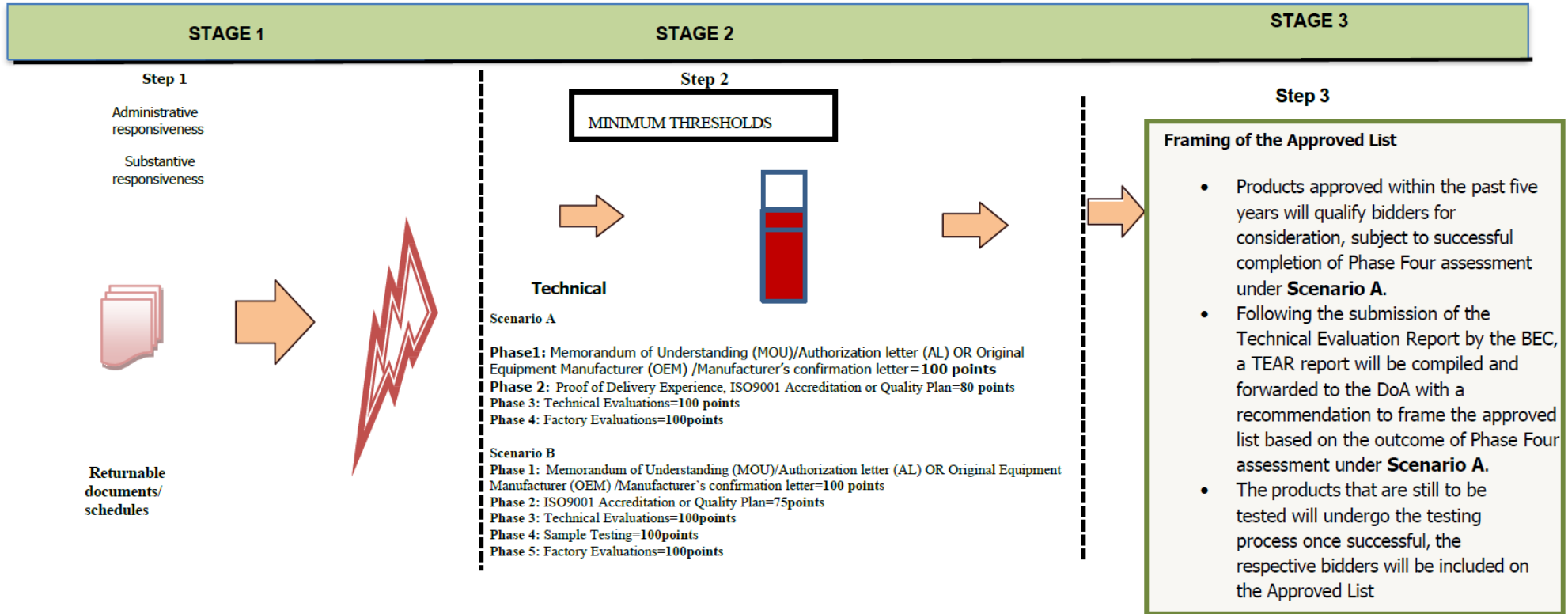
Transnet wishes to have an understanding of your company's position with regard to environmental commitments, including key environmental characteristics such as waste disposal, recycling and energy conservation. *Please submit details of your entity's policies in this regard.*

**5 GENERAL SUPPLIER/SERVICE PROVIDER OBLIGATIONS**

- 5.1 The Supplier/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 Supplier/Service provider(s) must comply with the requirements stated in this RFP.

**6 EVALUATION METHODOLOGY [INDICATE APPROPRIATE CRITERIA - REMOVE / ADD WHERE NECESSARY]**

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



Respondent's Signature

Date & Company Stamp

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 and Substantive Responsiveness:**

The test for administrative responsiveness will include the following:

Administrative responsiveness check	RFP Reference
<ul style="list-style-type: none"> <li>Whether the Bid has been lodged on time</li> </ul>	<i>Section 1 paragraph 3</i>
<ul style="list-style-type: none"> <li>Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time</li> </ul>	<i>Section 5</i>
<ul style="list-style-type: none"> <li>Verify the validity of all returnable documents</li> </ul>	<i>Section 5</i>
<ul style="list-style-type: none"> <li>Verify if the Bid document has been duly signed by the authorised respondent</li> </ul>	<i>All sections</i>
Check for substantive responsiveness	RFP Reference
<ul style="list-style-type: none"> <li>Whether the Bid materially complies with the scope and/or specification given</li> </ul>	<i>All Sections</i>
<ul style="list-style-type: none"> <li>Entity’s financial stability</li> </ul>	

***The test for responsiveness [Step One] must be passed for a Respondent’s Proposal to progress to Step Two for further evaluation.***

**6.2 STEP TWO: Technical Evaluation (Scenario A and B)**

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

For a comprehensive technical assessment, please refer to Annexure C3: Technical Evaluation Methodology.

**SENARIO A:** BIDDERS AND OEM’S WHO HAS SUPPLIED TO TRANSNET IN THE PAST 5 YEARS.

**SENARIO B:** NEW SUPPLIERS AND OEMS WHO HAVE NOT SUPPLIED TRANSNET IN THE PAST FIVE YEARS.

Technical Evaluation Criteria - **SENARIO A**

Technical Evaluation Criteria (SENARIO A)
<b>SENARIO A</b>
<p><b>Phase 1: 100 points</b></p> <ul style="list-style-type: none"> <li>Submission of Memorandum of Understanding (MOU)/Authorization letter (AL) (Indicating the category or group tendered for). OR</li> </ul>

Technical Evaluation Criteria (SENARIO A)
<ul style="list-style-type: none"> <li>•Original Equipment Manufacturer (OEM) /Manufacturer’s confirmation letter.</li> </ul> <p><b><i>Bidders who are OEMs and have issued the MOUs will not be allowed to submit a bid, Bidders who fail to meet the requirement of MOU/OEM requirement will not proceed to the next stage of evaluation.</i></b></p> <p><b><i>FOR A DETAILED TECHNICAL EVALUATION REFER TO ANNEXURE C -TECHNICAL EVALUATION METHODOLOGY.</i></b></p> <p><b>Phase 1 must be passed for a Respondent’s Proposal to progress to phase 2.</b></p>
<p><b>Phase 2: 80 points</b></p> <ul style="list-style-type: none"> <li>• Proof Of Delivery Experience, ISO9001 Accreditation or Quality Plan</li> </ul> <p><b><i>FOR A DETAILED TECHNICAL EVALUATION REFER TO ANNEXURE C -TECHNICAL EVALUATION METHODOLOGY.</i></b></p> <p><b><i>Bidders who fail to obtain minimum threshold will not proceed to the next stage of evaluations.</i></b></p>
<p><b>Phase 3:100 points</b></p> <ul style="list-style-type: none"> <li>•Technical Evaluations</li> </ul> <p><b><i>FOR A DETAILED TECHNICAL EVALUATION REFER TO ANNEXURE C -TECHNICAL EVALUATION METHODOLOGY.</i></b></p> <p><b><i>Bidders who fail to obtain 100 points will not proceed to the next stage of technical evaluation.</i></b></p>
<p><b>Phase 4:</b></p> <ul style="list-style-type: none"> <li>•Factory Evaluations</li> </ul> <p><b><i>Bidders who fail to obtain a 100points will not proceed to the next stage of technical evaluation.</i></b></p> <p><b>Note: OEMs must refer to the Factory Machinery Requirements Annexures (ANNX C1 Factory Machinery Requirement OHTE Conductors and ANNX C2 Factory Machinery Requirement OHTE Small Component)</b></p> <p><b>SENARIO A must be passed for a Respondent’s Proposal to progress to the next step (Step 3)</b></p>

Technical Evaluation Criteria - **SENARIO B**

Technical Evaluation Criteria (SENARIO B)
<p><b>SENARIO B</b></p> <p><b>Phase 1:100 points</b></p> <ul style="list-style-type: none"> <li>•Submission of Memorandum of Understanding (MOU)/Authorization letter (AL) (Indicating the category or group tendered for).</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>•Original Equipment Manufacturer (OEM) /Manufacturer’s confirmation letter.</li> </ul> <p><b><i>Phase 1 must be passed for a Respondent’s Proposal to progress to phase 2.</i></b></p>

**Phase 2: 75points**

- ISO9001 Accreditation or Quality Plan

***Bidders who fail to obtain minimum threshold will not proceed to the next stage of evaluations***

**Phase 3: 100points**

- Technical Evaluations

***Bidders who fail to obtain 100 points will not proceed to the next stage of technical evaluation.***

**Phase 4: 100points**

- Sample Testing

***Bidders who fail to obtain 100 points will not proceed to the next stage of technical evaluation.***

***NB: Bidders will be given 21 business days to submit their samples for testing; samples received after 21 business days (Late) will not be accepted.***

**Phase 5: 100points**

- Factory Evaluations

***Bidders who fail to obtain 100 points will not proceed to the next stage of technical evaluation.***

**Note: OEMs must refer to the Factory Machinery Requirements Annexures (ANNX C1 Factory Machinery Requirement OHTe Conductors and ANNX C2 Factory Machinery Requirement OHTe Small Component)**

**SENARIO B must be passed for a Respondent's Proposal to progress to the next step (Step 3-Framing of an approved list)**

**FOR A DETAILED TECHNICAL EVALUATION REFER TO ANNEXURE C -TECHNICAL EVALUATION METHODOLOGY.**

*A Respondent's compliance with the minimum functionality/technical threshold will be measured by their responses to **Annexure C - Technical Evaluation Methodology**.*

*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 Two] must be met or exceeded for a Respondent's Proposal to be considered for framing into the approved list.***

### 6.3 STEP THREE: Framing of an Approved List

- Products approved within the past five years will qualify bidders for consideration, subject to successful completion of Phase Four assessment under **Scenario A**.
- Following the submission of the Technical Evaluation Report by the BEC, a TEAR report will be compiled and forwarded to the DoA with a recommendation to frame the approved list based on the outcome of Phase Four assessment under **Scenario A**.

- **Scenario B:** The products that are still to be tested will undergo the testing process as outlined under Scenario B above ,once successful; the respective bidders will be included on the Approved List

**NOTE: FRAMING AND UTILIZATION OF THE APPROVED LIST.**

**Framing of the approved list**

**Scenario A**

- Products approved within the past five years will qualify bidders for consideration, subject to successful completion of Phase Four assessment (Factory Machinery Requirements) under **Scenario A.**
- Bidders who met the requirements for **Scenario A** will be framed into the approved list.

**Scenario B**

- New suppliers and OEMs who have not supplied transnet in the past five years, will be subject to evaluation process outlined in **Scenario B**, upon successful completion of this evaluation, these bidders will be incorporated into the Frame List, alongside those evaluated under **Scenario A.**

**Utilization of the approved list**

- Once the list has been finalized with successful bidders from Scenario A, it will be available for use. As bidders under Scenario B complete their evaluation successfully, they will be added to the approved list and included in future Requests for Quotation (RFQs), as and when demand arises for the products they have been approved to supply.
- Approval letters as issued by TRIM will be required at RFX stage for verification, and other possible requirements, warranty and Testing before delivery. (all applicable requirements at RFX stage)

**6.4 Entity's financial stability will be evaluated as follows.**

Gearing Ratio

- Total Liabilities/(Total equity +Total Liab)

Capacity/Liquidity

- Current Assets vs Current Liabilities

NPAT/REVENUE

- Profitability, Net profit to turnover

NPAT/TOTAL EQUITY

- ROE

EBIT/TOTAL ASSETS

- ROA

INTEREST COVER

- EBIT/Net Finance Charges

CASH FLOW

- Cash generated by operations (after working capital movements).

**Financial Stability Ratios**

<b>Ratio</b>	<b>Formula</b>	<b>Stable Range / Indicator</b>
<b>Gearing Ratio</b>	Total Liabilities ÷ (Equity + Liabilities)	< <b>50%</b> – Lower debt reliance
<b>Liquidity (Current Ratio)</b>	Current Assets ÷ Current Liabilities	<b>1.5 – 3.0</b> – Good short-term capacity
<b>Profitability</b>	NPAT ÷ Revenue	≥ <b>10%</b> – Healthy profit margin
<b>Return on Equity (ROE)</b>	NPAT ÷ Total Equity	<b>10 – 20%</b> – Strong shareholder return
<b>Return on Assets (ROA)</b>	EBIT ÷ Total Assets	≥ <b>5%</b> – Efficient asset use
<b>Interest Cover</b>	EBIT ÷ Net Finance Charges	≥ <b>3.0</b> – Good debt servicing ability
<b>Cash Flow</b>	Cash from operations (post working capital)	<b>Positive &amp; consistent</b> – Sustainable

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 Respondent's Signature

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 Date & Company Stamp

## SECTION 4: PRICING AND DELIVERY SCHEDULE

### ANNEXURE D: PRICE SCHEDULE

- **ANNEXURE D1**- OHTE conductors Price Schedule
- **ANNEXURE D2**- OHTE small components Price Schedule

#### NOTE:

*Pricing data is being collected from bidders to allow Transnet to conduct a line-item evaluation across the various Groups. This information is essential for both budgeting purposes and assessing market competitiveness. As a responsible entity, Transnet is committed to conducting its operations in a cost-effective and transparent manner, making it crucial to understand the pricing structures set by suppliers. While the creation of an approved supplier list primarily focuses on evaluating the technical capabilities of the supply market, pricing remains a key factor in all subsequent procurement activities linked to this list.*

***Bidders are to note that pricing is excluded from evaluation for this tender—only information is being collected***

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

### 1. DISCLOSURE OF CONTRACT INFORMATION

#### PRICES TENDERED

Respondents are to note that, on award of business, Transnet is required to publish the outcome of the RFQ and information of the successful Respondents *inter alia* on the National Treasury e-Tender Publication Portal, ([www.etenders.gov.za](http://www.etenders.gov.za)), as required per National Treasury Instruction Note 09 of 2022/2023.

#### 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 DPIIP 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.

<b>Is the Respondent</b> <i>(Complete with a "Yes" or "No")</i>						
<b>A DPIIP/FPPO</b>		<b>Closely Related to a DPIIP/FPPO</b>		<b>Closely Associated to a DPIIP/FPPO</b>		
<b>List all known business interests, in which a DPIIP/FPPO may have a direct/indirect interest or significant participation or involvement.</b>						
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 DPIIP or FPPO are to note that Transnet is required to annually publish on its website a list of all business contracts entered into with DPIIP or FPPO. This list will include successful Respondents, if applicable.

**2. MANUFACTURERS**

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

2.1 Local Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

2.2 Foreign Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

**3. INSPECTION DETAILS**

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

3.1 Local Manufacturer(s)

RFP ITEM NO.	NAME	BUSINESS ADDRESS


3.2 Foreign Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

**4. 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.

**5. NATIONAL RAILWAY SAFETY REGULATOR ACT**

In compliance with the National Railway Safety Regulator Act, 16 of 2002, the successful Respondent [**the Supplier**] shall ensure that the Goods to be supplied to Transnet, under the terms and conditions of a contract between the parties, comply fully with the specifications as set out in **Annexure B1 Scope of Work OHTE Conductors & ANNEXURE B2- Scope of Work OHTE small components, and Annexure A1 - Drawings OHTE Conductors ,Annexure A2 - Drawings OHTE Small Components and annexure E New Materials Equipment Acceptance Process Document** of this RFP, and shall also adhere to railway safety requirements and/or regulations [as applicable]. Permission for the engagement of a subcontractor by the Supplier, as applicable, both initially and during the course of a contract, shall be subject to a review of the capability of the proposed subcontractor to comply with the specified railway safety requirements and/or regulations. The Supplier and/or its subcontractor shall grant Transnet access, during the term of the contract, to review any safety-related activities, including the coordination of such activities across all parts of the organisation.

**Accepted:**

<b>YES</b>	
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<b>NO</b>	
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**6. 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:

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

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6.2 **Continuity of supply:**

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

6.4 **Compliance with the National Railway Safety Regulator Act, 16 of 2002:**

\_\_\_\_\_  
\_\_\_\_\_

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 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 of Goods within 2 [two] weeks thereafter,

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date & Company Stamp

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 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 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 **02 February 2027 180 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)

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date & Company Stamp

**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	<b><i>Failure to provide all these Mandatory Returnable Documents at the Closing Date and time of this RFP <u>will</u> result in a Respondent's disqualification.</i></b>
Returnable Documents Used for Scoring	<b><i>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.</i></b>
Essential Returnable Documents	<b><i>Failure to provide essential Returnable Documents <u>will</u> 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.</i></b>

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

**a) Mandatory Returnable Documents**

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

<b>MANDATORY RETURNABLE DOCUMENTS</b>	<b>SUBMITTED [Yes/No]</b>
<p><b>ANNEXURE C-PHASE 1</b></p> <p><b>Scenario A</b></p> <ul style="list-style-type: none"> <li>• Approval letter for bidders responding to scenario <b>A. (previously tested products)</b></li> </ul> <p><b>The following mandatory documents are applicable to both Scenario A and Scenario B</b></p> <ul style="list-style-type: none"> <li>• Submission of Submission of Memorandum of Understanding (MOU)/Authorization letter (AL) (Indicating the category or group tendered for).</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>• Original Equipment Manufacturer (OEM) /Manufacturer's confirmation letter.</li> </ul>	

**b) Returnable Documents Used for Scoring**

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

<b>RETURNABLE DOCUMENTS USED FOR SCORING</b>	<b>SUBMITTED [Yes or No]</b>
<p><b>SENARIO A: BIDDERS AND OEM'S WHO HAS SUPPLIED TO TRANSNET IN THE PAST 5 YEARS.</b></p> <p><b>For a comprehensive technical assessment, please refer to Annexure C3: Technical Evaluation Methodology.</b></p> <p><b>1. Phase 2: Proof of delivery experience, ISO9001 accreditation or quality plan 100 points</b></p> <ul style="list-style-type: none"> <li>• Bidders to submit proof of testing completed/Inspection certificate and Delivery note, or previous 5 years (60 Months). <b>=50 points</b></li> <li>• Bidder to provide ISO9001 Certification or Quality Plan. <b>= 50 points</b></li> </ul> <p><b>2. Phase 3: Technical Evaluations=100 points</b></p> <ul style="list-style-type: none"> <li>• Bidder to submit drawings or documents from OEM/Manufacturer proving compliance to given drawings, specs, SANS and other standards in the item descriptions. <b>=100 points</b></li> </ul> <p><b>3. Phase 4: Factory Evaluations=100 points</b></p> <ul style="list-style-type: none"> <li>• The OEM to make all machinery required to manufacture items available for inspection during factory visit.</li> </ul>	
<p><b>SENARIO B: NEW SUPPLIERS AND OEMS WHO HAVE NOT SUPPLIED TRANSNET IN THE PAST FIVE YEARS.</b></p> <p><b>1. Phase 2: ISO Accreditation / Quality Plan=100 points</b></p> <ul style="list-style-type: none"> <li>• Bidder to provide ISO9001 Certification or Quality Plan=<b>100 points</b></li> </ul> <p><b>2. Phase 3: Technical Evaluations=100 points</b></p> <ul style="list-style-type: none"> <li>• Bidder to submit drawings/specifications or documents from OEM/Manufacturer proving compliance to given drawings, specs, SANS and other standards in the item descriptions. These documents must either be signed or stamped by the OEM who issued the MOU. <b>=100 points</b></li> </ul> <p><b>3. Phase 4: Sample Testing=100 points</b></p> <ul style="list-style-type: none"> <li>• If an item passes according to the testing procedure, the bidder will be allocated a score of <b>100 points</b>.</li> </ul> <p><b>4. Phase 5: Factory Evaluations=100 points</b></p> <ul style="list-style-type: none"> <li>• The OEM to make all machinery required to manufacture items available for inspection during factory visit. <b>=100points</b></li> </ul>	

<b>RETURNABLE DOCUMENTS USED FOR SCORING</b>	<b>SUBMITTED [Yes or No]</b>
<b>Annexure C1 factory machinery requirement OHTE conductors</b> <b>Annexure C2 factory machinery requirement OHTE small component</b> For a comprehensive technical assessment, please refer to <b>Annexure C3: Technical Evaluation Methodology.</b>	

**c) Essential Returnable Documents:**

, Respondents are further required to submit the following **Essential Returnable Documents** with their RFP and to confirm submission of these documents by so indicating [Yes or No] in the table below:

<b>ESSENTIAL RETURNABLE DOCUMENTS &amp; SCHEDULES</b>	<b>SUBMITTED [Yes or No]</b>
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 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 10: Non-compulsory RFP Briefing	
ANNEXURE D Price Schedule (Tab-1 OHTE small components and Tab-2 OHTE conductors)	
ANNEXURE E Transnet’s General Bid Conditions	
ANNEXURE F Transnet’s Supplier Integrity Pact	
ANNEXURE G Non-Disclosure Agreement	
ANNEXURE H Enterprise Risk Management Elements	

**CONTINUED VALIDITY OF RETURNABLE DOCUMENTS**

The successful Respondent will be required to ensure the validity of all returnable documents, 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 \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Respondent’s Signature

\_\_\_\_\_  
Date & Company Stamp

2 \_\_\_\_\_  
Name \_\_\_\_\_

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: \_\_\_\_\_

NAME: \_\_\_\_\_

DESIGNATION: \_\_\_\_\_

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date & Company Stamp

**SECTION 6: RFQ DECLARATION CERTIFICATE OF ACQUAINTANCE & BREACH OF LAW FORM  
WITH RFP**

**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	Transnet's Supplier Integrity Pact
3	Non-disclosure Agreement
4	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.

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date & Company Stamp

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

We 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 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
8. If such a relationship as indicated in paragraph 7, 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]***

9. 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<sup>1</sup> 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

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**

<sup>1</sup> 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.

13.2.1. 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<sup>2</sup> 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.

<sup>2</sup> 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.

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:

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



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

***It is important to note that the following requirements will not be evaluated at this stage however, they will be enforced at RFQ/RFP stage, should the bidder be part of the framed list.***

***Bidders are also to note that Transnet has a new directive on the Enhancement of Transformation. TRIM reserves the right to negotiate additional transformation goals for contracts of a minimum period of 24 months***

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 allocates preference points to companies who provide valid proof of evidence 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
- 1.2 The value of this bid is estimated to R0.00 (Approved list).
- 1.2 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.
- 1.3 The maximum points for this bid are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b> <b>LIST THE OTHER APPLICABLE SPECIFIC GOALS FOR THIS TENDER (Bidders are to note that Transnet Preferential Procurement Policy (TPPP) has been developed and introduced to pursue both Transformational and Reconstruction &amp; Development Programme goals. This process will be done once the framing is done, and an RFP will be put in place and these goals in future tenders.)</b>	<b>20</b>
<b>Total points for Price and Specific Goals must not exceed</b>	<b>100</b>

- 1.4 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.
- 1.5 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-BBEE 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 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

$$P_S = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

$P_S$  = Points scored for comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

$P_{\min}$  = Comparative price of lowest acceptable bid

$$PS = 80 \left( 1 + \frac{P_t - P_{\max}}{P_{\max}} \right)$$

Where:

$P_s$  = Points scored for the price of Bid under consideration

$P_t$  = Price of Bid under consideration

$P_{max}$  = Price of highest 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 – Level 1	.....
B-BBEE Level of contributor - Level 2	.....
B-BBEE Level of contributor (1 or 2)	.....
+50% Black Youth Owned Entities	.....
30% Black women Owned entities	.....
Entities Owned by People with Disability (PWD)	.....
Non-Compliant and/or B-BBEE Level 3-8 contributors	0

#### 4. EVIDENCE REQUIRED FOR CLAIMING SPECIFIC GOALS

**It is important to note that the following requirements will not be evaluated at this stage however, they will be enforced at RFQ/RFP stage, should the bidder be part of the framed list.**

**Bidders are also to note that Transnet has a new directive on the Enhancement of Transformation. TRIM reserves the right to negotiate additional transformation goals for contracts of a minimum period of 24 months.**

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
+50% 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
Entities Owned by People with Disability (PWD)	Certified copy of ID Documents of the Owners / Doctor's note and /or EEA1 form confirming the disability
Entities/Black People living in rural areas	Entity 's Municipal/ESKOM bill or letter from Induna/chief confirming residential address not older than 3 months.
South African Enterprises	CIPC Certificate

Respondent's Signature

Date & Company Stamp

EME or QSE 51% Black Owned	B-BBEE Certificate / Sworn-Affidavit / CIPC Certificate
Entities that are 51 % Black Owned	CI B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline
Promoting exports Orientated for Job creation	Section.....Job Creation Schedule Returnable documents
Local Content and Local Production Possible sectors: (Electrical cables designated at 90%) (Steel power pylons designated at 100%)	Fully completed duly declared and signed Local Content Annexures C, D and E for all applicable sectors will score full points  Incomplete, not declared, submitted blank or not submitted Local Content Annexures C, D and E scores zero points.
NIPP	NIPP Returnable documents
Creation of new jobs and labour intensification	Section.....Job Creation Schedule Returnable documents
The promotion of supplier development through sub-contracting or JV for a minimum of 30% of the value of a contract to South African Companies which are: I. 30% Black Women owned, 51% Black Youth and 51% Black people with disabilities II. Entities with a specified minimum B-BBEE level (1 and 2) III. EMEs and/or QSEs who are 51% black-owned	Sub-contracting agreements and Declaration / Joint Venture Agreement and CIPC – B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate as per DTIC guideline
The promotion of enterprises located in a specific province/region/municipal area for work to be done or services to be rendered in that province/region/municipal area	CIPC – B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines and Proof Registered address of entity

**Please note that in the event of the issuing of an RFP/RFQ, the above are a list of Specific Goals that might be incorporated for bidders to respond on.**

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

	Sworn Affidavit signed by the authorised QSE representative and attested by a Commissioner of Oaths confirming annual turnover and black ownership (only black-owned QSEs - 51% to 100% Black owned) [Sworn affidavits must substantially comply with the format that can be obtained on the DTI’s website at <a href="http://www.dti.gov.za/economic_empowerment/bee_codes.jsp">www.dti.gov.za/economic_empowerment/bee_codes.jsp</a> .]
<b>EME<sup>3</sup></b>	Sworn Affidavit signed by the authorised EME representative and attested by a Commissioner of Oaths confirming annual turnover and black ownership Certificate issued by CIPC (formerly CIPRO) confirming annual turnover and black ownership Certificate issued by SANAS accredited verification agency only if the EME is being measured on the QSE scorecard

- 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.

**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**

6.1 B-BBEE Status Level of Contribution: . = .....(maximum of 10 or 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:

: 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 Supplier
- Other Suppliers, 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 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;

\_\_\_\_\_  
 Respondent’s Signature

\_\_\_\_\_  
 Date & Company Stamp

- (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.

<b>WITNESSES</b>
1. ....
2. ....

..... <b>SIGNATURE(S) OF BIDDERS(S)</b>
<b>DATE:</b> .....
<b>ADDRESS:</b> .....

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

It is hereby certified that –

1. \_\_\_\_\_

2. \_\_\_\_\_

Representative(s) of \_\_\_\_\_ *[name of entity]*  
attended the RFP briefing in respect of the proposed Goods/Services to be rendered in terms of this RFP on  
\_\_\_\_\_ 2025.

\_\_\_\_\_  
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 (For normal contract)**

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

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Respondent's Signature

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Date & Company Stamp

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:**

<b>YES</b>		<b>NO</b>	
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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 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

**SECTION 12: DATA COLLECTION ON B BBEE STATUS OF BIDDERS**

**HOAC HO 53200: RFP TO FOR THE PROVISION OF FRAMING OF A STANDING APPROVED LIST FOR SUPPLY OF EQUIPMENT/ASSETS, SPARES FOR OHTE.**

**Note:**

- *The below table is for data collection and not for scoring purposes.*
- *We have attached a Sworn Affidavit template for ease of reference for entities that do not have updated sworn affidavits.*
- *Only complete one that that is applicable to your entity either EME or QSE not both*

Indicate your B-BBEE LEVEL	
State your entity's Black Women ownership percentage	
State your entity's Black Ownership percentage	
State your entity's Black Youth Ownership percentage	
State your entity's Black Disabled ownership percentage	
Indicate in which region/province your entity is based	
Indicate if your entity is non-Compliant	