

**TRANSNET SOC LTD**

**TENDER No. SIC21026CIDB (HOAC\_HO\_37615): FOR THE MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.**

**ADDENDUM: NO. 1**

**DATED: 23 MAY 2022**

**The following information is furnished in addition to, in amplification, substitution of or correction of matters contained in the tender documents issued in respect of the abovementioned work:**

Part T1.2 Tender Data C2.15 Closing Date

Returnable Schedule T2.2-10 Storage Capacity

Returnable Schedule T2.2-11 Availability of Equipment and other Resources

Kindly note and acknowledge the following change to the RFP document.

- 1. Part T1.2 – Tender Data**
- 2. Cover page**
- 3. Part T1.2 – Tender Data paragraph C2.15 - Tender closing date– extend by 5 days from 26 May 2022 to 02 June 2022.**
- 4. Returnable Schedule T2.2-10 Storage Capacity**
- 5. Returnable Schedule T2.2-11 Availability of Equipment and other Resources**

C2.15 – Closing date extended to **02 June 2022, Thursday at 10:00am**

**WITNESSES:**

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

**TENDERER / CONTRACTOR**

Date: \_\_\_\_\_

“This letterhead contains personal information as defined in the **Protection of Personal Information Act, No. 4 of 2013** (the “Act”). The signatory consents to the processing of his/ her personal information and is obliged to handle other data subject’s information in accordance with the requirements of the Act”.

FROM: \_\_\_\_\_

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

DATE: \_\_\_\_\_

TO: Transnet Freight Rail  
Parktown, Johannesburg  
Attention: Lebogang Ramalepe, Email: [Lebogang.Ramalepe@transnet.net](mailto:Lebogang.Ramalepe@transnet.net)

Dear Sir/Madam

**TENDER No. SIC21026CIDB: MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.**

Receipt of Addendum No. 1 dated 23 May 2022 is hereby acknowledged.

Kind regards

\_\_\_\_\_  
TENDERER

**NOTES:**

This acknowledgement must be signed and returned to this office on or before closing date of tender.

Ref: SIC21026CIDB / HOAC-HO-37615

The document is available on the NT e-Tender portal and Transnet Freight Rail website

If Bidders intend to download the bid off the Portal, they are required to indicate their intention to respond to this bid by sending an email with their contact details to the following address:

[Lerato.Morailane@transnet.net](mailto:Lerato.Morailane@transnet.net)

**Transnet Freight Rail**

an Operating Division **TRANSNET SOC LTD**

[Registration Number 1990/000900/30]

**REQUEST FOR PROPOSAL (RFP)**

**MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW  
DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A  
PERIOD OF EIGHTY-FOUR (84) MONTHS.**

<b>RFP NUMBER</b>	<b>: SIC21026CIDB (HOAC-HO-37615)</b>
<b>ISSUE DATE</b>	<b>: 20 APRIL 2022</b>
<b>NON-COMPULSORY BRIEFING</b>	<b>: 04 MAY 2022</b>
<b>CLOSING DATE</b>	<b>: 02 June 2022</b>
<b>CLOSING TIME</b>	<b>: 10h00 am</b>
<b>TENDER VALIDITY PERIOD</b>	<b>: 27 AUGUST 2022</b>

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### **Number      Heading**

## **The Tender**

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- T1.1      Tender Notice and Invitation to Tender
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ENQUIRY: SIC21026CIDB (HOAC-HO-37615)

**DESCRIPTION OF THE SERVICES:** MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.

## T1.1 TENDER NOTICE AND INVITATION TO TENDER

### SECTION 1: NOTICE TO TENDERERS

#### 1. INVITATION TO TENDER

Responses to this Tender [hereinafter referred to as a **Tender**] are requested from persons, companies, close corporations or enterprises [hereinafter referred to as a Tenderer].

<b>DESCRIPTION</b>	Maintenance of Railway Track with On-Track Ultrasonic Rail Flaw Detection Machines Countrywide on an 'as and when required' basis for a Period of Eighty-Four (84) Months.
<b>TENDER DOWNLOADING</b>	<p><b>This Tender may be downloaded directly from the National Treasury eTender Publication Portal FREE OF CHARGE at</b></p> <p><b>Transnet Freight Rail website on the following links; <a href="http://www.etenders.gov.za">www.etenders.gov.za</a> or <a href="http://www.transnetfreightrailfr.net/Supplier/Pages/Tenders.aspx">www.transnetfreightrailfr.net/Supplier/Pages/Tenders.aspx</a></b></p> <p><b>NOTE:</b></p> <p><b>1.</b> It is the responsibility of the tenderer to ensure downloading or receipt of a complete RFP all specifications, drawings and annexures.</p>
<b>ISSUE DATE AND COLLECTION DATE DEADLINE</b>	<p><b>Tenderers can download the document from 20 April 2022 until 04 May 2022.</b></p> <p><b>Collections of bids:</b> Kindly note that due to the "National Lockdown" directive as announced by the President of the Republic of South Africa on 23 March 2020, No collection of physical documents will be possible or allowed during the "Lockdown" period, documents are only available for download from National Treasury's "eTender Publication" website on the following link; <a href="http://www.etenders.gov.za">www.etenders.gov.za</a> or <a href="http://www.transnetfreightrailfr.net/Supplier/Pages/Tenders.aspx">www.transnetfreightrailfr.net/Supplier/Pages/Tenders.aspx</a></p>
<b>NON-COMPULSORY BRIEFING</b>	<p>A Non-compulsory Tender Clarification Meeting will be conducted via MS Teams, on the <b>04 May 2022</b>, at <b>10:00am</b> for a period of ± 2 (two) hours.</p> <p>The Tender Clarification Meeting will start punctually, and information will not be repeated for the benefit of Tenderers logging/joining into the Microsoft Team meeting late.</p> <p>Tenderers are required to submit the intention to attend the meeting with their details not later than the <b>26 April 2022</b>, an invitation with the link to the tender clarification meeting will be sent to all bidders who have submitted their intention to attend the meeting not later than the <b>03 May 2022</b>.</p> <p><b>Failure to submit the intention to tender before or on the deadline will result in tenderers not getting an invitation to the clarification meeting.</b></p>
<b>CLOSING DATE</b>	<p><b>10:00am on 02 June 2022</b></p> <p>Tenderers must ensure that tenders are uploaded timeously onto the system. If a tender is late, it will not be accepted for consideration.</p>
<b>VALIDITY PERIOD</b>	<p><b>Twelve (12) weeks Business Days from Closing Date: 27 August 2022</b></p> <p>Tenderers are to note that they may be requested to extend the validity period of their tender, 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 Tenderer(s), the validity of the successful Tenderer(s)' bid will be deemed to remain valid until a final contract has been concluded.</p>

**ENQUIRY:** SIC21026CIDB (HOAC-HO-37615)

**DESCRIPTION OF THE SERVICES:** MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.

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## 2. **TENDER SUBMISSION**

Transnet has implemented a new electronic tender submission system, the e-Tender Submission Portal, in line with the overall Transnet digitalization strategy where suppliers can view advertised tenders, register their information, log their intent to respond to bids and upload their bid proposals/responses on to the system.

a) The Transnet e-Tender Submission Portal can be accessed as follows:

- Log on to the Transnet eTenders management platform website (<https://www.transnet.net>);
- Click on "TENDERS";
- Scroll towards the bottom right hand side of the page;
- On the blue window click on "register on our new eTender Portal";
- Click on "ADVERTISED TENDERS" to view advertised tenders;
- Click on "SIGN IN/REGISTER – for bidder to register their information (must fill in all mandatory information);
- Click on "SIGN IN/REGISTER" - to sign in if already registered;
- Toggle (click to switch) the "Log an Intent" button to submit a bid;
- Submit bid documents by uploading them into the system against each tender selected.

b) The tender offers to this tender will be opened as soon as possible after the closing date and time. Transnet shall not, at the opening of tenders, disclose to any other company any confidential details pertaining to the Tender Offers / information received, i.e. pricing, delivery, etc. The names and locations of the Tenderers will be divulged to other Tenderers upon request.

c) Submissions must not contain documents relating to any Tender other than that shown on the submission.

## 3. **CONFIDENTIALITY**

All information related to this RFP is to be treated with strict confidentiality. In this regard, Tenderers 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 gleaned from provision of the Works, which is either directly or indirectly related to Transnet's business, written approval to divulge such information must be obtained from Transnet.

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#### 4. DISCLAIMERS

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

- 4.1. Award the business to the highest scoring Tenderer/s unless objective criteria justify the award to another tenderer.
- 4.2. Not necessarily accept the lowest priced tender or an alternative Tender;
- 4.3. Go to the open market if the quoted rates (for award of work) are deemed unreasonable (not market related);
- 4.4. Should the Tenderers be awarded business on strength of information furnished by the Tenderer, which after conclusion of the contract is proved to have been incorrect, Transnet reserves the right to terminate the contract;
- 4.5. Request audited financial statements or other documentation for the purposes of a due diligence exercise, in the absence of other documents such as stamped bank letter confirmation financial support or credible funding organisations or institutions such as NEF, IDC;
- 4.6. Not accept any changes or purported changes by the Tenderer to the tender rates after the closing date;
- 4.7. Verify any information supplied by a Tenderer by submitting a tender, the Tenderer/s hereby irrevocably grant the necessary consent to the Transnet to do so;
- 4.8. Conduct the evaluation process in parallel. The evaluation of Tenderers at any given stage must therefore not be interpreted to mean that Tenderers have necessarily passed any previous stage(s);
- 4.9. Unless otherwise expressly stated, each tender lodged in response to the invitation to tender shall be deemed to be an offer by the Tenderer. The Employer has the right in its sole and unfettered discretion not to accept any offer.
- 4.10. Not be held liable if tenderers do not provide the correct contact details during the clarification session and do not receive the latest information regarding this RFP with the possible consequence of being disadvantaged or disqualified as a result thereof.
- 4.11. Transnet reserves the right to exclude any Tenderers from the tender process who has been convicted of a serious breach of law during the preceding 5 [five] years including but not limited to breaches of the Competition Act 89 of 1998, as amended. Tenderers are required to indicate in tender returnable **[clause 12 on T2.2-19] [Breach of Law]** whether or not they have been found guilty of a serious breach of law during the past five [5] years.

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- 4.12. Transnet reserves the right to award the business to the highest scoring bidder/s unless objective criteria justify the award to another bidder. The following objective criteria will be applied when considering exercising the right not to award business to the highest ranked bidder:

Verify the authenticity and credibility of the Proof of Machine Ownership / Offer to Purchase from the Bank provided by the bidder.

- 4.13. Transnet intends on splitting the award of this contract to mitigate the risk of security of supply. The split of business will be structured as follows:

The number of successful responds may be up to two (2), depending on whether the full requirement of machines is met.

Where a split is required, Transnet reserves the right to conduct post-tender negotiations with all the shortlisted respondents in an effort to achieve a market-related price, failure to achieve market related prices will mean no split award.

5. Transnet will not reimburse any Tenderer for any preparatory costs or other work performed in connection with this Tender, whether or not the Tenderer is awarded a contract.

#### **NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE**

Tenderer 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. The CSD can be accessed at <https://secure.csd.gov.za/>. Tenderer are required to provide the following to Transnet in order to enable it to verify information on the CSD:

Supplier Number..... and Unique registration reference number.....  
(Tender Data)



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## RFP CLARIFICATION REQUEST FORM

**RFP No: SIC21026CIDB (HOAC-HO-37615)**RFP deadline for questions / RFP Clarifications: **12:00pm 13 May 2022**

TO: Transnet SOC Ltd  
 ATTENTION: Governance, Transnet Freight Rail Tender Office  
 EMAIL: [Prudence.Nkabinde@transnet.net](mailto:Prudence.Nkabinde@transnet.net)  
 Cc: [Lebogang.Ramalepe@transnet.net](mailto:Lebogang.Ramalepe@transnet.net)  
 DATE: \_\_\_\_\_  
 FROM: \_\_\_\_\_

Indicate whether this query is general in nature and applicable to all service categories Yes ☐ No ☐

1. For all clarification questions **prior** to the tender closing date and time, direct the communication to the RFP Administrator at [Lebogang.Ramalepe@transnet.net](mailto:Lebogang.Ramalepe@transnet.net)
2. For all clarification questions **after** the tender closing date and time, direct the communication to:

TO: Transnet SOC Ltd  
 ATTENTION: Governance, Transnet Freight Rail Tender Office  
 EMAIL: [Prudence.Nkabinde@transnet.net](mailto:Prudence.Nkabinde@transnet.net)  
 Cc: [Lebogang.Ramalepe@transnet.net](mailto:Lebogang.Ramalepe@transnet.net)  
 DATE: \_\_\_\_\_  
 FROM: \_\_\_\_\_

## REQUEST FOR RFP CLARIFICATION

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SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

SIGNATURE OF TENDERER

SIGNATURE OF WITNESS

NAME OF TENDERER

NAME OF WITNESS

ENQUIRY: SIC21026CIDB (HOAC-HO-37615)

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**ACKNOWLEDGMENT OF RECEIPT OF DOCUMENTS AND INTENTION TO TENDER AND ATTEND  
TENDER BRIEFING**

**(To be returned: By 12:00pm 26 April 2022)**

RETURN TO:	Transnet Freight Rail	Project No.:	SIC21026CIDB (HOAC-HO-37615)
	Fax No. <b>n/a</b>	Tender No.:	SIC21026CIDB (HOAC-HO-37615)
	Attention: <a href="mailto:Lerato.morailane@transnet.net">Lerato.morailane@transnet.net</a>	Tender Closing Date:	<b>02 June 2022</b>
	<a href="mailto:Lebogang.Ramalepe@transnet.net">Lebogang.Ramalepe@transnet.net</a>		

**MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.**

**Check**

**We: Do wish to tender** for the work and shall return our tender by the due date above **Yes** ☐

**Do not wish to tender** on this occasion and herewith return all your documents receive **No** ☐

**Company Name** \_\_\_\_\_

**Company Representative** \_\_\_\_\_

**Designation** \_\_\_\_\_

**Address** \_\_\_\_\_

**Contact Number** \_\_\_\_\_

**Email Address** \_\_\_\_\_

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

**NB:** Bidders are required to return this document after downloading the tender document from the National Treasury eTender Publication Portal at [www.etenders.gov.za](http://www.etenders.gov.za) or [www.transnetfreightrailtr.net/Supplier/Pages/Tenders.aspxso](http://www.transnetfreightrailtr.net/Supplier/Pages/Tenders.aspxso) that all clarifications can be sent to them.

**TRANSNET FREIGHT RAIL****ENQUIRY:** SIC21026CIDB (HOAC-HO-37615)**DESCRIPTION OF THE SERVICES:** MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.

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## T1.2 TENDER DATA

The conditions of tender are the Standard Conditions of Tender as contained in Annex C of the CIDB Standard for Uniformity in Engineering and Construction Works Contracts. The Standard for Uniformity in Construction Procurement was first published in Board Notice 62 of 2004 in Government Gazette No 26427 of 9 June 2004. It was subsequently amended in Board Notice 67 of 2005 in Government Gazette No 28127 of 14 October 2005, Board Notice 93 of 2006 in Government Gazette No 29138 of 18 August 2006, Board Notice No 9 of 2008 in Government Gazette No 31823 of 30 January 2009, Board Notice 86 of 2010 in Government Gazette No 33239 of 28 May 2010, Board Notice 136 of 2015 in Government Gazette 38960 of 10 July 2015 and Board Notice 423 of 2019 in Government Gazette No 42622 of 8 August 2019.

This edition incorporates the amendments made in Board Notice 423 of 2019 in Government Gazette 42622 of 8 August 2019. (see [www.cidb.org.za](http://www.cidb.org.za)).

The Standard Conditions of Tender make several references to Tender data for detail that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender.

Each item of data given below is cross-referenced in the left-hand column to the clause in the Standard Conditions of Tender to which it mainly applies.

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Clause	Data
C.1.1	The <i>Employer</i> is <b>Transnet SOC Ltd (Reg No. 1990/000900/30)</b>
C.1.2	The tender documents issued by the <i>Employer</i> comprise:
	<b>Part T: The Tender</b>
Part T1: Tendering procedures	T1.1 Tender notice and invitation to tender T1.2 Tender data
Part T2 : Returnable documents	T2.1 List of returnable documents T2.2 Returnable schedules
	<b>Part C: The contract</b>
Part C1: Agreements and contract data	C1.1 Form of offer and acceptance C1.2 Contract data (Part 1 & 2) C1.3 Form of Securities
Part C2: Pricing data	C2.1 Pricing instructions : Option A C2.2 Price List
Part C3: Scope of work	C3.1 Service Information
Part C4: Site information	C4.1 Site information

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**TRANSNET FREIGHT RAIL****ENQUIRY:** SIC21026CIDB (HOAC-HO-37615)**DESCRIPTION OF THE SERVICES:** MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.

C.1.4 The Employer's agent is: Procurement Officer

Name: Lebogang Ramalepe

Address: 15 Girton Road, Inyanda House 2, Parktown

Tel No. 011 584 -0590

E – mail [Lebogang.Ramalepe@transnet.net](mailto:Lebogang.Ramalepe@transnet.net)

C.2.1 Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:

**1. Stage One - Eligibility in terms of the Construction Industry Development Board:**

a) Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, designation of **6CE or higher** class of construction work, are eligible to have their tenders evaluated.

b) Joint Venture (JV)

Joint ventures are eligible to submit tenders subject to the following:

- every member of the joint venture is registered with the CIDB;
- the lead partner has a contractor grading designation of not lower than one level below the required grading designation in the class of construction works under consideration and possesses the required recognition status; and the
- combined Contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a Contractor grading designation determined in accordance with the sum tendered for a 6CE or higher class of construction work or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations
- The tenderer shall provide a certified copy of its signed joint venture agreement

***Any tenderer that fails to meet the stipulated pre-qualifying criteria will be regarded as an unacceptable tender.***

C.2.7 The arrangements for a non-compulsory clarification meeting are as stated in the Tender Notice and Invitation to Tender. **Tenderers are required to submit their Acknowledgment of Receipt of Documents and Intention to Tender and attend Tender Briefing** to [Lerato.morailane@transnet.net](mailto:Lerato.morailane@transnet.net) and cc [Lebogang.Ramalepe@transnet.net](mailto:Lebogang.Ramalepe@transnet.net) not later than **26 April 2022**. The Microsoft Team link will be forwarded to all tenderers who have submitted their contact details.

C.2.12 No alternative tender offers will be considered.

C.2.13.3 Each tender offer shall be in the **English Language**.

**TRANSNET FREIGHT RAIL****ENQUIRY:** SIC21026CIDB (HOAC-HO-37615)**DESCRIPTION OF THE SERVICES:** MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.

- C.2.13.5 The *Employer's* details and identification details that are to be shown on each tender offer  
 C2.15.1 package are as follows:

Identification details:

The tender documents must be uploaded with:

- Name of Tenderer:
- Contact person and details:
- The Tender Number: SIC21026CIDB (HOAC-HO-37615)
- The Tender Description: Maintenance of Railway Track with On-Track Ultrasonic Rail Flaw Detection Machines Countrywide on an 'as and when required' Basis for a Period of Eighty-Four (84) Months.

Documents must be marked for the attention of: ***Employer's Agent:***

- C.2.13.9 Telephonic, telegraphic, facsimile or e-mailed tender offers will not be accepted.

- C.2.15 The closing time for submission of tender offers is:  
 Time: **10:00am** on the **02 June 2022**  
 Location: The Transnet e-Tender Submission Portal: [www.transnet.net](http://www.transnet.net)

**NO LATE TENDERS WILL BE ACCEPTED**

- C.2.16 The tender offer validity period is **12 weeks [27 August 2022]** after the closing date. Tenderers are to note that they may be requested to extend the validity period of their tender, on the same terms and conditions, if Transnet's internal evaluation and governance approval processes has not been finalised within the validity period.

- C.2.23 The tenderer is required to submit with his tender:
1. A valid Tax Clearance Certificate issued by the South African Revenue Services.  
**Tenderers also to provide Transnet with a TCS PIN to verify Tenderers compliance status.**
  2. A **valid B-BBEE Certificate** from a Verification Agency accredited by the South African Accreditation System [SANAS], or a **sworn affidavit** confirming annual turnover and level of black ownership in case of all EMEs and QSEs with 51% black ownership or more together with the tender;
  3. A valid CIDB certificate in the correct designated grading;
  4. Proof of registration on the Central Supplier Database;
  5. Letter of Good Standing with the Workmen's compensation fund by the tendering entity or separate Letters of Good Standing from all members of a newly constituted JV.

**Note:** Refer to Section T2.1 for List of Returnable Documents

**TRANSNET FREIGHT RAIL****ENQUIRY:** SIC21026CIDB (HOAC-HO-37615)**DESCRIPTION OF THE SERVICES:** MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.

- C.3.11. Only tenders that met the eligibility criteria will be evaluated further in accordance with the 80/20 preference points systems as described in Preferential Procurement Regulations 6.

80 where the financial value of one or more responsive tenders received have a value of equal to or below R50 million, inclusive of all applicable taxes,

Up to 100 minus  $W_1$  tender evaluation points will be awarded to tenderers who complete the preferencing schedule and who are found to be eligible for the preference claimed. **Should the BBBEE rating not be provided, tenderers with no verification will score zero points for preferencing.**

**Note:** Transnet reserves the right to carry out an independent audit of the tenderers scorecard components at any stage from the date of close of the tenders until completion of the contract.

- C.3.13 Tender offers will only be accepted if:

1. The tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
2. the tenderer does not appear on Transnet's list for restricted tenderers and National Treasury's list of Tender Defaulters;
3. the tenderer has fully and properly completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the Employer or potentially compromise the tender process and persons in the employ of the state.
4. Transnet reserves the right to award the tender to the tenderer who scores the highest number of points overall, unless there are **objective criteria** which will justify the award of the tender to another tenderer. Objective criteria include but are not limited to the outcome of a due diligence exercise to be conducted. The due diligence exercise may take the following factors into account inter alia;

the tenderer:

- a) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement,
- b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,
- c) has the legal capacity to enter into the contract,
- d) is not insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act, 2008, bankrupt or being wound up, has his affairs administered

**TRANSNET FREIGHT RAIL****ENQUIRY:** SIC21026CIDB (HOAC-HO-37615)**DESCRIPTION OF THE SERVICES:** MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.

by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of any of the foregoing,

e) complies with the legal requirements, if any, stated in the tender data and

f) is able, in the option of the employer to perform the contract free of conflicts of interest.

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C.3.17 The number of paper copies of the signed contract to be provided by the Employer is 1 (one).

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**TRANSNET FREIGHT RAIL**

**ENQUIRY:** SIC21026CIDB (HOAC-HO-37615)

**DESCRIPTION OF THE SERVICES:** MAINTENANCE OF RAILWAY TRACK WITH ON-TRACK ULTRASONIC RAIL FLAW DETECTION MACHINES COUNTRYWIDE ON AN 'AS AND WHEN REQUIRED' BASIS FOR A PERIOD OF EIGHTY-FOUR (84) MONTHS.

## T2.2-10: Storage Capacity

**Note to tenderers:**

The Tenderer is required to demonstrate to the Purchaser that he has sufficient current and/or future storage capacity to accommodate Transnet Limited's requirements as detailed in the Pricing Data and Goods Information, (Proof of Ownership or Rental/Lease Agreement of premises)

**Index of documentation attached to this schedule:**

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Signed

Date

Name

Position

Tenderer



**ENQUIRY: SIC21026CIDB (HOAC-HO-37615)**

## T2.2-11: Availability of Equipment and Other Resources

[illegible]

Tenderer