



**Transnet Rail Infrastructure Manager**

an Operating Division of **TRANSNET SOC LTD**

[hereinafter referred to as **Transnet**]

Registration Number 1990/000900/30

**REQUEST FOR QUOTATION [RFQ] No ERAC-EMU-57783-MM-286**

<b>FOR THE PROVISION OF:</b>	<b>REFILLING OF GAS AND RENTAL TO EMPANGENI, RICHARDS BAY AND VRYHEID</b>
<b>FOR A PERIOD OF:</b>	<b>24 MONTHS</b>
<b>ISSUE DATE:</b>	<b>11 MAY 2026</b>
<b>CLOSING DATE:</b>	<b>21 MAY 2026</b>
<b>CLOSING TIME:</b>	<b>12H00</b>
<b>SUBMISSION TO:</b>	<b>Transnet e-tender submission portal – see SBD 1 for details</b>

**SECTION 1: SBD1 FORM****PART A  
INVITATION TO BID****YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF TRANSNET RAIL INFRASTRUCTURE MANAGER, A DIVISION TRANSNET SOC LTD**

BID NUMBER:	ERAC-EMU-57783-MM-286	ISSUE DATE:	11 MAY 2026	CLOSING DATE:	21 MAY 2026	CLOSING TIME:	12H00
DESCRIPTION:	REFILLING OF GAS AND RENTAL FOR A PERIOD OF 24 MONTHS TO EMPANGENI, RICHARDS BAY AND VRYHEID						

**BID RESPONSE DOCUMENTS SUBMISSION INSTRUCTIONS**

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.

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

- a) Log on to the Transnet eTenders management platform website/Portal using **Google Chrome:** [transnetetenders.azurewebsites.net](https://transnetetenders.azurewebsites.net);
- b) Click on "ADVERTISED TENDERS" to view advertised tenders;
- c) Click on "SIGN IN/REGISTER" to register new bidder information and ensure that all mandatory information is completed OR to sign in if already registered;
- d) Toggle (click to switch) the "Log an Intent" button to submit a bid;
- e) Respondents are to submit bid documents by uploading them onto the Transnet system against each tender selected. A Bidder can upload 30mb per upload and multiple uploads are permitted.**
- f) Bidders should ensure that electronic bid submissions are submitted at least a day before the closing date and bidders should not wait for the last hour before the deadline to submit. This is to enable them to timeously address issues which they may encounter due to internet speed, bandwidth or the size of the number of uploads being submitted. Transnet will not be held liable for any challenges experienced by bidders as a result of their own technical challenges.
- g) No late submissions will be accepted.
- h) Each company must register its own profile using its company details and use the corresponding registered profile to log an intent to bid as well as submitting any bid. Transnet will not accept a bid or will disqualify a bidder who submits a bid in the Transnet e-tender submission through another bidders'/Company's profile. In other words, each bidder must register the intent to bid and submit its bid through its own profile under the same company name that will eventually bid for the tender. No company shall submit a bid on behalf of another company regardless of the company being a subsidiary or holding company.
- i) In case of a Joint Venture, any of the parties/companies to the Joint Venture may use its registered profile to submit a bid on behalf of the Joint Venture.
- j) A detailed bidder guide can be found on the Transnet Portal [transnetetenders.azurewebsites.net](https://transnetetenders.azurewebsites.net)

**BIDDING PROCEDURE / TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**

CONTACT PERSON	MARI MARITZ
TELEPHONE NUMBER	035 906 7348
FACSIMILE NUMBER	NOT APPLICABLE
E-MAIL ADDRESS	MARI.MARITZ@TRANSNET.NET

**SUPPLIER INFORMATION**

NAME OF BIDDER	
POSTAL ADDRESS	

Respondent's Signature

Date &amp; Company Stamp

STREET ADDRESS			
TELEPHONE NUMBER	CODE		NUMBER
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE		NUMBER
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			
IT IS A CONDITION OF THIS BID THAT THE TAX MATTERS OF THE SUCCESSFUL RESPONDENTS BE IN ORDER, OR THAT SATISFACTORY ARRANGEMENTS HAVE BEEN MADE WITH SOUTH AFRICAN REVENUE SERVICE (SARS) TO MEET THE RESPONDENTS TAX OBLIGATIONS.			
	TCS PIN	OR	CSD NO:
SUPPLIER COMPLIANCE STATUS	<input type="checkbox"/> Yes  <input type="checkbox"/> No	<b>BBEE STATUS LEVEL SWORN AFFIDAVIT</b>	
Yes, Who was the Certificate issued by			
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)	
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)	
	<input type="checkbox"/>	A REGISTERED AUDITOR NAME:	
<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</b> ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ENCLOSE PROOF]	<b>2</b> ARE YOU A FOREIGN BASED SUPPLIER FOR <b>THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES, ANSWER QUESTIONNAIRE BELOW ]
Signature of the Bidder	.....	Date:	.....
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>			
IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE BIDDER HAVE A BRANCH IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<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>			

Respondent's Signature

Date & Company Stamp

**PART B**  
**TERMS AND CONDITIONS FOR BIDDING**

**1. TAX COMPLIANCE REQUIREMENTS**

- 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.
- 1.7 RESPONDENTS ARE REQUIRED TO SELF-REGISTER ON NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE (CSD) WHICH HAS BEEN ESTABLISHED TO CENTRALLY ADMINISTER SUPPLIER INFORMATION FOR ALL ORGANS OF STATE AND FACILITATE THE VERIFICATION OF CERTAIN KEY SUPPLIER INFORMATION. ONLY FOREIGN SUPPLIERS WITH NO LOCAL REGISTERED ENTITY NEED NOT REGISTER ON THE CSD. THE CSD CAN BE ACCESSED AT [HTTPS://SECURE.CSD.GOV.ZA/.iu](https://secure.csd.gov.za/.iu)

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

SIGNATURE OF BIDDER: .....

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

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

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

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

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

**SECTION 2: NOTICE TO BIDDERS**

<b>DESCRIPTION</b>	Refilling of Gas and Rental for a period of 24 months to Empangeni, Richards Bay and Vryheid. <b>[the Goods]</b>
<b>BID RESPONSE DOCUMENTS SUBMISSION</b>	<p>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.</p> <p><b>RESPONDENTS ARE TO UPLOAD THEIR BID RESPONSE PROPOSALS ONTO THE TRANSNET SYSTEM AGAINST EACH TENDER/RFQ SELECTED.</b></p> <p>The Transnet e-Tender Submission Portal can be accessed as follows:</p> <ul style="list-style-type: none"> <li>▪ Log on to the Transnet eTenders management platform website/Portal (<a href="https://transnetetenders.azurewebsites.net">transnetetenders.azurewebsites.net</a>) (please use <b>Google Chrome</b> to access Transnet link/site free of charge);</li> <li>▪ Click on "ADVERTISED TENDERS" to view advertised tenders;</li> <li>▪ Click on "SIGN IN/REGISTER – for bidder to register their information (must fill in all mandatory information);</li> <li>▪ Click on "SIGN IN/REGISTER" - to sign in if already registered;</li> <li>▪ Toggle (click to switch) the "Log an Intent" button to submit a bid;</li> <li>▪ Submit bid documents by uploading them into the system against each tender selected.</li> </ul> <p>No late submissions will be accepted. The bidder guide can be found on the Transnet Portal <a href="https://transnetetenders.azurewebsites.net">transnetetenders.azurewebsites.net</a></p>
<b>COMMUNICATION</b>	<p>For any bidding procedure or technical enquiries, please email <a href="mailto:mari.maritz@transnet.net">mari.maritz@transnet.net</a>. This is to ensure that any required communication in relation to this RFQ reaches those intending to respond. Furthermore, any addenda to the RFQ or clarifications will be published on the e-tender portal. Bidders are required to check the e-tender portal prior to finalising their bid submissions for any changes or clarifications to the RFQ.</p> <p>Transnet will not be held liable if Bidders do not receive the latest information regarding this RFQ with the possible consequence of either being disadvantaged or disqualified as a result thereof.</p>
<b>BRIEFING SESSION</b>	No. Refer to paragraph 2 for details.
<b>CLOSING DATE</b>	<p><b>12h00 on Thursday, 21 May 2026</b></p> <p>Bidders must ensure that bids are uploaded timeously onto the system. Generally, if a bid is late, it will not be accepted for consideration.</p> <p>Respondents are to submit bid documents by uploading them onto the Transnet system against each tender selected. A Bidder can upload 30mb per upload and multiple uploads are permitted.</p> <p>Bidders should ensure that electronic bid submissions are submitted at least a day before the closing date and bidders should not wait for the last hour before the deadline to submit. This is to enable them to timeously address issues which they may encounter due to internet speed, bandwidth or the size of the number of uploads being submitted. Transnet will not be held liable for any challenges experienced by bidders as a result of their own technical challenges.</p>
<b>VALIDITY PERIOD</b>	<p><b>90 Business Days from Closing Date (28 September 2026)</b></p> <p>Bidders are to note that they may be requested to extend the validity period of their bid, at the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be</p>

	<p>deemed to remain valid until a final contract has been concluded.</p> <p>Should a bidder fail to respond to a request for extension of the validity period before it expires, that bidder will be excluded from tender process.</p> <p>With regard to the validity period of next highest ranked bidders, please refer to Section 2, paragraph 10.10.</p>
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## 1 Responses to RFQ

Responses to this RFQ [**Quotations**] must not include documents or reference relating to any other quotation or proposal. Any additional conditions must be embodied in an accompanying letter.

## 2 Formal Briefing

A formal briefing session will not be held but should Respondents have specific queries they should email these to the Transnet employee(s) indicated in paragraph 3 [*Communication*] below.

## 3 Communication (Clarifications and Complaints)

- 3.1 Specific clarification queries relating to this RFQ before the closing date of the RFQ should be submitted to [**Mari Maritz – mari.maritz@transnet.net**] before **12h00 on 18 May 2026**. In the interest of fairness and transparency Transnet's response to such a query will then be made available to other bidders.
- 3.2 Specific complaints relating to this RFQ before or after the closing date should be formally submitted by emailing [groupscmcomplaints@transnet.net](mailto:groupscmcomplaints@transnet.net). Once the complaint has been submitted, the Transnet SCM Complaints office will acknowledge your complaint and send you a complaint form for completion.
- 3.3 It is prohibited for Respondents to attempt, either directly or indirectly, to canvass any officer or employee of Transnet in respect of this RFQ between the closing date and the date of the award of the business.
- 3.4 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.
- 3.5 The outcome of the process will be communicated, via email, to all bidders as soon as the process is concluded. Should a bidder not receive any communication from Transnet 30 days after the expiry of the validity period of this bid, the bidder can consider its bid not being successful. All unsuccessful bidders have a right to request Transnet to furnish reasons for their bid not being successful. This requested must be directed to the contact person stated in the SBD 1 form.

## 4 Legal Compliance

The successful Respondent shall be in full and complete compliance with any and all applicable national and local laws and regulations.

## 5 Employment Equity Act

Respondents must comply with the requirements of the Employment Equity Act 55 of 1998 applicable to it including (but not limited to) Section 53 of the Employment Equity Act.

## 6 Changes to Quotations

Changes by the Respondent to its submission will not be considered after the closing date and time.

**7 Binding Offer**

Any Quotation furnished pursuant to this Request shall be deemed to be an offer. Any exceptions to this statement must be clearly and specifically indicated.

**8 Disclaimers**

8.1 Respondents are hereby advised that Transnet is not committed to any course of action as a result of its issuance of this RFQ and/or its receipt of a Quotation in response to it. Please note that Transnet reserves the right to:

- modify the RFQ's goods / service(s);
- award only a portion of the proposed goods / services which are reflected in the scope of this RFQ;
- split the award of the order/s between more than one Supplier/Service Provider as may be explicitly articulated in the conditions or objective criteria to this RFQ;
- cancel the quotation process;
- 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;
- request audited financial statements or other documentation for the purposes of a due diligence exercise;
- not accept any changes or purported changes by the Respondent to the bid rates after the closing date and/or after the award of the business, unless the contract specifically provides for it;
- to cancel the contract and/request that National Treasury place the Respondent on its Database of Restricted Suppliers for a period not exceeding 10 years, on the basis that a contract was awarded on the strength of incorrect information furnished by the Respondent or on any other basis recognised in law;
- award the business to the next ranked bidder, provided that he/she is still prepared to provide the required Goods/Services at the quoted price, should the preferred bidder fail to sign or commence with the contract within a reasonable period after being requested to do so. Under such circumstances, the validity of the bids of the next ranked bidder(s) will be deemed to remain valid, irrespective of whether the next ranked bidder(s) were notified of their bid being unsuccessful. Bidders may therefore be requested to advise whether they would still be prepared to provide the required Goods/Services at their quoted price.
- Should a bidder fail to respond to a request for extension of the validity period before it expires, that bidder will be excluded from tender process.
- A bidder may be requested to furnish further information relating to its Environmental, Social and Governance (ESG) standing at any stage of the procurement or contracting process. This information may not be used for purposes of evaluation and/or disqualify bidder but may be use for purpose of record and analysis of ESG compliance.

**9 Specification/Scope of Work**

Refer to Annexure A: Specification of Goods.

**10 Legal review**

A Proposal submitted by a Respondent will be subjected to review and acceptance or rejection of its proposed contractual terms and conditions by Transnet's Legal Counsel, prior to consideration for an award of business.

**11 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.

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

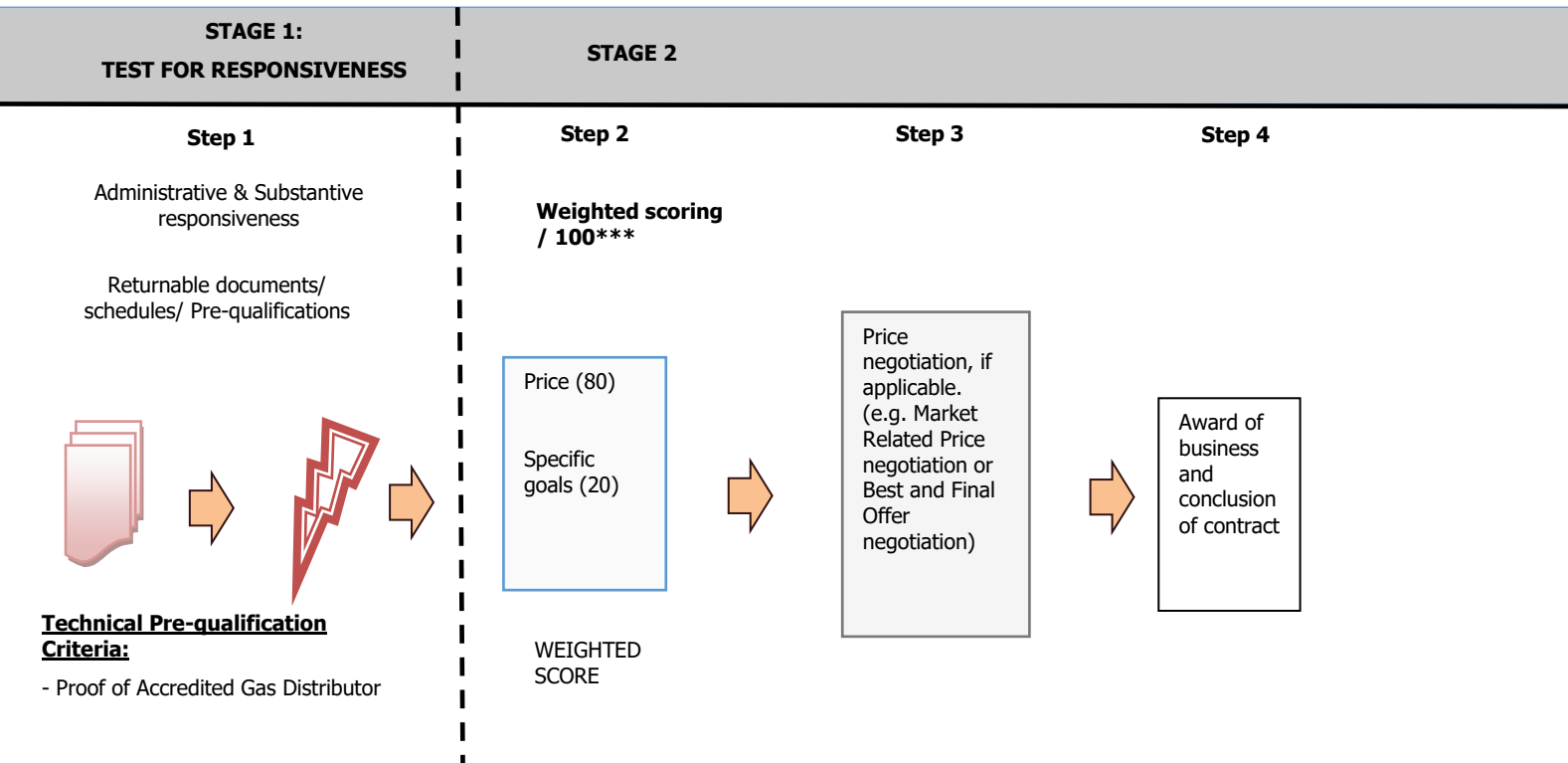
The graphic features the text 'SPEAK OUT Against fraud and corruption Confidentiality Guaranteed' in red and blue. Below the text is a silhouette of a person's head and shoulders, with a white speech bubble containing a black telephone handset icon.

**Email: [Transnet.Reportit@outlook.com](mailto:Transnet.Reportit@outlook.com)**  
**Toll free: 0800 003 056**  
**SMS:0637867403**  
**Please Call Me number: \*120\*0637867403**  
**Website: <https://whistleblowersoftware.com/secure/Transnet>**

## SECTION 3 EVALUATION METHODOLOGY, CRITERIA AND RETURNABLE DOCUMENTS

### 1 Evaluation Criteria

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



#### 1.1 STEP ONE: Test for Administrative and Substantive Responsiveness

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

Administrative & Substantive responsiveness check	RFQ Reference
• Whether the Bid has been lodged on time	
• Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time	<i>Section 3</i>
• Verify the validity of all returnable documents	<i>Section 3</i>
• Verify if the Bid document has been duly signed by the authorised respondent	<i>All sections</i>
• Whether any general and legislation qualification criteria set by Transnet, have been met	<i>All sections</i>
• Whether the Bid contains a priced offer	<i>Section 4 - Quotation Form</i>
• Whether the Bid materially complies with the scope and/or specification given	<i>All Sections</i>
• Whether any Technical Pre-qualification Criteria have been met as follows: <ul style="list-style-type: none"> <li>- Proof of Accredited Gas Distributor</li> </ul>	

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

Respondent's Signature

Date & Company Stamp

**1.2 STEP TWO: Evaluation and Final Weighted Scoring**a) **Price Criteria** [Weighted score 80 points]:

Evaluation Criteria	RFP Reference
• Commercial offer	<i>Section 4</i>

Transnet will utilise the following formula in its evaluation of Price:

$$PS = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where:

*Ps* = Score for the Bid under consideration*Pt* = Price of Bid under consideration*Pmin* = Price of lowest acceptable Bidb) **Specific Goals** [Weighted score 20 point]

- Specific goals claim form
- Preference points will be awarded to a bidder for attaining the specific goals requirements in accordance with the table indicated in Section 7, paragraph 3.2 of the specific goals Claim Form.

**1.3 STEP THREE: Post Tender Negotiations (if applicable)**

- Respondents are to note that Transnet may not award a contract if the price offered is not market-related. In this regard, Transnet reserves the right to engage in PTN with the view to achieving a market-related price or to cancel the tender. Negotiations will be done in a sequential manner i.e.:
  - first negotiate with the highest ranked bidder or cancel the bid, should such negotiations fail,
  - negotiate with the 2nd and 3rd ranked bidders (if required) in a sequential manner.
- In the event of any Respondent being notified of such short-listed/preferred bidder status, his/her bid, as well as any subsequent negotiated best and final offers (BAFO), will automatically be deemed to remain valid during the negotiation period and until the ultimate award of business.
- Should Transnet conduct post tender negotiations, Respondents will be requested to provide their best and final offers to Transnet based on such negotiations. Where a market related price has been achieved through negotiation, the contract will be awarded to the successful Respondent(s).

**1.4 STEP FOUR: Award of business and conclusion of contract**

- Immediately after approval to award the contract has been received, the successful or preferred bidder(s) will be informed of the acceptance of his/their Quotation by way of a Letter of Award. Thereafter the final contract will be concluded with the successful Respondent(s).
- Alternatively, the acceptance of a letter of award by the Successful Respondent will constitute the final contract read together with their RFQ response and the Standard Terms and Conditions. This will be stated in the letter of award.

**2 Validity Period**

Transnet requires a validity period of 90 [ninety] Business Days – 28 September 2026 from the closing date of this RFQ, excluding the first day and including the last day.

Bidders are to note that they may be requested to extend the validity period of their bid, on the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be deemed to remain valid until a final contract has been concluded.

### 3 Disclosure of contract information

#### Johannesburg Stock Exchange Debt Listing Requirements

Transnet may also be required to disclose information relating to the subsequent contract i.e. the name of the company, goods/services provided by the company, the value and duration of the contract, etc. in compliance with the Johannesburg Stock Exchange (JSE) Debt Listing Requirements.

#### Domestic Prominent Influential Persons (DPIP) OR Foreign Prominent Public Officials (FPPO)

Transnet is free to procure the services of any person within or outside the Republic of South Africa in accordance with applicable legislation. Transnet shall not conduct or conclude business transactions, with any Respondents without having:

- Considered relevant governance protocols;
- Determined the DPIP or FPPO status of that counterparty; and
- Conducted a risk assessment and due diligence to assess the potential risks that may be posed by the business relationship.

As per the Transnet Domestic Prominent Influential Persons (DPIP) and Foreign Prominent Public Officials (FPPO) and Related Individuals Policy available on Transnet website <https://www.transnet.net/search/pages/results.aspx?k=FPIDP#k=DPIP>, Respondents are required to disclose any commercial relationship with a DPIP or FPPO (as defined in the Policy) by completing the following section:

The below form contains personal information as defined in the Protection of Personal Information Act, 2013 (the "Act"). By completing the form, the signatory consents to the processing of her/his personal information in accordance with the requirements of the Act. Consent cannot unreasonably be withheld.						
<b>Is the Respondent</b> (Complete with a "Yes" or "No")						
<b>A DPIP/FPPO</b>		<b>Closely Related to a DPIP/FPPO</b>		<b>Closely Associated to a DPIP/FPPO</b>		
<b>List all known business interests, in which a DPIP/FPPO may have a direct/indirect interest or significant participation or involvement.</b>						
No	Name of Entity / Business	Role in the Entity / Business (Nature of interest/ Participation)	Shareholding %	Registration Number	Status (Mark the applicable option with an X)	
					Active	Non-Active
1						
2						
3						

Respondents declaring a commercial relationship with a DPIP or FPPO are to note that Transnet is required to annually publish on its website a list of all business contracts entered into with DPIP or FPPO. This list will include successful Respondents, if applicable.

**4 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 RFQ <u>will</u> result in a Respondent’s disqualification.</i></b>
Returnable Documents Used for Scoring	<b><i>Failure to provide all Returnable Documents used for purposes of scoring a bid, by the closing date and time of this bid will not result in a Respondent’s disqualification. However, Bidders will receive an automatic score of zero for the applicable evaluation criterion.</i></b>
Essential Returnable Documents	<b><i>Failure to provide essential Returnable Documents <u>will</u> result in Transnet affording Respondents a further opportunity to submit by a set deadline. Should a Respondent thereafter fail to submit the requested documents, this may result in a Respondent’s disqualification.</i></b>

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

**a) Mandatory Returnable Documents**

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

<b>Mandatory Returnable Documents</b>	<b>Submitted [Yes or No]</b>
SECTION 4: Quotation Form	
Proof of Accredited Gas Distributor	

**b) Returnable Documents Used for Scoring**

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

<b>Returnable Documents Used for Scoring</b>	<b>Submitted [Yes or No]</b>
Respondent’s valid proof of evidence to claim points for compliance with Specific Goals’ requirements as stipulated in Section 7 of this RFP (List all specific goals returnable document)	
B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline	

**c) Essential Returnable Documents:**

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

<b>Essential Returnable Documents &amp; Schedules</b>	<b>Submitted [Yes or No]</b>
SECTION 1: SBD1 Form	
SECTION 5: RFQ Declaration, Certificate of Acquaintance & Breach of Law Form	
SECTION 6: Specific Goals Claim Form	
SECTION 7: Protection of Personal Information	

**5 CONTINUED VALIDITY OF RETURNABLE DOCUMENTS**

The successful 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 RFQ. Should the Respondent be awarded the contract [**the Agreement**] and fail to present Transnet with such renewals as and when they become due, Transnet shall be entitled, in addition to any other rights and remedies that it may have in terms of the eventual Agreement, to terminate such Agreement immediately without any liability and without prejudice to any claims which Transnet may have for damages against the Respondent.

**SECTION 4**  
**QUOTATION FORM**

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

hereby offer to supply the goods/services at the prices quoted in the Price Schedule below, in accordance with the conditions related thereto.

I/We agree to be bound by those terms and conditions in:

- the Standard RFQ Terms and Conditions for the Supply of Goods or Services to Transnet; and
- any other standard or special conditions embodied in this Request for Quotation.

I/We accept that unless Transnet should otherwise decide and so inform me/us, this Quotation [and, if any, its covering letter and any subsequent exchange of correspondence], together with Transnet's acceptance thereof shall constitute a binding contract between Transnet and me/us. I/We further agree that if, after I/we have been notified of the acceptance of my/our Quotation, I/we fail to deliver the said goods/service/s within the delivery lead-time quoted, Transnet may, without prejudice to any other legal remedy which it may have, cancel the order and recover from me/us any expenses incurred by Transnet in calling for Quotations afresh and/or having to accept any less favourable offer.

**Price Schedule**

I/We quote as follows for the goods/services required, on a "delivered nominated destination – Empangeni, Richards Bay and Vryheid" basis, including VAT:

**Refer to page 15 onwards for the Price schedules to be completed.**

Price Schedule 1: Empangeni								
Item No	Description of Item	Estimated Quantities refills per year		Unit of measure	Unit price per refill (Year 1)	Total Price (Year 1)	Unit price per refill (Year 2)	Total Price (Year 2)
<b>Refills:</b>								
1	Range, Gas; Type: Oxy Tec Cyl 11.5kg	75		each				
2	Gas, Liquid Petroleum; Type: Handigas Cyl 48kg, Container Type: Cylinder, Container Capacity: Physical Form: Liquid	15		each				
3	Gas, Sulfur Hexafluoride (SF6); Type: Sulfur Hexafluoride Cyl 50kg, Container Type: Cylinder, Container Capacity: Physical Form: Liquid	2		each				
<b>Cylinder Rentals:</b>								
Item No	Description of Item	Estimated Quantities (cylinders) per year	Number of months per year	Unit of measure	Unit price per month per cylinder (Year 1)	Total Price for all cylinders for 12 months (Year 1)	Unit price per month per cylinder (Year 2)	Total Price for all cylinders for 12 months (Year 2)
4	Gas, Oxygen; Type: Oxygen Cyl 11.5kg Rental, Container Type: Cylinder 11.5 Kg, Container Capacity	75	12	month				
5	Gas, Liquid Petroleum; Type: Handigas Cyl 48kg Rental, Container Type: Cylinder, Container Capacity: Physical Form: Liquid	15	12	month				
6	Gas, Sulfur Hexafluoride (SF6); Type: Sulfur Hexafluoride Cyl 50kg, Rental Container Type: Cylinder, Container Capacity: , Physical Form: Liquid	2	12	month				
<b>Total Price, exclusive of VAT:</b>								
<b>VAT 15% (if applicable)</b>								
<b>Total Inclusive of VAT (where applicable)</b>								

**Delivery Lead-Time from date of purchase order:** \_\_\_\_\_ **[days/weeks]**

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

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

Price Schedule 2: Richards Bay								
Item No	Description of Item	Estimated Quantities refills per year		Unit of measure	Unit price per refill (Year 1)	Total Price (Year 1)	Unit price per refill (Year 2)	Total Price (Year 2)
<b>Refills:</b>								
1	Gas, Oxygen; Type: Oxygen Cyl 11.5kg, Container Type: Cylinder 11.5 Kg, Container Capacity	30		each				
2	Gas, Liquid Petroleum; Type: Handigas Cyl 48kg, Container Type: Cylinder, Container Capacity: Physical Form: Liquid	8		each				
3	Gas, Liquid Petroleum; Type: Handigas Cyl 9kg, Container Type: Cylinder, Container Capacity: Physical Form: Liquid, Concentration: Liquid Petroleum	6		each				
<b>Cylinder Rentals:</b>								
Item No	Description of Item	Estimated Quantities (cylinders) per year	Number of months per year	Unit of measure	Unit price per month per cylinder (Year 1)	Total Price for all cylinders for 12 months (Year 1)	Unit price per month per cylinder (Year 2)	Total Price for all cylinders for 12 months (Year 2)
4	Gas, Oxygen; Type: Oxygen Cyl 11.5kg Rental, Container Type: Cylinder 11.5 Kg, Container Capacity	30	12	month				
5	Gas, Liquid Petroleum; Type: Handigas Cyl 48kg Rental, Container Type: Cylinder, Container Capacity: Physical Form: Liquid	8	12	month				
6	Gas, Liquid Petroleum; Type: Handigas Cyl 9kg Rental, Container Type: Cylinder, Container Capacity: Physical Form: Liquid, Concentration: Liquid Petroleum	6	12	month				
<b>Total Price, exclusive of VAT:</b>								
<b>VAT 15% (if applicable)</b>								
<b>Total Inclusive of VAT (where applicable)</b>								

**Delivery Lead-Time from date of purchase order:** \_\_\_\_\_ **[days/weeks]**

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

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

Price Schedule 3: Vryheid								
Item No	Description of Item	Estimated Quantities refills per year		Unit of measure	Unit price per refill (Year 1)	Total Price (Year 1)	Unit price per refill (Year 2)	Total Price (Year 2)
<b>Refills:</b>								
1	Gas, Liquid Petroleum; Type: Handigas Cyl 9kg, Container Type: Cylinder, Container Capacity: Physical Form: Liquid	4		each				
2	Gas, Sulfur Hexafluoride (SF6); Type: Sulfur Hexafluoride Cyl 9kg, Container Type: Cylinder, Container Capacity: Physical Form: Liquid	4		each				
3	Gas, Sulfur Hexafluoride (SF6); Type: Sulfur Hexafluoride Cyl 50kg, Container Type: Cylinder, Container Capacity: Physical Form: Liquid	1		each				
<b>Cylinder Rentals:</b>								
Item No	Description of Item	Estimated Quantities (cylinders) per year	Number of months per year	Unit of measure	Unit price per month per cylinder (Year 1)	Total Price for all cylinders for 12 months (Year 1)	Unit price per month per cylinder (Year 2)	Total Price for all cylinders for 12 months (Year 2)
4	Gas, Liquid Petroleum; Type: Handigas Cyl 9kg, Rental Container Type: Cylinder, Container Capacity: Physical Form: Liquid	4	12	month				
5	Gas, Sulfur Hexafluoride (SF6); Type: Sulfur Hexafluoride Cyl 9kg, Rental Container Type: Cylinder, Container Capacity: Physical Form: Liquid	4	12	month				
6	Gas, Sulfur Hexafluoride (SF6); Type: Sulfur Hexafluoride Cyl 50kg, Rental Container Type: Cylinder, Container Capacity: Physical Form: Liquid	1	12	month				
<b>Total Price, exclusive of VAT:</b>								
<b>VAT 15% (if applicable)</b>								
<b>Total Inclusive of VAT (where applicable)</b>								

**Delivery Lead-Time from date of purchase order:** \_\_\_\_\_ **[days/weeks]**

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

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

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

**Notes to Pricing:**

- a) Respondents are to note that if the price offered by the highest scoring bidder is not market-related, Transnet may not award the contract to that Respondent. Transnet may-
- (i) negotiate a market-related price with the Respondent scoring the highest points or cancel the RFQ;
  - (ii) if that Respondent does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the second highest points or cancel the RFQ;
  - (iii) if the Respondent scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the third highest points or cancel the RFQ.
- If a market-related price is not agreed with the Respondent scoring the third highest points, Transnet must cancel the RFQ.
- b) All Prices must be quoted in South African Rand, inclusive of VAT.
- c) Respondents do not have to price all Price Schedules but are required to price all items per Price Schedule. Failure to price all items per Price Schedule will result in the Respondents' disqualification.**
- d) Transnet will evaluate each Price Schedule separately. The award will be made per Price Schedule to the highest scoring bidder of each Price Schedule.**
- e) Prices quoted should be kept firm and fixed for the contract duration.**
- f) Quantities given are estimates only. Any orders resulting from this RFQ will be on an "as and when required" basis. The estimated quantities will be used for comparative purposes only.**
- g) Any disbursement not specifically priced for will not be considered/accepted by Transnet.
- h) To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this price schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being disqualified.
- i) Please note that should you have offered a discounted price(s), Transnet will only consider such price discount(s) in the final evaluation stage if offered on an unconditional basis.

**SECTION 5****RFQ DECLARATION, CERTIFICATE OF ACQUAINTANCE & BREACH OF LAW FORM**

**By signing this certificate the Respondent is deemed to acknowledge that he/she has made himself/herself thoroughly familiar with, and agrees with all the conditions governing this RFQ. This includes those terms and conditions contained in any printed form stated to form part hereof, including but not limited to the documents stated below. As such, Transnet will recognise no claim for relief based on an allegation that the Respondent overlooked any such term or condition or failed properly to take it into account in calculating tendered prices or any other purpose:**

1. Transnet's General Bid Conditions
2. Standard RFQ Terms and Conditions for the supply of Goods or Services to Transnet
3. Transnet's Supplier Integrity Pact
4. Non-disclosure Agreement

**Note:** Should a Respondent be successful and awarded the bid, they will be required to complete a Supplier Declaration Form for registration as a vendor onto the Transnet vendor master database.

Should the Bidder find any terms or conditions stipulated in any of the relevant documents quoted in the RFQ 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 the Standard terms or conditions could result in disqualification.

Bidders accept that an obligation rests on them to clarify any uncertainties regarding any bid to which they intend to respond, 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 RFQ was unclear but in respect of which he/she failed to obtain clarity.

The bidder understands that his/her Bid will be disqualified if this Certificate of Acquaintance with RFQ documents included in the RFQ as a returnable document, is found not to be true and/ or complete in every respect.

We hereby certify that:

1. Transnet has supplied and we have received appropriate responses to any/all questions [as applicable] which were submitted by ourselves for RFQ Clarification purposes;
2. We have received all information we deemed necessary for the completion of this Request for Quotation [RFQ];
3. We have been provided with sufficient access to the existing Transnet facilities/sites and all relevant information relevant to the Supply of the Goods as well as Transnet information and Employees, and have had sufficient time in which to conduct and perform a thorough due diligence of Transnet's operations and business requirements and assets used by Transnet. Transnet will therefore not consider or permit any pre- or post-contract verification or any related adjustment to pricing, service levels or any other provisions/conditions based on any incorrect assumptions made by the Respondent in arriving at his Bid Price.
  4. At no stage have we received additional information relating to the subject matter of this RFQ from Transnet sources, other than information formally received from the designated Transnet contact(s) as nominated in the RFQ documents;
  5. We have complied with all obligations of the Bidder/Supplier as indicated in the Transnet Supplier Integrity Pact which includes but are not limited to ensuring that we take all measures necessary to prevent corrupt

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 Respondent's Signature

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 Date & Company Stamp

practices, unfairness and illegal activities in order to secure or in furtherance to secure a contract with Transnet;

6. We are satisfied, insofar as our entity is concerned, that the processes and procedures adopted by Transnet in issuing this RFQ and the requirements requested from Bidders in responding to this RFQ have been conducted in a fair and transparent manner;
7. we declare that an owner / member / director / partner / shareholder/employee of our entity **has / has not been** [delete as applicable] a former employee or board member of Transnet in the past 10 years. I further declare that if they were a former employee or board member of Transnet in the past 10 years that they **were/were not** involved in the bid preparation or had access to the information related to this RFQ; and
8. If such a relationship as indicated in paragraph 7 exists, the Respondent is to complete the following section:

FULL NAME OF OWNER/MEMBER/DIRECTOR/  
 PARTNER/SHAREHOLDER/EMPLOYEE:

ADDRESS:

---



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Indicate nature of relationship with Transnet:

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***[Failure to furnish complete and accurate information in this regard will lead to the disqualification of a response and may preclude a Respondent from doing future business with Transnet]. Information provided in the declaration may be used by Transnet and/or its affiliates to verify the correctness of the information provided.***

9. We declare, to the extent that we are aware or become aware of any relationship between ourselves and Transnet [other than any existing and appropriate business relationship with Transnet] which could unfairly advantage our entity in the forthcoming adjudication process, we shall notify Transnet immediately in writing of such circumstances.

**BIDDER’S DISCLOSURE (SBD4)**

**12 PURPOSE OF THE FORM**

12.1 Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

12.2 Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

**13 Bidder’s declaration**

13.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

13.1.1. If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

13.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

13.2.1. If so, furnish particulars:  
 .....  
 .....

13.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

13.3.1. If so, furnish particulars:  
 .....  
 .....

**14 DECLARATION**

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

14.1 I have read and I understand the contents of this disclosure;

\_\_\_\_\_

<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

- 14.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 14.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 14.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 14.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 14.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 14.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 12, 13 and 14 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

## **15 BREACH OF LAW**

We further hereby certify that *I/we **have/have not been*** [delete as applicable] found guilty during the preceding 5 [five] years of a serious breach of law, including but not limited to a breach of the Competition Act, 89 of 1998, by a court of law, tribunal or other administrative body. The type of breach that the Respondent is required to disclose excludes relatively minor offences or misdemeanours, e.g. traffic offences. This includes the imposition of an administrative fine or penalty.

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

NATURE OF BREACH: \_\_\_\_\_

DATE OF BREACH: \_\_\_\_\_

\_\_\_\_\_

<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.

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

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

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

**SECTION 6: SPECIFIC GOALS 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 specific goals Contribution. Transnet will award preference points to companies who provide valid proof of evidence of as per the table below.

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF SPECIFIC GOALS, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000.**

**1. GENERAL CONDITIONS**

- 1.1 The following preference point systems are applicable to all bids:
  - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - 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 The 80/20 preference point system will be applicable to this tender.
- 1.4 Preference points for this bid shall be awarded for:
  - (a) Price;
  - (b) B-BBEE Status Level of Contribution.
  - (c) Any other specific goal determined in Transnet preferential procurement policy.
- 1.5 The maximum points for this bid are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>SPECIFIC GOALS</b>	<b>20</b>
B-BBEE Level of contributor (1 or 2) and,	10
At least 30% Black women Owned entities	10
<b>Total points for Price and Specific Goals must not exceed</b>	<b>100</b>

- 1.6 Failure on the part of a bidder to submit proof of specific goals together with the bid will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.7 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"** means:
- 1) B-BBEE status level certificate issued by an unauthorised body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act.
- (j) **"QSE"** means a Qualifying Small Enterprise in terms of a 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.
- (l) **"Specific goals"** means targeted advancement areas or categories of persons or groups either previously disadvantaged or falling within the scope of the Reconstruction and Development Programme identified by Transnet to be given preference in allocation of procurement contracts in line with section 2(1) of the PPPFA.

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 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

In terms of Transnet Preferential Procurement Policy (TPPP) and Procurement Manuals, the following preference points must be awarded to a bidder who provides the relevant required evidence for claiming points.

#### 3.2

Selected Specific Goal	Number of points allocated (20)
B-BBEE Level of contributor (1 or 2)	10
At least 30% Black women Owned entities	10
Non-Compliant and/or B-BBEE Level 3-8 contributors	0

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

- 4.1 In terms of Transnet Preferential Procurement Policy (TPPP) and Procurement Manuals, preference points must be awarded to a bidder for providing evidence in accordance with the table below:

Specific Goals	Acceptable Evidence
B-BBEE	B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline
30% Black Women Owned Entities	B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline

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

- 4.3 A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level verification certificate for every separate bid.
- 4.4 Tertiary Institutions and Public Entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 4.5 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 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 6.1**

- 6.1 B-BBEE Status Level of Contribution: = (based on point distribution per Table 3.2)

(Points claimed in respect of paragraph 6.1 must be in accordance with the table reflected in table 3.2 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

YES		NO	
-----	--	----	--

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

*(Tick applicable box)*

YES		NO	
-----	--	----	--

v) Specify, by ticking the appropriate box, if subcontracting with any of the enterprises below:

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME ✓</b>	<b>QSE ✓</b>
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		
<b>OR</b>		
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 providers, 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-BBEE status level of contribution indicated in paragraph 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If specific goals have been claimed or obtained on a fraudulent basis 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.

<p><b>WITNESSES</b></p> <p>1. ....</p> <p>2. ....</p>
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<p>.....</p> <p><b>SIGNATURE(S) OF BIDDERS(S)</b></p> <p>DATE: .....</p> <p>ADDRESS .....</p> <p>.....</p>
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**SECTION 7: PROTECTION OF PERSONAL INFORMATION**

1. The following terms shall bear the same meaning as contemplated in Section 1 of the Protection of Person information act, No.4 of 2013.(“POPIA”):  
  
consent; data subject; electronic communication; information officer; operator; person; personal information; processing; record; Regulator; responsible party; special information; as well as any terms derived from these terms.
2. Transnet will process all information by the Respondent in terms of the requirements contemplated in Section 4(1) of the POPIA:  
  
Accountability; Processing limitation; Purpose specification; Further processing limitation; Information quality; Openness; Security safeguards and Data subject participation.
3. The Parties acknowledge and agree that, in relation to personal information that will be processed pursuant to this RFQ, the Responsible party is “Transnet” and the Data subject is the “Respondent”. Transnet will process personal information only with the knowledge and authorisation of the Respondent and will treat personal information which comes to its knowledge as confidential and will not disclose it, unless so required by law or subject to the exceptions contained in the POPIA.
4. Transnet reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in this RFQ and the Respondent is required to comply with all prescripts as detailed in the POPIA relating to all information concerning Transnet.
5. In responding to this bid, Transnet acknowledges that it will obtain and have access to personal information of the Respondent. Transnet agrees that it shall only process the information disclosed by Respondent in their response to this bid for the purpose of evaluating and subsequent award of business and in accordance with any applicable law.
6. Transnet further agrees that in submitting any information or documentation requested in this RFQ, the Respondent is consenting to the further processing of their personal information for the purpose of, but not limited to, risk assessment, assurances, contract award, contract management, auditing, legal opinions/litigations, investigations (if applicable), document storage for the legislatively required period, destruction, de-identification and publishing of personal information by Transnet and/or its authorised appointed third parties.
7. Furthermore, Transnet will not otherwise modify, amend or alter any personal data submitted by the Respondent or disclose or permit the disclosure of any personal data to any third party without the prior written consent from the Respondent. Similarly, Transnet requires the Respondent to process any personal information disclosed by Transnet in the bidding process in the same manner.
8. Transnet shall, at all times, ensure compliance with any applicable laws put in place and maintain sufficient measures, policies and systems to manage and secure against all forms of risks to any information that may be shared or accessed pursuant to this RFQ (physically, through a computer or any other form of electronic communication).
9. Transnet shall notify the Respondent in writing of any unauthorised access to information, cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such crimes or suspected crime. The Respondent must take all necessary remedial steps to mitigate the extent of the loss or compromise of personal information and to restore the integrity of the affected personal information as quickly as is possible.
10. The Respondent may, in writing, request Transnet to confirm and/or make available any personal information in its possession in relation to the Respondent and if such personal information has been accessed by third parties and the

identity thereof in terms of the POPIA. The Respondent may further request that Transnet correct (excluding critical/mandatory or evaluation information), delete, destroy, withdraw consent or object to the processing of any personal information relating to the Respondent in Transnet’s possession in terms of the provision of the POPIA and utilizing Form 2 of the POPIA Regulations.

- 11. In submitting any information or documentation requested in this RFQ, the Respondent is hereby consenting to the processing of their personal information for the purpose of this RFQ and further confirming that they are aware of their rights in terms of Section 5 of POPIA

**Respondents are required to provide consent below:**

<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 RFQ is complete, accurate, not misleading, is up to date and may be updated where applicable.

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

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

## ANNEXURE A: SPECIFICATIONS

### 1. INTRODUCTION

The purpose of the tender is to appoint a service provider for a period of 24 months:

- The supply and delivery of oxygen, Liquid Petroleum and Sulfur Hexafluoride (SF6) in cylinders on an as and when required basis.
- The (rental) of oxygen, Liquid Petroleum and Sulfur Hexafluoride (SF6) Gas in cylinders on a monthly basis.
- On demand (refill) of gas cylinders on an as and when required basis.

### 2. TECHNICAL REQUIREMENTS

- Oxygen in 11.5 kg cylinders
- Liquid Petroleum in 9 kg and 48 kg cylinders
- Sulfur Hexafluoride (SF6) in 9 kg and 50 kg cylinders
- Compliance with safety and quality standards for welding gases.
- To ensure a reliable and consistent supply to support operational needs.

### 3. SKILL REQUIREMENTS

- Ability to supply and deliver various welding gases reliably over a 24 month period
- Experience in handling and supplying industrial gases, ensuring safety and compliance standards are met
- Capacity to provide competitive pricing and flexible delivery arrangements

### 4. KEY REGULATIONS AND COMPLIANCE REQUIREMENTS

#### A. OXYGEN

Welding oxygen gas suppliers must comply with a range of health and safety, transportation, and equipment-specific regulations, primarily governed by South African national acts and SANS standards. Key areas of compliance include:

#### **Occupational Health and Safety**

Suppliers must adhere to the **Occupational Health and Safety Act, 1993**, and its associated regulations, such as the General Safety Regulations and the Regulations for Hazardous Chemical Agents, to ensure a safe work environment.

- **Employee Safety:** Ensure employees are properly trained in gas safety, handling procedures, and the use of personal protective equipment (PPE).
- **Facility Requirements:** Storage and handling areas must be well-ventilated, clean, and free from oil, grease, or other combustible materials. Smoking and open flames are strictly prohibited in or near these areas.
- **Emergency Preparedness:** Suitable fire extinguishers (dry powder type) and an adequate water supply for cooling cylinders in a fire must be available.

- **Storage and Handling:** Regulations require strict protocols for the safe storage of oxygen cylinders.
- **Segregation:** Oxygen (an oxidant) must be stored a minimum of 3 meters away from flammable gases (like acetylene or LPG) or separated by a non-combustible fire wall at least 1.5 meters high with a half-hour fire-resistance rating.
- **Securing Cylinders:** Cylinders must be stored upright and secured with chains or straps to prevent them from falling.
- **Environmental Control:** Storage areas should be protected from direct sunlight, excessive heat, and air conditioning intakes.
- **Access Control:** Storage facilities should be secure to prevent unauthorised access and clearly display appropriate warning signs.
- **Cylinder Condition:** Full and empty cylinders must be segregated, and all cylinders must have their valves closed when not in use.

#### Transportation

The transport of oxygen is regulated under the **National Road Traffic Act, 1996**, and related dangerous goods regulations.

- **Vehicle Compliance:** Vehicles transporting dangerous goods must undergo inspection (often by the fire department for a permit) and be fitted with necessary equipment like a battery isolation switch, 2x 9KG fire extinguishers, and reflective tape.
- **Driver Requirements:** Drivers must be appropriately licensed (PrDP-d for dangerous goods), 25 years or older, and undergo annual medicals and refresher training.
- **Packaging and Labelling:** Transport must comply with SANS 10228 (identification and classification of dangerous goods) and SANS 10231 (operational rules for transport).
- **Loading:** Cylinders must be secured to prevent movement and must have valve protection caps in place.

#### Equipment and Product Standards

Suppliers must ensure the equipment and gas itself meet specific safety standards.

- **Cylinder Standards:** Cylinders must be manufactured and maintained according to standards such as **SANS 10019**. They require periodic pressure testing (typically every 4-5 years) and visual inspections by SANAS-recognized centres.
- **Equipment Standards:** Regulators and pressure gauges should comply with standards like **ISO 2503** and **ISO 5171** to ensure safety and performance.
- **Labelling:** Each cylinder must be clearly and permanently marked with product name, volume, pressure, serial number, and test dates.

**B. LPG**

LPG gas suppliers must comply with a range of national and local regulations and safety standards, primarily focused on occupational health and safety, pressure equipment safety, and the transport of dangerous goods. Key regulations and standards in South Africa include the **Occupational Health and Safety (OHS) Act**, the **Pressure Equipment Regulations (PER)**, and standards set by the **South African National Standards (SANS)** body.

**1. Occupational Health and Safety (OHS) Act (Act 85 of 1993)**

Suppliers must ensure that all activities involving propane gas are safe and without risks to health when properly used.

- **Risk Assessment:** Suppliers must identify potential hazards, such as asphyxiation risk in confined spaces, as LPG is an inert gas and can displace oxygen and ignite.
- **Employee Training & PPE:** Employees must be trained in the proper handling, storage, and transport of gas cylinders and provided with appropriate personal protective equipment (PPE).
- **Work Procedures:** The product must be handled in accordance with good industrial hygiene and safety procedures.

**2. Pressure Equipment Regulations (PER)**

The PER, under the OHS Act, sets requirements for the design, manufacture, operation, repair, modification, inspection, and testing of pressure equipment with a design pressure greater than 50 kPa.

- **Conformity Assessment:** Equipment must be conformity assessed and meet the requirements of standards like SANS 347.
- **Certification:** Suppliers may be required to issue a certificate of manufacture, often with verification by an approved inspection authority.
- **Cylinder Standards and Maintenance Cylinder Manufacturing and Testing:** LPG cylinders must comply with SANS 4706 (or other relevant standards) and undergo periodic testing to ensure safety. Cylinders typically require retesting every 10 years to verify their structural integrity.
- **Authorized Persons:** Anyone working on a gas system must be an "authorised person" registered with the South African Qualification and Certification Committee – Gas (SAQCC Gas).

**3. Transport of Dangerous Goods (National Road Traffic Act, 1996)**

The transportation of propane gas, classified as a dangerous good (UN1006 for compressed, UN1951 for refrigerated liquid), is strictly regulated.

- **Vehicle Requirements:** Vehicles must be properly marked with placards (e.g., "No Smoking", "Mixed Load") and fitted with safety equipment like fire extinguishers and battery isolation switches.

- **Driver Requirements:** Drivers must be appropriately licensed (e.g., PrDP-d for dangerous goods) and have annual medicals and refresher training.
- **Documentation:** Transport emergency cards (Tremcards) covering the product being carried must be present in the vehicle.
- **Loading:** Cylinders must be secured upright to prevent movement or falling off the vehicle.

#### 4. **Storage and Handling Standards (SANS 10263-2, SANS 10019, SANS 532)**

Suppliers must adhere to specific SANS standards for the safe storage and handling of gas cylinders.

- **Storage Location:** Storage areas must be well-ventilated, protected from direct sunlight and heat sources, and at a safe distance from air intakes, drains, and electrical points.
- **Segregation:** Full and empty cylinders must be segregated, and inert gases can be stored together but must be separated from flammable or oxidizing materials.
- **Cylinder Condition:** Cylinders must be in good condition, clearly labelled with contents, and have valve protection caps in place when not in use.

#### 5. **Product Specifics**

- **Quality and Composition:** The gas supplied must meet detailed specifications and quality standards, such as those outlined in SANS 532 or ISO 14175, with test certificates provided to the user.
- **Safety Data Sheets (SDS):** Suppliers must provide up-to-date SDS documents to users, detailing the hazards and recommended safety procedures.
- Regulations - SAQCC Gas

#### C. **SF6 GAS**

Shipping Name Sulphur hexafluoride, Class 2.2, Subsidiary Risk Non-flammable, non-toxic gases, Hazchem Warning 2 Non-flammable Gas

The regulation below must be adhered to for SF 6 gas.

##### 1. **Safety, health and environmental regulations/legislation specific for the substance or mixture:**

- Occupational Health and Safety Act, Hazardous Chemical Agents Regulations
- SANS 11014:2010 Edition 1
- SANS 10228:2012 Edition 6
- SANS 10234:2019 Edition 2
- SUPPLEMENT TO SANS 10234 Edition 1
- National Road Traffic Act
- Dangerous Goods Regulations

- **Occupational Health and Safety (OHS) Act (Act 85 of 1993)**

Suppliers must ensure that all activities involving SF6 gas are safe and without risks to health when properly used.

- **Risk Assessment:** Suppliers must identify potential hazards, such as asphyxiation risk in confined spaces, as SF6 is an inert gas and can displace oxygen.
- **Employee Training & PPE:** Employees must be trained in the proper handling, storage, and transport of gas cylinders and provided with appropriate personal protective equipment (PPE).
- **Work Procedures:** The product must be handled in accordance with good industrial hygiene and safety procedures.

## 2. Pressure Equipment Regulations (PER)

The PER, under the OHS Act, sets requirements for the design, manufacture, operation, repair, modification, inspection, and testing of pressure equipment with a design pressure greater than 50 kPa.

- **Conformity Assessment:** Equipment must be conformity assessed and meet the requirements of standards like SANS 347.
- **Certification:** Suppliers may be required to issue a certificate of manufacture, often with verification by an approved inspection authority.
- **Cylinder Standards and Maintenance Cylinder Manufacturing and Testing:** SF6 gas cylinders must comply with SANS 4706 (or other relevant standards) and undergo periodic testing to ensure safety. Cylinders typically require retesting every 10 years to verify their structural integrity.
- **Authorized Persons:** Anyone working on a gas system must be an "authorised person" registered with the South African Qualification and Certification Committee – Gas (SAQCC Gas).

## 3. Transport of Dangerous Goods (National Road Traffic Act, 1996)

UN No. 1080, Shipping Name Sulphur hexafluoride, Class 2.2, Subsidiary Risk Non-flammable, non-toxic gases, Hazchem Warning 2 Non-flammable Gas.

- **Vehicle Requirements:** Vehicles must be properly marked with placards (e.g., "No Smoking", "Mixed Load") and fitted with safety equipment like fire extinguishers and battery isolation switches.
- **Driver Requirements:** Drivers must be appropriately licensed (e.g., PrDP-d for dangerous goods) and have annual medicals and refresher training.
- **Documentation:** Transport emergency cards (Tremcards) covering the product being carried must be present in the vehicle.
- **Loading:** Cylinders must be secured upright to prevent movement or falling off the vehicle.

## 4. Storage and Handling Standards (SANS 10263-2, SANS 10019, SANS 532)

Suppliers must adhere to specific SANS standards for the safe storage and handling of gas cylinders.

- **Storage Location:** Storage areas must be well-ventilated, protected from direct sunlight and heat sources, and at a safe distance from air intakes, drains, and electrical points.
- **Segregation:** Full and empty cylinders must be segregated, and inert gases can be stored together but must be separated from flammable or oxidizing materials.
- **Cylinder Condition:** Cylinders must be in good condition, clearly labelled with contents, and have valve protection caps in place when not in use.

#### **5. Product Specifics**

- **Quality and Composition:** The gas supplied must meet detailed specifications and quality standards, such as those outlined in SANS 532 or ISO 14175, with test certificates provided to the user.
- **Safety Data Sheets (SDS):** Suppliers must provide up-to-date SDS documents to users, detailing the hazards and recommended safety procedures.
- Regulations - SAQCC Gas