

## **Transnet Corporate Centre**

an Operating Division of **TRANSNET SOC LTD**

[hereinafter referred to as **Transnet**]

[Registration No. 1990/000900/30]

### **REQUEST FOR INFORMATION [RFI]**

**Information is required** to enable Transnet to finalise the specifications for go to market and determine market readiness to provide and support Transnet network security requirements.

### **THEREAFTER**

### **THROUGH A SEPARATE "REQUEST FOR PROPOSAL" [RFP] PROCESS**

to appoint Service Providers to undertake the provision of a Secure Access Service Edge (SASE) for a period of three (3) years

**RFI NUMBER:** TCC/2022/05/0129/RFI

**ISSUE DATE:** 11 May 2022

**CLOSING DATE:** 09 June 2022

**CLOSING TIME:** 12:00 PM

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**RFI for Provision of a Secure Access Service Edge  
for Transnet SOC Ltd operating as Transnet Corporate Centre**

**SECTION 1: SBD1 FORM**

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF TRANSNET CORPORATE CENTRE, A DIVISION TRANSNET SOC LTD</b>							
BID NUMBER:	TCC/2022/05/0129/RFI	ISSUE DATE:	11 MAY 2022	CLOSING DATE:	09 JUNE 2022	CLOSING TIME:	12:00
DESCRIPTION	<b>FOR THE PROVISION OF A SECURE ACCESS SERVICE EDGE FOR A PERIOD OF THREE (3) YEARS</b>						
<b>BID RESPONSE DOCUMENTS SUBMISSION</b>							
<b>RESPONDENTS ARE TO UPLOAD THEIR BID RESPONSE PROPOSALS ONTO THE TRANSNET SYSTEM AGAINST EACH BID/RFI SELECTED</b> (please refer to section 2, paragraph 4 for a detailed process on how to upload submissions): <a href="https://www.transnet.net">https://www.transnet.net</a>							
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>				<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>			
CONTACT PERSON	Barbara Msomi and Sithokozile Ndaba			CONTACT PERSON	Barbara Msomi and Sithokozile Ndaba		
TELEPHONE NUMBER	011 308 3703 and 011 308 2108			TELEPHONE NUMBER	011 308 3703 and 011 308 2108		
FACSIMILE NUMBER				FACSIMILE NUMBER			
E-MAIL ADDRESS	<a href="mailto:Barbara.msomi@transnet.net">Barbara.msomi@transnet.net</a> and <a href="mailto:Sithokozile.ndaba@transnet.net">Sithokozile.ndaba@transnet.net</a>			E-MAIL ADDRESS	<a href="mailto:Barbara.msomi@transnet.net">Barbara.msomi@transnet.net</a> and <a href="mailto:Sithokozile.ndaba@transnet.net">Sithokozile.ndaba@transnet.net</a>		
<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							
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No			B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No	

Respondent's Signature

Date and Company Stamp

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

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. TAX COMPLIANCE REQUIREMENTS</b>
1.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. 1.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS. 1.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA. 1.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. 1.5 IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. 1.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

(Proof of authority must be submitted e.g. company resolution)

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

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

\_\_\_\_\_  
Date and Company Stamp

## SECTION 2 : NOTICE TO RESPONDENTS

### 1 INFORMATION REQUEST

Information is requested from interested persons, companies, close corporations or enterprises [hereinafter referred to as the **Respondent(s)**] to supply the aforementioned information to Transnet. Respondents are to note that only those who have been shortlisted following the bid evaluation process detailed in this RFI, will be allowed to participate in the Stage 2 RFP process.

<b>DESCRIPTION</b>	Provision of a Secure Access Service Edge for a period of three (3) years [ <b>the Services</b> ]
<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>RFI DOWNLOADING</b>	<p>This <b>RFI</b> 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> and Transnet website at <a href="http://www.transnet.net">www.transnet.net</a> free of charge.</p> <p>To download RFI 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 located in the list, click on the "Tender documents" tab and process to download all uploaded documents.</p> <p>The <b>RFI</b> may also be downloaded from the Transnet website at <a href="http://www.transnet.net">www.transnet.net</a> free of charge. To access the Transnet eTender portal, please click <a href="#">here</a> (refer to section 2, paragraph 4 below for detailed steps)</p>
<b>COMMUNICATION</b>	<p>Any addenda to the RFI or clarifications will be published on the e-tender portal and Transnet website. Bidders are required to check the e-tender portal and Transnet website prior to finalising their bid submissions for any changes or clarifications to the RFI.</p> <p>Transnet will not be held liable if Bidders do not receive the latest information regarding this RFI.</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:Barbara.Msomi@transnet.net">Barbara.Msomi@transnet.net</a> and <a href="mailto:Sithokozile.Ndaba@transnet.net">Sithokozile.Ndaba@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>12:00 pm on Wednesday 08 June 2022</b></p> <p>Bidders must ensure that bids are uploaded timeously onto the system.</p> <p>As a general rule, if a bid is late, it will not be accepted for consideration.</p>
<b>VALIDITY PERIOD</b>	<p><b>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, on the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process, the validity of the bidder(s)' bid will be deemed to remain valid until the RFI process has been concluded.</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 briefing will be conducted on MICROSOFT TEAMS on the **18 May 2022**, at 12:00 for a period of  $\pm$  2 hours. The briefing session will start punctually and information will not be repeated for the benefit of Respondents joining 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.

## **3 RESPONSE 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.

## **4 RFI INSTRUCTIONS**

4.1 All returnable documents listed in the expression of interest [section 5] in this RFI must be returned with your submission.

4.2 The person or persons signing the submission must be legally authorised by the respondent to do so.

## **5 B-BBEE JOINT VENTURES OR CONSORTIUMS**

Bidders may choose during the subsequent RFP process to enter into a Joint Venture with B-BBEE companies. RFP Bidders will also be required to submit a signed JV 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 the 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.

Please indicate below whether your entity has an existing JV, and if so, provide details, including details of the percentage split of business, or whether your entity intends to create a JV relationship for RFP purposes:

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## **6 COMMUNICATION**

- 6.1 For specific queries relating to this RFI/EOI a Clarification Request Form should be submitted onto the system and to Barbara Msomi [Barbara.Msomi@transnet.net](mailto:Barbara.Msomi@transnet.net) and Sithokozile Ndaba [Sithokozile.ndaba@transnet.net](mailto:Sithokozile.ndaba@transnet.net) before **12:00 pm on 03 June 2022** substantially in the form set out in Section 8. 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.
- 6.2 After the closing date of the RFI, a Respondent may only communicate with the name of delegated individual (Barbara Msomi), email [Barbara.Msomi@transnet.net](mailto:Barbara.Msomi@transnet.net) on any matter relating to its RFI Proposal.
- 6.3 Respondents are to note that changes to its submission will not be considered after the closing date.
- 6.4 It is prohibited for Respondents to attempt, either directly or indirectly, to canvass any officer or employee of Transnet in respect of this RFI/EOI.

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.

## **7 CONFIDENTIALITY**

All information related to this RFI/EOI 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 RFI or the subsequent RFP process, written approval to divulge such information must be obtained from Transnet.

## **8 STATUS OF THIS RFI AND SUBSEQUENT PROCESS**

- 8.1 It is envisaged that Service Provider will be appointed, through a separate RFP process, to provide a Secure Access Service Edge for the period of three (3) years.
- 8.2 This RFI is not an offer to purchase and Transnet is under no obligation to accept any proposals in this process and/or the subsequent RFP which may be issued hereafter.
- 8.3 As this is a Request for Information only, no business will be awarded through this process.

## **9 DISCLAIMERS**

- 9.1 Respondents are hereby advised that Transnet is not committed to any course of action as a result of its issuance of this RFI and/or its receipt of submissions in response to it. In particular, please note that Transnet reserves the right and at its sole and full discretion to:



- (a) utilise any information provided to it in response to this RFI to draft the scope of requirements for inclusion in an RFP;
  - (b) take no further action whatsoever, if it so decides;
  - (c) withdraw from this process and the provisions of this project at any time;
  - (d) select the RFI and RFP participants based on Transnet's criteria;
  - (e) change the dates of adjudication and submission;
  - (f) not invite RFI respondents for further participation in the RFP process;
  - (g) not bind itself to accept any or all of the RFIs;
  - (h) increase or decrease the quantities/scope as indicated in the RFI;
  - (i) 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;
  - (j) request audited financial statements or other documentation for the purposes of a due diligence exercise;
  - (k) not accept any changes or purported changes by the Respondent to the bid rates after the closing date;
- 9.2 Transnet's decisions will be final and no correspondence will be entered into after the selection process. You will be formally notified of your result.
- 9.3 An RFI will only be deemed accepted once written notice is given by Transnet to the successful Respondent(s) and after any amendments have been documented and agreed to.
- 9.4 Note that Transnet will not reimburse any Respondent for any preparatory costs or other work performed in connection with this submission.

## 10 SECURITY CLEARANCE

Acceptance of this bid could be subject to the condition that the Successful Respondent, its personnel providing the goods 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.

## 11 NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE

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. Respondents must register on the CSD prior to submitting their bids. Business may not be awarded to a Respondent who has failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD.

**For this purpose, the attached SBD 1 Form must be completed and submitted as a returnable document by the closing date and time of the bid.**

## 12 TAX COMPLIANCE

Respondents must be compliant when submitting a proposal to Transnet and remain compliant for the entire contract term with all applicable tax legislation, including but not limited to the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).


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 bidder's tax obligations.

The Tax Compliance status requirements are also applicable to foreign Respondents / individuals who wish to submit bids.

Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the Central Supplier Database and their tax compliance status will be verified through the Central Supplier Database.


**Transnet urges its clients, suppliers and the general public to report any fraud or corruption to**

**TIP-OFFS ANONYMOUS:**




**Ethics Helpdesk** (Pty) LTD.  
Ethics Management System™

You can choose to be **Anonymous** or **Non-Anonymous** on ANY of the platforms  
**PLEASE RETAIN YOUR REFERENCE NUMBER**



**AI Voice Bot "Jack"**  
Speak to our AI Voice Chat Bot "JACK", you converse with him like chatting to a human, with the option to record a message and speak to an agent at anytime.




**What's App**  
Speak to an Agent via What's App.




**Speak to an Agent**  
Speak to an Agent via the platform with no call or data charge




**Telegram**  
Speak to an Agent via Telegram






**0800 003 056**



**086 551 4153**



**reportit@ethicshelpdesk.com**



**\*120\*0785980808#**

## **SECTION 3 : RFI SCOPE OF REQUIREMENTS**

### **1 INTRODUCTION**

The objective of this RFI is to get a view on the capabilities of Service Providers/ Suppliers to provide a solution that aligns with the Secure Access Service Edge (SASE) Model as described in the technical specification.

### **2 BACKGROUND**

Following a subsequent RFP process, Transnet's intention is to initiate the RFP to only the bidders identified in the RFI as delivery agents of the solution selected as suitable to meet Transnet requirements.

Your submission should include in detail your proposed methodology, and preliminary program of expected activities. From the RFI and response and/or submissions thereto, Transnet will compile an RFP document which will include an indicative schedule of activities and timelines.

### **3 KEY OBJECTIVES OF THIS RFI PROCESS**

The following list of deliverables captures the minimum intent and objectives of the RFI process. Transnet requests all Respondents to assist with the achievement of these objectives by submitting the requested information as indicated below. This will be finalised in the RFP documents following the RFI process:

- Cloud Access Security Broker (CASB)
- Data Loss Prevention (DLP)
- Antivirus (AV)
- Firewall as a Service (FWaaS)

### **4 GENERAL RESPONDENT OBLIGATIONS**

- 4.1 The Respondent(s) shall be fully responsible to Transnet for the acts and omissions of persons directly or indirectly employed by them.
- 4.2 The Respondent (s) must comply with the requirements stated in this RFI.

### **5 CONFIDENTIALITY AND COMPLIANCE**

This RFI and information contained herein or provided for purposes thereof, remain the property of Transnet and may not be reproduced, sold or otherwise disposed of. All recipients of this document (whether a RFI is submitted or not) shall treat the details of this document as strictly private and confidential.

Information disclosed in this RFI is given in good faith and only for the purposes of providing sufficient information to the Respondent to enable submission of a well-informed and realistic RFI.

### **6 UNDERTAKINGS BY RESPONDENT**

It will be accepted that the Respondent, on submitting the RFI response, has read, understood and accepted all the terms and conditions of the document. The submission of an RFI by any Respondent shall presume

complete acceptance of the terms and conditions of the document. All qualifications and or exceptions should be noted in the RFI Response document.

## **7 COSTS TO RESPOND TO THE RFI**

All Respondents wishing to submit a RFI response must be in possession of this document, the RFI. Transnet will not be responsible for or pay any expense or losses which may be incurred by any Respondent in the preparation and submission of the RFI and the costs of the RFI at all stages of the RFI process. Costs, if any, will be for each Respondent's own account.

Transnet reserves the right to invite certain Respondents to present or otherwise demonstrate their proposed solution as per their RFI, at the Respondent's own cost.

## **8 AUTHORITY OF SIGNATORY**

- 8.1 If the RFI Respondent is a company, a certified copy of the resolution of the Board of Directors (i.e. personally signed by the Chairman or Secretary of the Board) authorising the person who signs this RFI to do so and any other documents and correspondence in connection with this RFI and/or agreement on behalf of the company, must be submitted with their RFI.
- 8.2 If the RFI Respondent is a partnership, a certified copy of the resolution of the partners (personally signed by all the partners) authorising the person who signs this RFI to do so and any other documents and correspondence in connection with this RFI and/or agreement on behalf of the partnership, must be submitted with this RFI.
- 8.3 If the RFI Respondent constitutes a "one-man business", certified proof must be submitted that the person signing this RFI and any other documents and correspondence in connection with this RFI and/or agreement is the sole owner of the one-man business.

Failure to comply with this clause may result in rejection of the RFI response.

## **9 OFFERING OF COMMISSION OR GRATUITY**

If a Respondent, or any person employed by him, is found to have either directly or indirectly offered, promised or given to any person in the employ of Transnet, any commission, gratuity, gift or other consideration, Transnet shall have the right and without prejudice to any other legal remedy which it may have in regard to any loss or additional cost or expenses, to disqualify the RFI Respondent from further participation in this process and any other subsequent processes in this regard. The RFI Respondent will be responsible for all and any loss that Transnet may suffer as a result thereof. In addition, Transnet reserves the right to exclude such a Respondent from future business with Transnet.

## **10 UNDERTAKING BY TRANSNET**

In responding to this RFI, Transnet encourages all RFI Respondents to put their best effort into the construction and development of the proposal.

The RFI process will include due governance and the results of the adjudication process will be available to Respondents.

## **11 RFI SELECTION CRITERIA**

Please refer to Section 3.2 below.

## SECTION 4 : TRANSNET'S RFI INFORMATION

### 1 STATISTICS [The Services]

Transnet currently has the following install base:

#### **Network services install base**

- 1.1 Transnet has upward of 15014 devices of VoIP, 12448 analogue devices and 6461 digital devices and 5 audio codes devices.
- 1.2 Transnet WAN Services are provided at approximately 822 sites. The current WAN IP/MPLS backbone has approximately 483 CE routers and 14 Core routers. Transnet is however in the process of migrating to an SD-WAN architecture (Viptela) over the next 6 months.
- 1.3 Transnet's LAN Services are provided via approximately 42 913 LAN points. Transnet LAN is comprised of an estimate of 5000 access switches Transnet LAN and an estimate of 800 distribution/core switches.
- 1.4 Help and Service Desk Tower with approx. 1365 calls per month.
- 1.5 Mobility Services Tower with more than 25 847 users.
- 1.6 Transnet has an estimate of 295 Video conference end points (rooms) across all ODs across the country services.
- 1.7 Transnet has layer 2 (Ethernet) and internet connectivity on major data centres in the country which include Teraco (Isando, Durban and Rondebosch) as well as 141 Sivewright and Megawatt Park. Internet Services upward of 2,246 Gbps.
- 1.8 Transnet has 25 VSAT sites of which 7 are outside South African borders. Transnet WAN sites have varying capacities from 128kb/s to 1Gb/s.
- 1.9 Transnet has over 12 000km of fibre deployed through-out the country covering the long haul (National Long Distance, [NLD]) as well as the campuses where there are Transnet offices.
- 1.10 Transnet is currently deploying a 100Gb/s nationwide DWDM/OTN system in order to provide a robust Ethernet backbone network.
- 1.11 VPNs.
- 1.12 APN services provided by Vodacom.

#### **Cyber Security install base**

Transnet has deployed approximately

- 1.13 16 x Palo Alto firewalls
- 1.14 3 x ZScaler Internet Security proxy servers (3 break-out points at Teraco DCs (Isando, Durban and Rondebosch). The average user base is +20 000 users per month
- 1.15 38 x Wireless Controllers
- 1.16 1168 x Wireless Access Points
- 1.17 Intrusion Detection Services (Palo Alto)
- 1.18 DHCP (Cisco Network Registrar)

### 1.19 Mimecast

Please note that the aforementioned information is provided merely as an indication of the size and nature of Transnet's current requirements and consequently does not necessarily reflect the extent of the Services to be supplied by appointed Service Provider(s) through an award of business at any future date.

## 2 REQUIREMENTS FOR RFI

Respondents expressing an interest to participate in this RFI stage must qualify in terms of the minimum predetermined requirements and have the capability to supply / provide the full range of Products/ Services, as set out below:

**Minimum Eligibility Criteria** are as follows:

- 2.1 Full range of Products/ Services, as set out in paragraph 4.2 below.
- 2.2 A SASE roadmap for the next 2 years clearly indicating which features is not provided in the current product offering.
- 2.3 Provide a sample Service Level Agreement
- 2.4 If the solution is delivered through a partner, identify the list of certified partners in South Africa, see Annexure A.

## 3 EVALUATION METHODOLOGY AND CRITERIA

During this RFI process Transnet intends utilising the following methodology and criteria in shortlisting Supplier(s)/Service Providers. Please note that the criteria and/or weightings listed in the various stages below may change at RFP stage.

### 3.1. STEP ONE: Test for Administrative Responsiveness

The test for administrative responsiveness will include the following:

Administrative responsiveness check	RFI Reference
<ul style="list-style-type: none"><li>Whether the Bid has been lodged on time</li></ul>	<i>Section 1 paragraph 4</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>

***The test for administrative responsiveness [Step One] must be passed for a Respondent's Proposal to progress to Step Two for further pre-qualification***

### 3.2. STEP TWO: Minimum Threshold of 70 points for Technical Criteria and Functional Requirements

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

Technical Evaluation Criteria	Point Weightings	Scoring Guideline
<b>Part I: Roadmap, Project Plan, References (35%)</b>		
Roadmap score as per Roadmap table 1 below	<b>7.50%</b>	
Project plan for deployment	<b>7.50%</b>	
OEM certification	<b>5.00%</b>	
Staff certification	<b>7.50%</b>	
Three references	<b>7.50%</b>	
<b>Part II: Functional requirements (50%)</b>		
Architecture	<b>10.00%</b>	
Major capabilities	<b>15.00%</b>	
Security	<b>12.50%</b>	
Internet Filtering solution	<b>5.00%</b>	
Remote access	<b>5.00%</b>	
Mobile	<b>2.50%</b>	
<b>Part III: Reporting &amp; Management and pricing model (15%)</b>		
Management	<b>10.00%</b>	
Reporting	<b>2.50%</b>	
Pricing model	<b>2.50%</b>	
<b>Total Weighting</b>	<b>100%</b>	<b>0</b>
<b>Minimum qualifying score required</b>	<b>70%</b>	

- The Bidder will present a roadmap that provides additional features over 24 months with some core features day one. The progression in scoring aligns with technical assets that are to be deprecated within Transnet or aligned with emerging technologies.
- This subset matrix will reward points based on the bidder's current capabilities & roadmap for adding features into the SASE Stack.

	2022			2023				
Feature	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1
CASB	25	25	25	10	10	5	5	5
DLP	25	25	25	10	10	5	5	5
VPN Services	25	25	10	5	5	0	0	0
Firewall as a Service	25	25	25	10	10	5	5	5
AntiVirus	25	25	25	10	10	5	5	5
Reporting / Telemetry	25	25	10	5	5	0	0	0
Vulnerability Management	25	25	25	10	10	5	5	5
Integration Capabilities	25	25	10	10	10	5	5	5

**Table 1. Roadmap evaluation**

- Respondents must complete and submit **Annexure A which includes a Technical Questionnaire**. A Respondent's compliance with the minimum functionality/technical threshold will be measured by their responses to **Annexure A**.
- 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 Four] must be met or exceeded for a Respondent's Proposal to progress to Step Four for final evaluation***



### **3.3. STEP FOUR: Evaluation and Final Weighted Scoring**

Pricing models to be provided and on what basis pricing is determined (e.g. per module, per user, per cpu, per feature, per month, once-off/perpetual, per upgrade, etc). Pricing per module shall align as far as possible to the SASE model as described in the technical specification. Optional/selectable features shall be clearly indicated.

### **3.4. FINANCIAL REQUIREMENTS FOR FUTURE AWARD OF BUSINESS**

In the event of a RFP following this RFI process, it will be a condition precedent prior to the award of business in terms of that RFP that the successful Respondent demonstrates its ability to fund Transnet's requirements.

---

Respondent's Signature

---

Date and Company Stamp

## SECTION 5 : EXPRESSION OF INTEREST

I/We \_\_\_\_\_

[name of company, close corporation or partnership]

of [full address] \_\_\_\_\_

\_\_\_\_\_

carrying on business under style or title of [trading as]

represented by \_\_\_\_\_

in my capacity as \_\_\_\_\_

being duly authorised, hereby lodge an **Expression of Interest** in the provision of a Secure Access Service Edge, over a period of three **[3] years**, as follows:

### ADDRESS FOR NOTICES

Respondent to indicate its *domicilium citandi et executandi* hereunder:

Name of entity: \_\_\_\_\_

Facsimile: \_\_\_\_\_

Address: \_\_\_\_\_

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

### 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 RFI 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 and Company Stamp

.....  
.....  
.....

## CONFIDENTIALITY

All information related to a subsequent contract, both during and after completion, is to be treated with strict confidence. Should the need however arise to divulge any information gleaned from provision of the Services, which is either directly or indirectly related to Transnet's business, written approval to divulge such information must be obtained from Transnet.

## 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 RFI <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) Respondents must submit with their responses to this RFI, **as a Mandatory/minimum requirement**, all the returnable documents indicated below with a [✓].

Minimum Requirements - Returnable Documents	Submitted [✓]
SECTION 1: SBD1 FORM	
SECTION 2 : Notice to Respondents	
SECTION 3 : RFI Scope of Requirements	
SECTION 4 : Transnet's RFI Information	
SECTION 5 : Expression of Interest	

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

\_\_\_\_\_  
Date and Company Stamp

Minimum Requirements - Returnable Documents	Submitted [✓]
Proof of Eligibility:	
a) Full range of Products/ Services, as set out paragraph 4.2	
b) A SASE roadmap for the next 2 years	
c) Provide a sample Service Level Agreement	
d) If solution is delivered through a partner, identify the list of certified partners in South Africa, <b>see Annexure A</b>	
ANNEXURE A : Technical Questionnaire	

**b) Essential Returnable Documents**

In addition to the requirements of section (a) above, Respondents are further required to submit with their Proposals the following **essential Returnable Documents** as detailed below.

**Essential Returnable Documents required for evaluation purposes:**

*Failure to provide all essential 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. Bidders are therefore urged to ensure that all these documents are returned with their Proposals.*

Please confirm submission of these essential Returnable Documents by indicating Yes or No in the table below:

ESSENTIAL RETURNABLE DOCUMENTS USED FOR SCORING	SUBMITTED [Yes or No]
Valid proof of Respondent's compliance to B-BBEE requirements (Valid B-BBEE certificate or Sworn Affidavit) stipulated in Section 7 of this RFI	
Project Plan for Deployment	
OEM Certification	
Staff Certification	
Three Contactable References on the Company's Letterhead	

**c) Other Essential Returnable Documents:**

*Failure to provide other essential Returnable Documents may result in a Respondent's disqualification. Bidders are therefore urged to ensure that all these documents are returned with their Proposals.*

Please confirm submission of these essential Returnable Documents by indicating Yes or No in the table below:

OTHER ESSENTIAL RETURNABLE DOCUMENTS & SCHEDULES	SUBMITTED [Yes or No]
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	
SECTION 6 : Certificate Of Acquaintance with RFI, Terms & Conditions & Applicable Documents	

Respondent's Signature

Date and Company Stamp

SECTION 7 : B-BBEE Preference Claim Form	
SECTION 9: SBD 9 - Certificate of Independent Bid Determination	
SECTION 10: Protection of Personal Information	
ANNEXURE B: Transnet's General Bid Conditions	
ANNEXURE C: Transnet's Supplier Integrity Pact	
ANNEXURE D: Non-disclosure Agreement	
ANNEXURE E: Scope of Work	

#### CONTINUED VALIDITY OF RETURNABLE DOCUMENTS

The Respondent will be required to ensure the validity of all returnable documents, including but not limited to its valid proof of B-BBEE status, for the duration of any contract emanating from this RFI/EOI process.

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: \_\_\_\_\_

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

\_\_\_\_\_  
Date and Company Stamp

## SECTION 6 : CERTIFICATE OF ACQUAINTANCE WITH RFI, TERMS & CONDITIONS & APPLICABLE DOCUMENTS

**By signing these RFI documents, the Respondent is deemed to acknowledge that he/she has made himself/herself thoroughly familiar with all the conditions governing this RFI including those contained in any printed form stated to form part hereof including but not limited to the documents stated below. Transnet SOC Ltd will recognise no claim for relief based on an allegation that the Respondent overlooked any such term or condition.**

1	Transnet's General Bid Conditions – Annexure B
2	Transnet's Supplier Integrity Pact – Annexure C
3	Non-disclosure Agreement – Annexure D

Should the Bidder find any terms or conditions stipulated in any of the relevant documents quoted in this RFI 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 RFI/EOI 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 RFI documents included in the RFI/EOI as a returnable document, is found not to be true and complete in every respect.

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: \_\_\_\_\_

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

\_\_\_\_\_  
Date and Company Stamp

## SECTION 7 : B-BBEE PREFERENCE POINTS CLAIM FORM

This preference form must form part of all bids invited. It contains general information and serves as a claim for preference points for Broad-Based Black Economic Empowerment [**B-BBEE**] Status Level of Contribution.

Transnet will award preference points to companies who provide valid proof of their B-BBEE status using either the latest version of the generic Codes of Good Practice or Sector Specific Codes (if applicable).

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS.**

### 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
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable. Despite the stipulated preference point system, Transnet shall use the lowest acceptable bid to determine the applicable preference point system in a situation where all received acceptable bids are received outside the stated preference point system.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contribution.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
<b>PRICE</b>	<b>80</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	<b>20</b>
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE status level of contributor together with the bid will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 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) **"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;
- (e) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (f) **"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);
- (g) **"functionality"** means the ability of a bidder to provide goods or services in accordance with specification as set out in the bid documents
- (h) **"Price"** includes all applicable taxes less all unconditional discounts.
- (i) **"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.
- (j) **"QSE"** means a Qualifying Small EEnterprise 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);
- (k) **"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.

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 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

### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12



5	8
6	6
7	4
8	2
Non-compliant contributor	0

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> .]
EME <sup>1</sup>	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.
- 4.6 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.
- 4.7 Bidders are to note that the rules pertaining to B-BBEE verification and other B-BBEE requirements may be changed from time to time by regulatory bodies such as National Treasury or the DTI. It is the Bidder's responsibility to ensure that his/her bid complies fully with all B-BBEE requirements at the time of the submission of the bid.

## 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 IN TERMS OF PARAGRAPHS 1.4 AND 6.1

<sup>1</sup> In terms of the Implementation Guide: Preferential Procurement Regulations, 2017, Version 2, paragraph 11.11 provides that in the Transport Sector, EMEs can provide a letter from accounting officer or get verified and be issued with a B-BBEE certificate by SANAS accredited professional or agency as the Transport Sector Code has not been aligned to the generic Codes. EMEs in the Transport Sector are not allowed to provide a Sworn Affidavit as the generic codes are not applicable to them.

6.1 B-BBEE Status Level of Contribution: . = .....(maximum of 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 means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or a sworn affidavit.

## 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 an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: 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 Service provider
- ☐ Other Service provider, 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 indicated in paragraphs 1.4 and 6.1 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, local production and content, or any other matter required in terms of the Preferential Procurement Regulations, 2017 which will affect or has affected the evaluation of a bid, or where a bidder has failed to declare any subcontracting arrangements or any of the conditions of contract have not been fulfilled, 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;
  - (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.

WITNESSES

- 1. ....
- 2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS.....

## SECTION 8 : RFI CLARIFICATION REQUEST FORM

RFI No: GSM TCC/2022/05/0129/RFI

Deadline for RFI clarification submissions: Before **12:00 am on 03 June 2022.**

TO: Transnet SOC Ltd  
ATTENTION: Barbara Msomi and Sithokozile Ndaba  
EMAIL [Barbara.Msomi@transnet.net](mailto:Barbara.Msomi@transnet.net) and [Sithokozile.Ndaba@transnet.net](mailto:Sithokozile.Ndaba@transnet.net)  
DATE: .....  
FROM: .....

RFI Clarification No *[to be inserted by Transnet]*

### REQUEST FOR RFI CLARIFICATION:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Respondent's Signature

Date and Company Stamp

## **SECTION 9: SBD 9 - CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. Section 4(1)(b)(iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging). Collusive bidding is a per se prohibition meaning that it cannot be justified under any grounds. Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.
2. Transnet will take all reasonable steps to prevent abuse of the supply chain management system and to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
3. This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
4. In order to give effect to the above, the following certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

### **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_  
(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_  
(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - a. has been requested to submit a bid in response to this bid invitation;
  - b. could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - c. provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. 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.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - a. prices;

\_\_\_\_\_  
<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.

- b. geographical area where product or service will be rendered (market allocation)
  - c. methods, factors or formulas used to calculate prices;
  - d. the intention or decision to submit or not to submit, a bid;
  - e. the submission of a bid which does not meet the specifications and conditions of the bid; or
  - f. bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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.
10. 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.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

## SECTION 10: PROTECTION OF PERSONAL INFORMATION

1. The following terms shall bear the same meaning as contemplated in Section 1 of the Protection of Person information act, No.4 of 2013.(“POPIA”):

consent; data subject; electronic communication; information officer; operator; person; personal information; processing; record; Regulator; responsible party; special information; as well as any terms derived from these terms.

2. Transnet will process all information by the Respondent in terms of the requirements contemplated in Section 4(1) of the POPIA:

Accountability; Processing limitation; Purpose specification; Further processing limitation; Information quality; Openness; Security safeguards and Data subject participation.

3. The Parties acknowledge and agree that, in relation to personal information that will be processed pursuant to this RFI, 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 RFI 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 RFI, 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 RFI (physically, through a computer or any other form of electronic communication).



9. Transnet shall notify the Respondent in writing of any unauthorised access to information, cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such crimes or suspected crime. The Respondent must take all necessary 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 RFI, the Respondent is hereby consenting to the processing of their personal information for the purpose of this RFI 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 RFI is complete, accurate, not misleading, is up to date and may be updated where applicable.

Signature of Respondent's authorised representative: \_\_\_\_\_

Should a Respondent have any complaints or objections to processing of its personal information, by Transnet, the Respondent can submit a complaint to the Information Regulator on <https://www.justice.gov.za/infoereg/>, click on contact us, click on complaints.IR@justice.gov.za