

**Transnet Freight Rail**

an Operating Division of **TRANSNET SOC LTD**

[hereinafter referred to as **Transnet**]

[Registration No. 1990/000900/30]

**REQUEST FOR PROPOSAL [RFP] [GOODS]**

- **REFRESHING OF THE STANDING APPROVED LIST FOR ALUMINOTHERMIC/THERMITE RAIL WELDING CONSUMABLES AND ANCILLARY EQUIPMENT**
- **THE PROCUREMENT EVENT WILL MAKE PROVISION FOR:**
  - **FRAMING OF AN APPROVED LIST FOR SUPPLIERS OF ALUMINOTHERMIC/THERMITE WELDING AND CONSUMABLES WHO HAVE BEEN PREVIOUSLY TESTED AND TECHNICALLY APPROVED BY TRANSNET**
  - **SUBMISSION OF PROPOSALS BY NEW POTENTIAL MARKET ENTRANTS TO BE TESTED FOR APPROVAL BY TFR WITH THE AIM OF ADDING THEM TO THE FRAMED APPROVED LIST**

<b>RFP NUMBER:</b>	<b>HOAC – HO- 43776</b>
<b>ISSUE DATE:</b>	<b>06 DECEMBER 2023</b>
<b>CLOSING DATE:</b>	<b>23 JANUARY 2024</b>
<b>CLOSING TIME:</b>	<b>12:00 PM</b>
<b>BID VALIDITY PERIOD:</b>	<b>180 Business Days from Closing Date (10.10.2024)</b>

**Note to the bidders:**

*Bidders are required to ensure that electronic bid submissions are done at least a day before the closing date to prevent issues which they may encounter due to their internet speed, bandwidth or the size of the number of uploads they are submitting. Transnet will not be held liable for any challenges experienced by bidders as a result of the technical challenges. Please do not wait for the last hour to submit. A Bidder can upload 30mb per upload and multiple uploads are permitted.*

**SCHEDULE OF BID DOCUMENTS**

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**RFP FOR THE FRAMING OF AN APPROVED LIST FOR THE ALUMINOTHERMC / THERMITE WELDING  
AND CONSUMABLES**

**SECTION 1: SBD1 FORM**

**PART A: INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF TRANSNET FEIGHT RAIL, A DIVISION TRANSNET SOC LTD</b>							
BID NUMBER:	<b>HOAC-HO-43776</b>	ISSUE DATE:	<b>06/12/2023</b>	CLOSING DATE:	<b>23/01/2024</b>	CLOSING TIME:	<b>12H00PM</b>
DESCRIPTION	<b>REFRESHING OF THE STANDING APPROVED LIST FOR ALUMINOTHERMIC/THERMITE RAIL WELDING CONSUMABLES AND ANCILLARY EQUIPMENT</b>						
<b>BID RESPONSE DOCUMENTS SUBMISSION</b>							
<b>RESPONDENTS ARE TO UPLOAD THEIR BID RESPONSE PROPOSALS ONTO THE TRANSNET SYSTEM AGAINST EACH TENDER SELECTED</b> (please refer to section 2, paragraph 3 for a detailed process on how to upload submissions): <a href="https://transnetetenders.azurewebsites.net">https://transnetetenders.azurewebsites.net</a>							
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>				<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>			
CONTACT PERSON	Neo Matloa			CONTACT PERSON	Neo Matloa		
TELEPHONE NUMBER	011 5840635			TELEPHONE NUMBER	011 5840635		
FACSIMILE NUMBER	N/A			FACSIMILE NUMBER	N/A		
E-MAIL ADDRESS	Neo.Matloa@transnet.net			E-MAIL ADDRESS	Neo.Matloa@transnet.net		
<b>SUPPLIER INFORMATION</b>							
NAME OF BIDDER							
POSTAL ADDRESS							
STREET ADDRESS							
TELEPHONE NUMBER	CODE			NUMBER			
CELLPHONE NUMBER							
FACSIMILE NUMBER	CODE			NUMBER			
E-MAIL ADDRESS							
VAT REGISTRATION NUMBER							
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>OR</b>	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		
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED FOR PURPOSES OF COMPLIANCE WITH THE B-BBEE ACT]</b>							

Respondent's Signature

Date &amp; Company Stamp

<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)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>			
DOES THE ENTITY HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>			
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES</span> <input type="checkbox"/> NO			
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES</span> <input type="checkbox"/> NO			
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>			
<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 <a href="http://WWW.SARS.GOV.ZA">WWW.SARS.GOV.ZA</a> .
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 & Company Stamp

**SECTION 2: NOTICE TO BIDDERS****INVITATION TO BID**

Responses to this RFP [hereinafter referred to as a **Bid** or a **Proposal**] are requested from persons, companies, close corporations or enterprises [hereinafter referred to as an **entity, Respondent** or **Bidder**].

<b>DESCRIPTION</b>	RFP FOR THE FRAMING OF AN APPROVED LIST FOR THE ALUMINOTHERMC / THERMITE WELDING AND CONSUMABLES
<b>TENDER ADVERT</b>	All Transnet tenders are advertised on the National Treasury's e-Tender Publication Portal and the Transnet website. Should one of these media (i.e. National Treasury's e-Tender Publication Portal or Transnet website) not be available, bidders are advised to check on the other media for advertised tenders.
<b>RFP DOWNLOADING</b>	<p>This RFP may be downloaded directly from National Treasury's e-Tender Publication Portal at <a href="http://www.etenders.gov.za">www.etenders.gov.za</a> free of charge.</p> <p>To download RFP and Annexures:</p> <ul style="list-style-type: none"> <li>• Click on "Tender Opportunities";</li> <li>• Select "Advertised Tenders";</li> <li>• In the "Department" box, select Transnet SOC Ltd.</li> </ul> <p>Once the tender has been located in the list, click on the 'Tenderdocuments' tab and process to download all uploaded documents.</p> <p>The RFP may also be downloaded from the Transnet Portal at <a href="https://transnetetenders.azurewebsites.net">https://transnetetenders.azurewebsites.net</a> (please use <b>Google Chrome</b> to access Transnet link/site) free of charge (<i>refer to section 2, paragraph 3 below for detailed steps</i>)</p>
<b>COMMUNICATION</b>	<p>Transnet will publish the outcome of this RFP on the National Treasury e-tender portal and Transnet website with 10 days after the award has been finalised. All unsuccessful bidders have a right to request for reasons for their bid not being successful. This requested must be directed to the contact person stated in the SBD 1 form</p> <p>Any addenda to the RFP or clarifications will be published on the e-tender portal and Transnet website. Bidders are required to check the e-tender portal or Transnet website prior to finalising their bid submissions for any changes or clarifications to the RFP.</p> <p>Transnet will not be held liable if Bidders do not receive the latest information regarding this RFP with the possible consequence of either being disadvantaged or disqualified as a result thereof</p>
<b>BRIEFING SESSION</b>	<p>Yes , Non-compulsory</p> <p>Bidders are required to confirm their attendance and to send their contact details including the number of representatives (where applicable) to the following address: <a href="mailto:Neo.Matloa@transnet.net">Neo.Matloa@transnet.net</a> and <a href="mailto:Morailane@transnet.net">Morailane@transnet.net</a></p> <p>This is to ensure that Transnet may make the necessary arrangements for the briefing session.</p>
<b>CLOSING DATE</b>	<p><b>12:00 pm on Tuesday 23 January 2024</b></p> <p>Bidders must ensure that bids are uploaded timeously onto the system. As a general rule, if a bid is late, it will not be accepted for consideration.</p>

<b>VALIDITY PERIOD</b>	<b>180 Business Days from Closing Date (11.10.2024)</b> Bidders are to note that they may be requested to extend the validity period of their bid, at the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be deemed to remain valid until a final contract has been concluded. With regard to the validity period of next highest ranked bidders, please refer to Section 2, paragraph 11.12
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Any additional information or clarification will be published on the e-Tender portal and Transnet website, if necessary.

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Respondent's Signature

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Date & Company Stamp

## 2. FORMAL BRIEFING

- 2.1. A non-compulsory pre-proposal briefing session will be conducted electronically via Microsoft Teams on the 13<sup>th</sup> December 2023 @10:00 am for a period of ± 2hours. Respondents are required to confirm their participation by sending an email with their contact details to the following email address: [Neo.Matloa@transnet.net](mailto:Neo.Matloa@transnet.net) on or before Wednesday 13 December 2023. . To be connected.
- 2.2. An email from the administrator will follow the meeting, confirming attendance. This email is to be included as part of the bid submission as proof that the bidder attended the meeting.
- 2.3. 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. PROPOSAL SUBMISSION

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

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

- Log on to the Transnet eTenders management platform website/ Portal ([transnetetenders.azurewebsites.net](https://transnetetenders.azurewebsites.net)) Please use **Google Chrome** to access Transnet link/site);
- Click on "ADVERTISED TENDERS" to view advertised tenders;
- Click on "SIGN IN/REGISTER – for bidder to register their information (must fill in all mandatory information);
- Click on "SIGN IN/REGISTER" - to sign in if already registered;
- Toggle (click to switch) the "Log an Intent" button to submit a bid;
- Submit bid documents by uploading them into the system against each tender selected.
- No late submissions will be accepted. The bidder guide can be found on the Transnet Portal [transnetetenders.azurewebsites.net](https://transnetetenders.azurewebsites.net)

## 4. RFP INSTRUCTIONS

- 4.1. Please sign documents [sign, stamp and date the bottom of each page] before uploading them on the system. The person or persons signing the submission must be legally authorised by the respondent to do so.
- 4.2. All returnable documents tabled in the Proposal Form [Section 5] must be returned with proposals.**
- 4.3. Unless otherwise expressly stated, all Proposals furnished pursuant to this RFP shall be deemed to be offers. Any exceptions to this statement must be clearly and specifically indicated.
- 4.4. Any additional conditions must be embodied in an accompanying letter. Subject only to clause 15 [Alterations made by the Respondent to Bid Prices] of the General Bid Conditions, paragraph 12 below (Legal Review) and Section 6 of the RFP, alterations, additions or deletions must not be made by the Respondent to the actual RFP documents.

## 5. JOINT VENTURES OR CONSORTIUMS

Respondents who would wish to respond to this RFP as a Joint Venture [**JV**] or consortium with B-BBEE entities, must state their intention to do so in their RFP submission. Such Respondents must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If at the time of the bid submission such a JV or consortium agreement

has not been concluded, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by Transnet through this RFP process. This written confirmation must clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to Transnet.

- Respondents are to note that for the purpose of Evaluation, a JV will be evaluated based on one consolidated B-BBEE score card (a consolidated B-BBEE Status Level verification certificate) Preference points will be awarded to a bidder for attaining the specific goals requirements in accordance with the table indicated in Table 3.2 of the specific goals Claim Form.

## 6. COMMUNICATION

- 6.1. For specific queries relating to this RFP, an RFP Clarification Request Form should be submitted onto the system and to [Neo Matloa] before **14:00 pm on 15 January 2024**, substantially in the form set out in Section 7 hereto. In the interest of fairness and transparency, Transnet's response to such a query will be published on the e-tender portal and Transnet website.
- 6.2. After the closing date of the RFP, a Respondent may only communicate with the Secretariat of the Divisional Bid Adjudication Committee (DBAC), at telephone number 011-584 0821, email [prudence.nkabinde@transnet.net](mailto:prudence.nkabinde@transnet.net) on any matter relating to its RFP 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 RFP between the closing date and the date of the award of the business.
- 6.5. 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.
- 6.6. Transnet will publish the outcome of this RFP in the National Treasury e-tender portal and Transnet website with 10 days after the award has been finalised. Respondents are required to check the National Treasury e-tender Portal and Transnet website for the results of the tender process. All unsuccessful bidders have a right to request Transnet to furnish individual reasons for their bid not being successful. This requested must be directed to the contact person stated in the SBD 1 form

## 7. CONFIDENTIALITY

All information related to this RFP is to be treated with strict confidence. In this regard Respondents are required to certify that they have acquainted themselves with the Non-Disclosure Agreement. All information related to a subsequent contract, both during and after completion thereof, will be treated with strict confidence. Should the need however arise to divulge any information related to this RFP or the subsequent contract, written approval must be obtained from Transnet.

## 8. COMPLIANCE

The successful Respondent [hereinafter referred to as the **Supplier/Service provider**] shall be in full and complete compliance with any and all applicable laws and regulations.

## 9. 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.

## 10. DISCLAIMERS

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

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

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



- 10.1 modify the RFP's Goods/Services and request Respondents to re-bid on any such changes;
- 10.2 reject any Proposal which does not conform to instructions and specifications which are detailed herein;
- 10.3 disqualify Proposals submitted after the stated submission deadline [closing date];
- 10.4 award a contract in connection with this Proposal at any time after the RFP's closing date;
- 10.5 award a contract for only a portion of the proposed Goods/Services which are reflected in the scope of this RFP;
- 10.6 split the award of the contract between more than one Supplier/Service provider, should it at Transnet's discretion be more advantageous in terms of, amongst others, cost or developmental considerations;
- 10.7 cancel the bid process;
- 10.8 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;
- 10.9 request audited financial statements or other documentation for the purposes of a due diligence exercise;
- 10.10 not accept any changes or purported changes by the Respondent to the bid rates after the closing date and/or after the award of the business, unless the contract specifically provided for it;
- 10.11 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;
- 10.12 to award the business to the next ranked bidder, provided that he/she is still prepared to provide the required Goods at the quoted price, should the preferred bidder fail to sign or commence with the contract within a reasonable period after being requested to do so. Under such circumstances, the validity of the bids of the next ranked bidder(s) will be deemed to remain valid, irrespective of whether the outcome of the tender has been published the outcome of the bid process on the National Treasury e-tender Portal and Transnet website. Bidders may therefore be requested to advise whether they would still be prepared to provide the required Goods at their quoted price.

Note that Transnet will not reimburse any Respondent for any preparatory costs or other work performed in connection with its Proposal, whether or not the Respondent is awarded a contract.

## 11. LEGAL REVIEW

A Proposal submitted by a Respondent will be subjected to review and acceptance or rejection of its proposed contractual terms and conditions by Transnet's Legal Counsel, prior to consideration for an award of business. A material deviation from the Standard terms or conditions could result in disqualification.

## 12. SECURITY CLEARANCE

Acceptance of this bid could be subject to the condition that the Successful Respondent, its personnel providing the Goods/Services and its subcontractor(s) must obtain security clearance from the appropriate authorities to the level of **CONFIDENTIAL/ SECRET/TOP SECRET**. Obtaining the required clearance is the responsibility of the Successful Respondent. Acceptance of the bid is also subject to the condition that the Successful Respondent will implement all such security measures as the safe performance of the contract may require.

### 13. 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.

### 14. 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 Respondents 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 (P)

**You can choose to be Anonymous or Non-Anonymous on ANY of the platforms**

				
	<b>AI Voice BoT "Jack"</b> Speak to our AI Voice Chat Bot. "JACK", you converse with him like chatting to a human, with	<b>What's App</b>	<b>Speak to an Agent</b> Speak to an	<b>Telegram</b> Speak to
				
0800 003 050	086 551 4153	reportit@ethicshelpd	*120*0785	

Respondent's Signature

Date & Company Stamp

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

#### 1 BACKGROUND

Aluminothermic welding also known as thermite welding, is a casting process used for joining new rails into the existing rail network and for maintenance in the case of broken rails or for distressing purposes. Thermite is the central element of the welding process and is a blend of iron oxide and aluminium powder that generates the heat and molten metal for welding when ignited.

The methods employed in aluminothermic welding can differ according to factors like the number of moulds/mould configuration, the gap size to be welded, and the specific equipment required for a successful joint casting. Nevertheless, it is imperative that all these processes adhere to industry standards for railway infrastructure, such as ISO 9001 or equivalent standards, to guarantee the production of high-quality and compliant products.

A thermite welding kit generally includes the following consumables:

- Thermite portion
- Ignitor
- Sand/refractory moulds
- Single use crucible
- Sealant – luting sand or luting paste

Thermite welding procedures and materials are considered non-standard and cannot be obtained from suppliers who have not been approved. Testing needs to be carried out to ensure that these processes and materials meet the requirements of Transnet Freight Rail infrastructure.

#### 2 EXECUTIVE OVERVIEW

Through this open tender advertisement, Transnet Freight Rail, in accordance with National Treasury guidelines, intends to frame an approved list of approved products or processes for the supply of Aluminothermic / thermite welding and consumables, intended for the construction and maintenance of Transnet Freight Rail's own rail infrastructure.

The open tender process is prescribed to allow existing and potential new market entrants/suppliers to present a proposal to Transnet, requesting to be considered for such a list.

The selected Service provider(s) must share in the mission and business objectives of Transnet. These mutual goals will be met by meeting contractual requirements and new challenges in an environment of teamwork, joint participation, flexibility, innovation and open communications. In this spirit of partnership, Transnet and its Supplier/Service provider(s) will study the current ways they do business to enhance current practices and support processes and systems. Such a partnership will allow Transnet to reach higher levels of quality, service and profitability.

### 3 SCOPE OF REQUIREMENTS

#### 3.3.1 Technical Specification

The specification titled "Testing Requirements for Approval of Aluminothermic Welding Processes of Rails (BBH 3441)" emphasizes the criteria and standards for testing and approving thermite welding processes used for track welding.

#### 3.3.2. Scope

- a) Framing of an approved list for suppliers of aluminothermic/thermite welding and consumables who have been previously tested and technically approved by transnet
- b) Inclusion of any new thermite welding processes suitable for use for track welding at TFR in the approval list if successful.
- c) The fundamental requirement for this procurement event is to conduct a technical evaluation and approve aluminothermic/ thermite rail welding processes.
- d) It is a mandatory requirement for all bidders to comply with the technical requirements of specification BBH 3441. Non-compliance or alternatives to a specific requirement in the specification document must be clearly indicated.
- e) The bidders must complete and return submission documents for the specification in the tender. Each completed submission document shall be supported by the Technical Data Sheet, reports and/ or letters and any other relevant supporting documents as required by various clauses in the technical specification.
- f) Bidders are to submit their product manuals and relevant metallurgical quality analysis reports of their products/process as per TFR technical BBH 3441 and BS EN 14730-1:2017.
- g) The technical evaluation comprises of a technical assessment (assessing returnable documents), evaluation of metallurgical quality analysis test reports obtained from an ISO Technical Demand Request Page 5 of 12 23 October 2023 17025 accredited (or equivalent standard) laboratory or facility for the required quality analysis test methods.

#### 3.3.3 REQUIREMENTS

The fundamental requirement for this procurement event is to conduct a technical evaluation and approve aluminothermic/ thermite rail welding processes.

- a) It is a mandatory requirement for all bidders to comply with the technical requirements of specification BBH3441. Non-compliance or alternatives to a specific requirement in the specification document must be clearly indicated.
- b) The bidders must complete and return submission documents for the specification in the tender. Each completed submission document shall be supported by the Technical Data Sheet, reports and/ or letters and any other relevant supporting documents as required by various clauses in the technical specification.
- c) Bidders are to submit their product manuals and relevant metallurgical quality analysis reports of their products/process as per TFR technical BBH 3441 and BS EN 14730-1:2017.
- d) The technical evaluation comprises of a technical assessment (assessing returnable documents), evaluation of metallurgical quality analysis test reports obtained from an ISO Technical Demand Request Page 5 of 12 23 October 2023 17025 accredited (or equivalent standard) laboratory or facility for the required quality analysis test methods.

#### 3.3.4 TESTING REQUIREMENTS

The bidder(s) must cast a **minimum of four** rail samples welded using the proposed aluminothermic process for the demonstration.

The rail profiles and the respective rail grade required for this approval process can be seen on Table 2. Two types of tests will be conducted on the samples. No other rail profiles or grades will be accepted.

**Table 1: Rail Profile and Rail Grade testing Requirements**

Rail profile/grade	SAMPLES REQUIRED		Number of samples
	Quality Analysis	Bend Test	
60E1-R350LHT	1	1	2
SAR57-R260 or SAR48-R260	1	1	2
TOTAL			4
<p>*For the R260 rails, the same rail profile shall be tested (quality analysis and bend test) i.e., if bidder chooses to test SAR57 both samples must be SAR57, same case for the SAR48.</p> <p>Transnet reserves the rights to request additional tests to be conducted.</p>			

The required sample for bend test shall be a minimum of 600 mm in length on either side of the weld. It is the duty of the bidder to ensure that symmetry is achieved on sample as mandated by BS EN 14730-1:2017 Annex E.

The sample for metallurgical quality analysis tests (i.e., microscopic examination, macroscopic examination, running surface hardness test, micro Vicker's hardness profile and chemical composition) as per **TFR technical specification BBH 3441** and/or BS EN 14730-1:2017 shall be a minimum length of 200 mm on either side of the weld.

Demonstrations of the bidder's process/products will be required for conditionally approved/shortlisted bidders for testing. The demonstrations will be conducted at the bidder's premises provided they are located within South Africa. In the event that demonstrations cannot be conducted at bidder's premises, TFR facilities may be used for demonstrations. The demonstrations shall be done in the presence of TFR appointed technical officers.

For the demonstrations, the bidder(s) will be required to weld in accordance to clause 5.11.2 of BBH 3441. Radiographic examination will then be conducted to ascertain the internal quality of the weld and quality analysis will

be conducted on cast welds at an independent ISO 17025 accredited (or equivalent standard) laboratory.

Bidders with previously approved products must provide recent metallurgical quality report of weld cast using process for R350LHT – 60E1. Tests shall include microscopic examination, macroscopic examination, running surface hardness tests, micro Vicker's hardness profile, chemical composition and bend test. All tests done in accordance with BS EN 14730-1:2017 (Reports not older than 5 years).

The bidder shall provide detailed information or provide a list of all the tools and ancillary equipment required to execute aluminothermic welds including post weld heat treatment tools where applicable.

The bidder(s) shall carry all the necessary costs (not mentioned on paragraph 2.5) incurred during the entire procurement process.

### 3.3.5 Cost Implications or Budget Requirements:

The cost implications during the tendering process shall be as follows:

The bidder shall be liable for all costs related to providing welded samples, this is inclusive of but not limited to the following:

- 3.3.5.1 The sourcing rail samples to be used for testing,
- 3.3.5.2 Welding of samples,
- 3.3.5.3 Testing of samples prior to submission,
- 3.3.5.4 Cost incurred for demonstration of welding process inclusive of radiographic testing of cast welds,
- 3.3.5.5 Laboratory testing of samples for final approval (Applicable to bidders who have been successfully shortlisted for testing)

### **3.3.6 Technical Risk Identified**

- **The possible technical risk within this process will be:**
- • Poor Product Quality
- • Production/supply of products/processes that are not environmentally friendly.
- • Aluminothermic Welding Process related risks:
  - Smoke produced when thermite is ignited may irritate eyes, skin and respiratory tract.
  - Reacting thermite portion coming into contact with water may cause explosions.
  - Depending on proximity and wind conditions, sparks could ignite dry grass and cause veld fires.

## **4 GREEN ECONOMY / CARBON FOOTPRINT**

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

## **5 GENERAL SERVICE PROVIDER OBLIGATIONS**

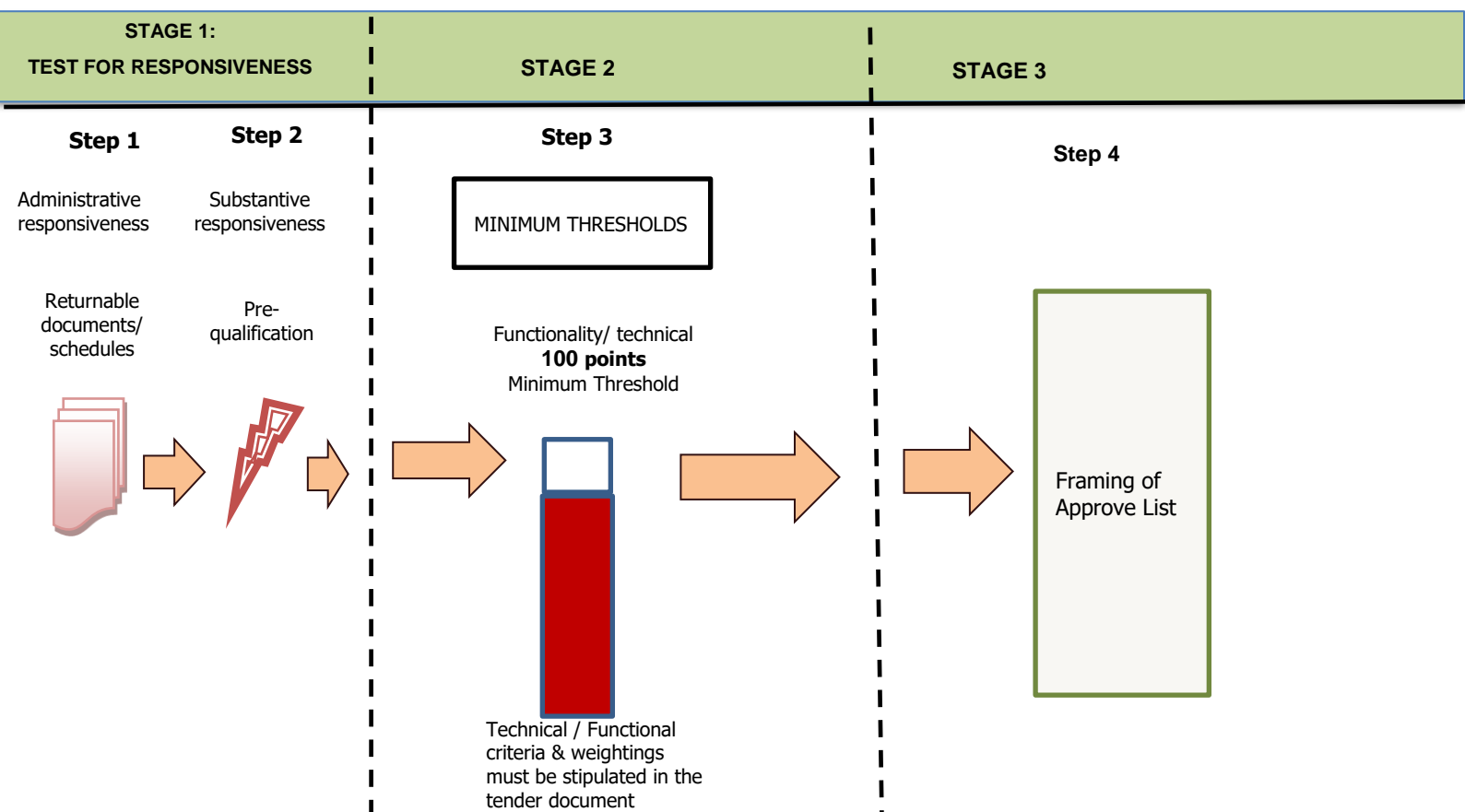
- 5.1 The Service provider(s) shall be fully responsible to Transnet for the acts and omissions of persons directly or indirectly employed by them.
- 5.2 The Service provider(s) must comply with the requirements stated in this RFP.

## **6 PRESCRIBED EVALUATION PROCESS**

## **6 EVALUATION METHODOLOGY**

Transnet will utilise the following methodology and criteria in framing the approved list:

- The approved list shall be framed on the basis of administrative, substantive and technical evaluation, then when the list is utilised, qualifying members of the approved list will be invited to submit bids to be evaluated on all applicable criterion (Administrative, Substantive and Functionality)



## 6.1 STEP ONE: Test for Administrative Responsiveness

The test for administrative responsiveness will include the following:

Administrative responsiveness check	RFP Reference
• Whether the Bid has been lodged on time	Section 1 paragraph 3
• Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time	Section 5
• Verify the validity of all returnable documents	Section 5
• Verify if the Bid document has been duly signed by the authorised respondent	All sections

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

## 6.2 STEP TWO: Test for Substantive Responsiveness to RFP

The test for substantive responsiveness to this RFP will include the following:

3 CHECK FOR SUBSTANTIVE RESPONSIVENESS
<ul style="list-style-type: none"> <li>• Whether any general pre-qualification criteria set by transnet, have been met</li> </ul>
<ul style="list-style-type: none"> <li>• Whether the bid materially complies with the scope and/or specification given</li> </ul>
<ul style="list-style-type: none"> <li>• Whether supplier/service provider is registered on the national treasury central supplier database (CSD)</li> </ul>

The test for substantive responsiveness [Step Two] must be passed for a Respondent's proposal to progress to Step Three for further evaluation



### **6.3 STEP THREE: Minimum Threshold 100 points for Technical Criteria**

Failure to achieve the 100 points thresholds will lead to disqualification. The test for the Technical and Functional threshold will include the following:

**Annexure A: Technical Assessment:** Bidders with processes or products that have been previously approved by TFR shall be required to complete the compliance to specification questionnaire. As well as bidders who have an MOU with suppliers whose product/process has been previously approved shall also complete this annexure.

**Annexure B Technical Proposal:** Bidders offering unapproved products or processes shall be required to complete the technical proposal questionnaire. Bidders who have been previously approved for a certain process and would like to propose a different welding process (unapproved by TFR) shall complete both annexure A and annexure B.

Respondents must complete and submit the relevant annexure (either Annexure A: Technical Assessment or Annexure B: Technical Proposal) for Technical Evaluation. A Respondent's compliance with the minimum technical threshold will be measured by their responses to the relevant Annexure. 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 Three] must be met or exceeded for a  
Respondent's Proposal to progress to Step Four for final evaluation**

ANNEXURE A					
Bidders with previously approved processes/products or who bidders who have an MOU with suppliers who have been previously approved by Transnet Freight Rail are required to complete the technical assessment checklist for the Framing of a Standing Approval list for Aluminothermic/Thermite Welding and Consumables HOAC-HO-43776					
TECHNICAL ASSESSMENT FOR THE TESTING OF ALUMINOTHERMIC WELDING (100% minimum threshold to proceed to next stage)					
Technical Requirement/Scope	Type of Document/Evidence to be submitted	Scoring Matrix	Weight	Bidder Score	Comments
<b>Provide Previously Issued Approval Letter:</b> Bidder is required to provide an approval letter of their track welding process/products from Transnet	Signed approval letter of bidder's processes from Transnet listing all the processes they have been approved for	<b>100%</b> - Submission of Approval letter for track welding processes issued by Transnet. <b>0%</b> - Approval letter from Transnet not submitted	30%		
<b>Bidder to provide the following:</b> -Original Equipment Manufacturer (OEM) if bidder is the manufacturer or -Memorandum of Understanding (MOU) if the bidder is not the manufacturer	Provide OEM letter if the bidder is the manufacturer, or MOU if bidder is not the original manufacturer.	<b>100%:</b> Submission of OEM letter for bidders that are manufacturer or MOU for bidders that are not manufacturers. <b>0%:</b> No submission of OEM for bidders that are manufacturers or MOU for bidders that are not manufacturer	20%		
<b>Macroscopy Image of weld(s):</b> Provide a lab report inclusive of a macroscopy image of weld(s) tested against BS EN 14730-1:2017 and found to be acceptable.	Lab report from ISO 17025 accredited lab that shows macroscopy image of thermite weld tested against BS EN 14730-1:2017 (or equivalent) and found acceptable.	<b>100%</b> - As-cast weld collar surface is visually sound and complies to visual surface examination. <b>0%</b> - As-cast weld collar surface shows defects or macroscopy image(s) not provided.	10%		
<b>Vicker's Hardness Profile of weld(s):</b> Provide a lab report inclusive of Vicker's hardness profile of weld(s) tested against BS EN 14730-1:2017 and found to be acceptable.	Lab report from ISO 17025 accredited lab that shows Vicker's hardness profile of thermite weld tested against BS EN 14730-1:2017 (or equivalent) and found acceptable.	<b>100%</b> - Running surface hardness measurements are within specified range for rail grade. <b>0%</b> - Running surface hardness measurements are not within specified range for rail grade or Vicker's hardness profile not provided.	10%		
<b>Slow Bend Test Results:</b> Provide a lab report inclusive of slow bend test results of weld(s) tested against BS EN 14730-1:2017 and found to be acceptable.	Lab report that shows the slow bend test results of thermite weld tested against BS EN 14730-1:2017 (or equivalent) and found acceptable.	<b>100%:</b> Weld breaking force is within required range as stated in BS EN 14730-1:2017. <b>0%:</b> Weld breaking force is outside range as stated in BS EN 14730-1:2017 or slow bend test results not provided.	10%		
<b>Chemical Analysis Results:</b> Provide a lab report inclusive of a chemical analysis results conducted for the weld(s) and tested against BS EN 14730-1:2017 and found to be acceptable.	Lab report from ISO 17025 accredited laboratory that shows the chemical analysis of the thermite weld tested against BS EN 14730-1:2017 (or equivalent) and found acceptable.	<b>100%:</b> Chemical analysis of weld(s) tested complies to BS EN 14730-1:2017. <b>0%:</b> Chemical analysis of weld(s) tested does not comply to BS EN 14730-1:2017 or chemical analysis of weld(s) is not provided.	10%		
<b>Microscopy Image(s) of cast weld:</b> -The microstructure is pearlitic and the heat affected zone (HAZ) does not contain any bainite or martensite at x100 magnification.	Lab report from ISO 17025 accredited laboratory that shows the microscopy images of the thermite weld tested against BS EN 14730-1:2017 (or equivalent) and found acceptable.	<b>100%:</b> Microscopy images of weld(s) have been provided. The microstructure is pearlitic and the heat affected zone (HAZ) does not contain any bainite or martensite at x100 magnification. <b>0%:</b> Microscopy images of weld(s) tested does not comply to BS EN 14730-1:2017 or chemical analysis of weld(s) is not provided.	10%		
<b>TOTAL</b>			100%		
Evaluator:	Date:	Signature:			

ANNEXURE B					
Bidders with unapproved products are required to submit a technical proposal providing the details of their processes/products as part of their offering to Transnet Freight Rail. The evaluation criteria of the technical proposals have been Tabulated below.					
TECHNICAL PROPOSAL FOR THE TESTING OF ALUMINOTHERMIC WELDING (100% minimum threshold to proceed to next stage)					
Technical Requirement/Scope	Type of Document/Evidence to be submitted	Scoring Matrix	Weight	Bidder Score	Comments
<b>Provide Track Welding Manual :</b> -Bidder is required to provide the process name, description of their track welding process/products and steps required to successfully execute the weld.	Track welding process manual, detailing process name, description and full procedure required to successfully execute welds.	<b>100%</b> - Submission of track welding manual for the proposed process/products. <b>0%</b> - Track welding manual not submitted	30%		
<b>Bidder to provide the following:</b> -Original Equipment Manufacturer (OEM) if bidder is the manufacturer or -Memorandum of Understanding ( MOU) if the bidder is not the manufacturer	Provide OEM letter if th bidder is the manufacturer, or MOU if bidder is not the original manufacturer.	<b>100%:</b> Submission of OEM letter for bidders that are manufacturesr or MOU for bidders that are not manufacturers. <b>0%:</b> No submission of OEM letter for bidders that are manufacturers or MOU for bidders that are not manufacturer.	20%		
<b>Suitability of Welding Process/Products with TFR Rail Assets:</b> - Are the aluminothermic welding products and consumables compatible with the rail profiles and grades used at TFR?	Written response from bidder stating compatibility of their welding process/products with the rail profiles and rail grades used at TFR	<b>100%</b> - Written letter from bidder stating that their process/products are compatible to use with all TFR rail profiles and rail grades. <b>0%</b> - Written letter from bidder has not been provided or has been provided but is not suitable for all rail profiles or	10%		
<b>Provide List of Required Tools to Execute Weld</b>	Provide a detailed list of tools and ancillary equipment required to execute aluminothermic welds including post weld heat treated tools (if applicable)	<b>100%</b> - List of tools and ancillary equipment required to execute aluminothermic welds has been provided. <b>0%-</b> List of tools and ancillary equipment has not been provided.	5%		
<b>Provision of Wear Limits for Proposed Process:</b> -What is the maximum difference in rail height and side wear that can be accommodated in normal practice?	Provide the maximum difference in rail height and side wear that can be accomodated in normal practice.	<b>100%</b> - Wear limits stating the maximum difference in rail height and side wear that can be accomodated in normal practice have been provided for rail's used at Transnet. <b>0%</b> - Wear limits have not been provided	10%		
<b>Provide Non-destructive Test Results for previously Welded Cast using Process/Products:</b> -Radiographic images of cast welds are prefferred. (Ultrasonic test results can be submitted alternatively.)	Provide visible and legible radiographic image(s) of cast welds. (Ultrasonic test results can be submitted as an alternative)	<b>100%</b> - Radiographic images provided or ultrasonic testing results have been provided for cast welds. Weld is defect free. <b>0%</b> - Non-destructive tests (Radiography or Ultrasonic) have been provided but weld(s) are defective or no test results have been submitted.	5%		
<b>Vicker's Hardness Profile of weld(s):</b> Provide a lab report inclusive of Vicker's hardness profile of weld(s) tested against BS EN 14730-1:2017 and found to be acceptable.	Lab report from ISO 17025 accredited lab that shows Vicker's hardness profile of thermite weld tested against BS EN 14730-1:2017 (or equivalent) and found acceptable.	<b>100%</b> - Running surface hardness measurements are within specified range for rail grade. <b>0%</b> - Running surface hardness measurements are not within specified range for rail grade or Vicker's hardness profile not provided.	5%		
<b>Slow Bend Test Results:</b> Provide a lab report inclusive of slow bend test results of weld(s) tested against BS EN 14730-1:2017 and found to be acceptable.	Lab report that shows the slow bend test results of thermite weld tested against BS EN 14730-1:2017 (or equivalent) and found acceptable.	<b>100%-</b> Weld breaking force is within required range as stated in BS EN 14730-1:2017. <b>0%:</b> Weld breaking force is outside range as stated in BS EN 14730-1:2017 or slow bend test results not provided.	5%		
<b>Chemical Analysis Results:</b> Provide a lab report inclusive of a chemical analysis reslts conducted for the weld(s) and tested against BS EN 14730-1: 2017 and found to be acceptable.	Lab report from ISO 17025 accredited laboratory that shows the chemical analysis of the thermite weld tested against BS EN 14730-1:2017 (or equivalent) and found acceptable.	<b>100%-</b> Chemical analysis of weld(s) tested complies to BS EN 14730-1:2017. <b>0%:</b> Chemical analysis of weld(s) tested does not comply to BS EN 14730-1:2017 or chemical analysis of weld(s) is not provided.	5%		
<b>Microscopy Image(s) of cast weld:</b> -The microstructure is pearlitic and the heat affected zone (HAZ) does not contain any bainite or martensite at x100 magnification.	Lab report from ISO 17025 accredited laboratory that shows the microscopy images of the thermite weld tested against BS EN 14730-1:2017 (or equivalent) and found acceptable.	<b>100%</b> - Microscopy images of weld(s) have been provided. The microstructure is pearlitic and the heat affected zone (HAZ) does not contain any bainite or martensite at x100 magnification. <b>0%-</b> Microscopy images of weld(s) tested does not comply to BS EN 14730-1:2017 or chemical analysis of weld(s) is not provided.	5%		
<b>TOTAL</b>			100%		
Evaluator:	Date:	Signature:			

## 6.4 STEP FOUR: Framing of Approved suppliers

**Annexure A** - Upon receipt of bid submissions (including compliance to technical requirements for approved process or products and confirmation of the stated approval status of process or products), the approved process or products will be recommended for inclusion to an approved list.

Annexure B - Bidders who have passed the technical evaluation for process or products not yet approved shall be informed that they have been shortlisted to enter the phases of their approval process and that they have to make their submissions as outlined in the Request for Proposal (RFP). These suppliers and their products shall be added onto the framed approved list as and when they are conditionally or fully approved and will then be eligible to participate in future tenders that will be issued against the approved list.

Unapproved products will be subjected to the same testing requirements and methodology used when testing and approving the previously approved products, as the testing requirements for previous contract and technical specification to be included in current Approval List are both established from BS EN 14730 -1 'Railway applications — Track— Aluminothermic welding of rails Part 1: Approval of welding processes'.

All thermite welding processes, and consumables/products proposed by the bidder(s) must comply 100% with the mandatory requirements in the TFR Technical Specification BBH 3441.

SKV and QP processes that have been previously approved by TFR for welding rails will not be required to do demonstrations or tests provided they submit the previously issued approval letters for process/products from TFR.

Demonstration of thermite welding process will be conducted for conditionally approved bidders or process/products. Locations will be communicated to shortlisted bidders.

Samples cast during demonstration will be radiographically tested and sent to ISO 17025 accredited (or equivalent standard) laboratory for full quality analysis.

## 7 SUBMISSION OF TECHNICAL INFORMATION AND SAMPLES

- Bidders offering non approved products shall be requested to submit technical information, prototypes and samples of their products for testing.
- The exact requirements and submission timelines and logistical details will be communicated to potential suppliers in writing on conclusion of this event and will be in accordance with the specification.
- The sample(s) must be clearly marked with the reference number of this RFP and the names and addresses of both the bidder and the manufacturer.

## 8 MANUFACTURERS

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

### 8.1 Local Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

## 8.2 Foreign Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

## 9 INSPECTION DETAILS

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

### 9.1 Local Manufacturer(s)

RFP ITEM NO.	NAME	BUSINESS ADDRESS

### 9.2 Foreign Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

## 10 IMPORTED CONTENT

The Respondents must state hereunder the value and percentage of the imported content as well as the country of origin in respect of each item tendered for:

RFP ITEM NO / DESCRIPTION.	VALUE	% COST	COUNTRY OF ORIGIN

Note: Where more than one country is applicable to one item, the Respondents must furnish this information separately

## 11 NATIONAL RAILWAY SAFETY REGULATOR ACT

In compliance with the National Railway Safety Regulator Act, 16 of 2002, the successful Respondent [**theSupplier**] shall ensure that the Goods to be supplied to Transnet, under the terms and conditions of a contract between the parties, comply fully with the specifications as set out in **Annexure A and Annexure B** [Specifications] of this RFP, and shall also adhere to railway safety requirements and/or regulations [as applicable]. Permission for the engagement of a subcontractor by the Supplier, as applicable, both initially and during the course of a contract, shall be subject to a review of the capability of the proposed subcontractor to comply with the specified railway safety requirements and/or regulations. The Supplier

and/or its subcontractor shall grant Transnet access, during the term of the contract, to review any safety-related activities, including the coordination of such activities across all parts of the organisation.

**Accepted:**

<b>YES</b>	<b>NO</b>
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## 12 RISK

Respondents must elaborate on the control measures put in place by their entity, which would mitigate the risk to Transnet pertaining to potential non-performance by the Respondent, in relation to:

### 12.1 Quality and specification of Goods/Services delivered:

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### 12.2 Continuity of supply:

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### 12.3 Compliance with the Occupational Health and Safety Act, 85 of 1993:

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### 12.4 Compliance with the National Railway Safety Regulator Act, 16 of 2002:

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

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 \_\_\_\_\_

\_\_\_\_\_

Name \_\_\_\_\_

\_\_\_\_\_

2 \_\_\_\_\_

\_\_\_\_\_

Name \_\_\_\_\_

\_\_\_\_\_

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

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

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

## SECTION 4: PROPOSAL FORM AND LIST OF RETURNABLE DOCUMENTS

/We \_\_\_\_\_  
 [name of entity, company, close corporation or partnership] of [full address]

\_\_\_\_\_

carrying on business trading/operating as

\_\_\_\_\_

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

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

being duly authorised thereto by a Resolution of the Board of Directors or Members or Certificate of Partners, dated \_\_\_\_\_ to enter into, sign execute and complete any documents relating to this proposal and any subsequent Agreement. The following list of persons are hereby authorised to negotiate on behalf of the abovementioned entity, should Transnet decide to enter into Post Tender Negotiations with highest ranked bidder(s).

FULL NAME(S)	CAPACITY	SIGNATURE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I/We hereby offer to supply/provide the abovementioned Goods/Services at the prices quoted in the schedule of prices in accordance with the terms set forth in the documents listed in the accompanying schedule of RFP documents.

I/We agree to be bound by those conditions in Transnet's:

- (i) Master Agreement (which may be subject to amendment at Transnet's discretion if applicable);
- (ii) General Bid Conditions; and
- (iii) any other standard or special conditions mentioned and/or embodied in this Request for Proposal.

I/We accept that unless Transnet should otherwise decide and so inform me/us in the letter of award, this Proposal [and, if any, its covering letter and any subsequent exchange of correspondence], together with Transnet's acceptance thereof shall constitute a binding contract between Transnet and me/us.

Should Transnet decide that a formal contract should be signed and so inform me/us in a letter of award [the **Letter of Award**], this Proposal [and, if any, its covering letter and any subsequent exchange of correspondence] together with Transnet's Letter of Award, shall constitute a binding contract between Transnet and me/us until the formal contract is signed.

I/We further agree that if, after I/we have been notified of the acceptance of my/our Proposal, I/we fail to enter into a formal contract if called upon to do so, or fail to commence the supply/provision of Goods/Services within 2 [two] weeks thereafter, Transnet may, without prejudice to any other legal remedy which it may have, recover from me/us any expense to which it may have been put in calling for Proposals afresh and/or having to accept any less favourable Proposal.



Furthermore, I/we agree to a penalty clause/s which will allow Transnet to invoke a penalty against us for non-compliance with material terms of this RFP including the delayed delivery of the Goods/Services due to non-performance by ourselves, , etc.

I/we agree that non-compliance with any of the material terms of this RFP, including those mentioned above, will constitute a material breach of contract and provide Transnet with cause for cancellation.

## ADDRESS FOR NOTICES

The law of the Republic of South Africa shall govern any contract created by the acceptance of this RFP. The *domicilium citandi et executandi* shall be a place in the Republic of South Africa to be specified by the Respondent hereunder, at which all legal documents may be served on the Respondent who shall agree to submit to the jurisdiction of the courts of the Republic of South Africa. Foreign Respondents shall, therefore, state hereunder the name of their authorised representative in the Republic of South Africa who has the power of attorney to sign any contract which may have to be entered into in the event of their Proposal being accepted and to act on their behalf in all matters relating to such contract.

Respondent to indicate the details of its *domicilium citandi et executandi* hereunder:

Name of Entity: \_\_\_\_\_

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

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

\_\_\_\_\_

## NOTIFICATION OF AWARD OF RFP

As soon as possible after approval to award the contract(s), the successful Respondent [**the Supplier/Service provider**] will be informed of the acceptance of its Proposal. Transnet will also publish the outcome of the tender, including successful and unsuccessful bidders, in the National Treasury e-tender portal. Any unsuccessful bidder has a right to request reasons for the bid not to be successful and Transnet has a duty to provide those reasons on receipt of the request from the bidder.

## VALIDITY PERIOD

Transnet requires a validity period of **180 Business Days** [11.10.2024] against this RFP, excluding the first day and including the last day.

## NAME(S) AND ADDRESS / ADDRESSES OF DIRECTOR(S) OR MEMBER(S)

The Respondent must disclose hereunder the full name(s) and address(s) of the director(s) or members of the company or close corporation [**C.C.**] on whose behalf the RFP is submitted.

Registration number of company / C.C. \_\_\_\_\_

Registered name of company / C.C. \_\_\_\_\_

Full name(s) of director/member(s)	Address/Addresses	ID Number(s)
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## RETURNABLE DOCUMENTS

Returnable Documents means all the documents, Sections and Annexures, as listed in the tables below. There are three types of returnable documents as indicated below and Respondents are urged to ensure that these documents are returned with their bids based on the consequences of non-submission as indicated below:

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

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

**a) 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>
ANNEXURE A: Technical Assessment – Bidder to provide the documents/evidence as per Annexure A	
ANNEXURE B: Technical proposal- Bidder to provide the documents/evidence as per Annexure B	

**b) 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:

**CONTINUED VALIDITY OF RETURNABLE DOCUMENTS**

<b>ESSENTIAL RETURNABLE DOCUMENTS &amp; SCHEDULES</b>	<b>SUBMITTED [Yes /No / N/A]</b>
An Approval letter by TFR from bidders whose product or process has been previously approved by TFR and a Metallurgical quality report not older than 5 years	
An Memorandum of Understanding (MOU) between the Bidder and the Original Equipment Manufacturer (OEM) whether previously approved or non-approved, authorizing the bidder to offer the product or process to Transnet.	
Bidders that have not been previously approved by TFR but own the product or process must provide a letter stating that they're the OEM	
SECTION 4: Proposal Form and List of Returnable documents	
SECTION 5: Certificate Of Acquaintance with RFP, Terms & Conditions & Applicable Documents	
SECTION 6: RFP Declaration and Breach of Law Form	

SECTION 8: : Specific goals points claim form	
SECTION 9: Protection of Personal Information	
SECTION 10: Certificate of attendance (Non-Compulsory Briefing Session)	
Section 37 Mandatory Agreement (Safety)	
CSD Registration Report	

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

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

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 \_\_\_\_\_

\_\_\_\_\_

Name \_\_\_\_\_

\_\_\_\_\_

2 \_\_\_\_\_

\_\_\_\_\_

Name \_\_\_\_\_

\_\_\_\_\_

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

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

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

## SECTION 5: CERTIFICATE OF ACQUAINTANCE WITH RFP, MASTER AGREEMENT & APPLICABLE DOCUMENTS

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

1. Specifications and drawings attached to this RFP
---

Should the Bidder find any terms or conditions stipulated in any of the relevant documents quoted in the RFP unacceptable, it should indicate which conditions are unacceptable and offer alternatives by written submission on its company letterhead, attached to its submitted Bid. Any such submission shall be subject to review by Transnet's Legal Counsel who shall determine whether the proposed alternative(s) are acceptable or otherwise, as the case may be. A material deviation from any term or condition may result in disqualification.

Bidders accept that an obligation rests on them to clarify any uncertainties regarding any bid to which they intend to respond on, before submitting the bid. **The Bidder agrees that he/she will have no claim or cause of action based on an allegation that any aspect of this RFP was unclear but in respect of which he/she failed to obtain clarity.**

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

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

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 \_\_\_\_\_

\_\_\_\_\_

Name \_\_\_\_\_

\_\_\_\_\_

2 \_\_\_\_\_

\_\_\_\_\_

Name \_\_\_\_\_

\_\_\_\_\_

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

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

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

## SECTION 6: RFP DECLARATION AND BREACH OF LAW FORM

NAME OF ENTITY: \_\_\_\_\_

We \_\_\_\_\_ do hereby certify that:

1. Transnet has supplied and we have received appropriate responses to any/all questions [as applicable] which were submitted by ourselves for RFP Clarification purposes;
2. We have received all information we deemed necessary for the completion of this Request for Proposal [**RFP**];
3. We have been provided with sufficient access to the existing Transnet facilities/sites and any and all relevant information relevant to the Goods/Services as well as Transnet information and Employees, and have had sufficient time in which to conduct and perform a thorough due diligence of Transnet's operations and business requirements and assets used by Transnet. Transnet will therefore not consider or permit any pre- or post-contract verification or any related adjustment to pricing, service levels or any other provisions/conditions based on any incorrect assumptions made by the Respondent in arriving at his Bid Price.
4. At no stage have we received additional information relating to the subject matter of this RFP from Transnet sources, other than information formally received from the designated Transnet contact(s) as nominated in the RFP documents;
5. We are satisfied, insofar as our entity is concerned, that the processes and procedures adopted by Transnet in issuing this RFP and the requirements requested from Bidders in responding to this RFP have been conducted in a fair and transparent manner;
6. We have complied with all obligations of the Bidder/Supplier as indicated in the Transnet Supplier Integrity which includes but are not limited to ensuring that we take all measures necessary to prevent corrupt practices, unfairness and illegal activities in order to secure or in furtherance to secure a contract with Transnet;
7. We declare that a family, business and/or social relationship **exists / does not exist** [delete as applicable] between an owner / member / director / partner / shareholder of our entity and an employee or board member of the Transnet Group including any person who may be involved in the evaluation and/or adjudication of this Bid;
8. We declare that an owner / member / director / partner / shareholder of our entity **is / is not** [delete as applicable] an employee or board member of Transnet;
9. In addition, we declare that an owner / member / director / partner / shareholder/employee of our entity **has / has not been** [delete as applicable] a former employee or board member of Transnet in the past 10 years. I further declare that if they were a former employee or board member of Transnet in the past 10 years that they **were/were not** involved in the bid preparation or had access to the information related to this RFP; and

10. If such a relationship as indicated in paragraph 7, 8 and/or 9 exists, the Respondent is to complete the following section:

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

ADDRESS:

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

Indicate nature of relationship with Transnet:

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

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

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

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

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

#### **BIDDER'S DISCLOSURE (SBD4)**

### **12 PURPOSE OF THE FORM**

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

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

### **13 Bidder's declaration**

13.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state?

**YES/NO**

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

Full Name	Identity Number	Name of State institution

13.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

**YES/NO**

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

13.2.1. If so, furnish particulars:

.....  
.....

13.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

**YES/NO**

13.3.1. If so, furnish particulars:

.....  
.....

**14 DECLARATION**

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

- 14.1 I have read and I understand the contents of this disclosure;
- 14.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 14.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 14.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 14.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 14.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 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.

<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.

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

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



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

### BREACH OF LAW

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

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

NATURE OF BREACH:

\_\_\_\_\_

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

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

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

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

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

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

**SECTION 7: RFP CLARIFICATION REQUEST FORM**

RFP No: HOAC – HO -43776

RFP deadline for questions / RFP Clarifications: Before 14:00 pm on 15 January 2024

TO: Transnet SOC Ltd

ATTENTION: Neo Matloa

EMAIL [\[Neo.Matloa@transnet.net\]](mailto:Neo.Matloa@transnet.net)

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

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

\_\_\_\_\_

RFP Clarification No [to be inserted by Transnet]

<b>REQUEST FOR RFP CLARIFICATION</b>
--------------------------------------

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_  
Respondent’s Signature

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

## SECTION 8 : 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 ~~exceed/not exceed~~ **[Delete what is not applicable]** R50 000 000 (all applicable taxes included) and therefore the ..... 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.

**OR**

Either the 80/20 or 90/10 preference point system will apply **[This clause is to be used where it is unclear as to which preference point system will be applicable – lowest acceptable bid will determine the preference point system. Delete if not applicable]**

1.3 Preference points for this bid shall be awarded for:

- (a) Price;
- (b) B-BBEE Status Level of Contribution; and
- (c) Any other specific goal determined in Transnet preferential procurement policy.

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

	POINTS
<b>PRICE</b>	<b>80/90</b>
<b>SPECIFIC GOALS</b> <b>B-BBEE and,</b> <b>LIST THE OTHER APPLICABLE SPECIFIC GOALS FOR THIS TENDER</b> (Bidders are to note that Transnet Preferential Procurement Policy (TPPP) has been developed and introduced to pursue both Transformational and Reconstruction & Development Programme goals. This process will be done once the framing is done and an RFP will be put in place and these goals in future tenders.)	<b>20/10</b>
<b>Total points for Price and Specific Goals must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of evidence for any of the specific goals together with the bid will be interpreted to mean that preference points are not claimed.

1.6 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

Respondent's Signature

Date & Company Stamp

- (a) **"all applicable taxes"** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- (b) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (c) **"B-BBEE status level of contributor"** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (d) **"Ownership"** means 51% black ownership
- (e) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the supply/provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- (f) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (g) **"EME"** means an Exempted Micro Enterprise as defines by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (h) **"functionality"** means the ability of a bidder to provide goods or services in accordance with specification as set out in the bid documents
- (i) **"Price"** includes all applicable taxes less all unconditional discounts.
- (j) **"Proof of B-BBEE Status Level of Contributor"**
  - i) the B-BBEE status level certificate issued by an authorised body or person;
  - ii) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or
  - iii) any other requirement prescribed in terms of the B-BBEE Act.
- (k) **"QSE"** means a Qualifying Small Enterprise as defines by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 ( Act No. 53 of 2003);
- (l) **"rand value"** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties.
- (m) **"Specific goals"** means targeted advancement areas or categories of persons or groups either previously disadvantaged or falling within the scope of the Reconstruction and Development Programme identified by Transnet to be given preference in allocation of procurement contracts in line with section 2(1) of the PPPFA.

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

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 Bidders are to note that Transnet Preferential Procurement Policy (TPPP) has been developed and introduced to pursue both Transformational and Reconstruction & Development Programme goals. This process will be done once the framing is done and an RFP will be put in place and these goals in future tenders.**

Selected Specific Goal	Number of points allocated (20/10)
B-BBEE Level of contributor – Level 1	.....
B-BBEE Level of contributor - Level 2	.....
B-BBEE Level of contributor (1 or 2)	.....
+50% Black Youth Owned Entities	.....
30% Black women Owned entities	.....
Entities Owned by People with Disability (PWD)	.....
other specific Goals	.....
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
>50% Black Youth Owned Entities	Certified copy of ID Documents of the Owners and B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline
Entities Owned by People with Disability (PWD)	Certified copy of ID Documents of the Owners / Doctor's note and /or EEA1 form confirming the disability
Entities/Black People living in rural areas	Entity 's Municipal/ESKOM bill or letter from Induna/chief confirming residential address not older than 3 months.
South African Enterprises	CIPC Certificate
EME or QSE 51% Black Owned	B-BBEE Certificate / Sworn-Affidavit / CIPC Certificate
Entities that are 51 % Black Owned	CI B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline
Promoting exports Orientated for Job creation	Section.....Job Creation Schedule Returnable documents
Local Content and Local Production	Returnable Local Content and production Annexures
NIPP	NIPP Returnable documents
Creation of new jobs and labour intensification	Section.....Job Creation Schedule Returnable documents
The promotion of supplier development through sub-contracting or JV for a minimum of 30% of the	Sub-contracting agreements and Declaration / Joint Venture Agreement and CIPC – B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate as per DTIC guideline

Respondent's Signature

Date & Company Stamp

value of a contract to South African Companies which are: <ol style="list-style-type: none"> <li>I. 30% Black Women owned, 51% Black Youth and 51% Black people with disabilities</li> <li>II. Entities with a specified minimum B-BBEE level (1 and 2)</li> <li>III. EMEs and/or QSEs black-owned</li> </ol>	
The promotion of enterprises located in a specific province/region/municipal area for work to be done or services to be rendered in that province/region/municipal area	CIPC – B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines and Proof Registered address of entity

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 Transnet or 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:

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

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

**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 following enterprises:

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 Supplier/Service provider
- ☐ Other Suppliers/Service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

Respondent's Signature

Date & Company Stamp

- 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 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 a bidder submitted false information regarding its evidence regarding specific goals or any other matter required in terms of the Preferential Procurement Regulations, 2022 which will affect or has affected the evaluation of a bid the purchaser may, in addition to any other remedy it may have
    - (a) disqualify the person from the bidding process;
    - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
    - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
    - (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 style="text-align: center;">WITNESSES</p> <p>1. ....</p> <p>2. ....</p>	<p style="text-align: center;">.....</p> <p style="text-align: center;">SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE: .....</p> <p>ADDRESS.....</p>
--	---



## SECTION 9: 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 RFP, the Responsible party is “Transnet” and the Data subject is the “Respondent”. Transnet will process personal information only with the knowledge and authorisation of the Respondent and will treat personal information which comes to its knowledge as confidential and will not disclose it, unless so required by law or subject to the exceptions contained in the POPIA.
4. Transnet reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in this RFP and the Respondent is required to comply with all prescripts as detailed in the POPIA relating to all information concerning Transnet.
5. In responding to this bid, Transnet acknowledges that it will obtain and have access to personal information of the Respondent. Transnet agrees that it shall only process the information disclosed by Respondent in their response to this bid for the purpose of evaluating and subsequent award of business and in accordance with any applicable law.
6. Transnet further agrees that in submitting any information or documentation requested in this RFP, the Respondent is consenting to the further processing of their personal information for the purpose of, but not limited to, risk assessment, assurances, contract award, contract management, auditing, legal opinions/litigations, investigations (if applicable), document storage for the legislatively required period, destruction, de-identification and publishing of personal information by Transnet and/or its authorised appointed third parties.
7. Furthermore, Transnet will not otherwise modify, amend or alter any personal data submitted by the Respondent or disclose or permit the disclosure of any personal data to any third party without the prior written consent from the Respondent. Similarly, Transnet requires the Respondent to process any personal information disclosed by Transnet in the bidding process in the same manner.
8. Transnet shall, at all times, ensure compliance with any applicable laws put in place and maintain sufficient measures, policies and systems to manage and secure against all forms of risks to any information that may be shared or accessed pursuant to this RFP (physically, through a computer or any other form of electronic communication).
9. Transnet shall notify the Respondent in writing of any unauthorised access to information, cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such crimes or suspected crime. The Respondent must

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Respondent's Signature

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Date & Company Stamp

take all necessary remedial steps to mitigate the extent of the loss or compromise of personal information and to restore the integrity of the affected personal information as quickly as is possible.

10. The Respondent may, in writing, request Transnet to confirm and/or make available any personal information in its possession in relation to the Respondent and if such personal information has been accessed by third parties and the identity thereof in terms of the POPIA. The Respondent may further request that Transnet correct (excluding critical/mandatory or evaluation information), delete, destroy, withdraw consent or object to the processing of any personal information relating to the Respondent in Transnet’s possession in terms of the provision of the POPIA and utilizing Form 2 of the POPIA Regulations.
11. In submitting any information or documentation requested in this RFP, the Respondent is hereby consenting to the processing of their personal information for the purpose of this RFP and further confirming that they are aware of their rights in terms of Section 5 of POPIA

(i) Respondents are required to provide consent below:

YES		NO	

12. Further, the Respondent declares that they have obtained all consents pertaining to other data subject’s personal information included in its submission and thereby indemnifying Transnet against any civil or criminal action, administrative fines or other penalty or loss that may arise as a result of the processing of any personal information that the Respondent submitted.
13. The Respondent declares that the personal information submitted for the purpose of this RFP is complete, accurate, not misleading, is up to date and may be updated where applicable.

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

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

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

It is hereby certified that –

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

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

Representative(s) of \_\_\_\_\_ *[name of entity]*

attended the site meeting / RFP briefing in respect of the proposed Goods/Services to be rendered in terms of this RFP on  
\_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
TRANSNET'S REPRESENTATIVE

\_\_\_\_\_  
RESPONDENT'S REPRESENTATIVE

DATE \_\_\_\_\_

DATE \_\_\_\_\_

EMAIL \_\_\_\_\_

**NOTE:**





This certificate of attendance must be filled in duplicate, one copy to be kept by Transnet and the other copy to be kept by the bidder.



A division of Transnet SOC Limited

## RAIL NETWORK – TECHNICAL (WELDING)

### TESTING REQUIREMENTS FOR THE APPROVAL OF ALUMINOTHERMICWELDING PROCESSES OF RAILS

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Date		02/12/2021

Circulation Restricted To:

Transnet Freight Rail  
Approved third parties

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## Foreword

This document details the technical requirements for the testing and approval of aluminothermic orexothermic welding procedures and processes for railway rails used by Transnet Freight Rail. All references to clauses, figures, tables and annexures refer to BS EN 14730-1:2017 , unless otherwise stated. The acceptance criteria will be as stipulated in BS EN 14730-1:2017 , any deviation shall be stated otherwise.

## 1.0 Introduction

- 1.0.1 This document provides guidelines for the technical testing requirements for approval of aluminothermic welding procedures and processes for new rails under laboratory conditions.
- 1.0.2 The guidelines detail the approval of rails by testing conducted on joints cast from new rail sections of the same rail grade with no difference in profile and wear.
- 1.0.3 The guidelines herein cover the requirements for initial compliance testing of welding processes and procedures.

## 1.1 Railway Authority

- 1.1.1 Transnet Freight Rail (TFR) as the railway authority uses exothermic welding to join two rails in track in accordance to the Track Welding Manual (**BBB8341\_latest version**).
- 1.1.2 TFR currently has the following types of rails installed in track as per EN 13674-1:2011 specification;
  - 1.1.2.1** R260 / Grade 900 rail grade with SAR 48 and SAR 57 profiles. **See attached annexure.**
  - 1.1.2.2** R350LHT rail grade with 60E1 rail profiles, equivalent rail profiles of UIC60 and S-60-SAR shall be used for 60E1. **See attached annexure.**
- 1.1.3** Radiographic Evaluation on Transnet Freight Rail Lines **BBB8375\_Revision 2.**
- 1.1.4 Other maintenance procedures conducted for rails and other track components are in accordance with the Manual for Track Maintenance (**BBB0481\_latest version**).

## 1.2 General Requirements

- 1.2.1 The supplier shall provide TFR with an aluminothermic welding procedure and process that follows a single execution which allows for single use set up of all consumables , the processes' shall be approved in accordance with the specification BS EN 14730-1:2017.
- 1.2.2 The aluminothermic welding products, apparatus and consumables shall be compatible for satisfactory welding of the rail profile/rail grade combinations as stipulated in Table 1.

**Table 1: Rail Profile and Rail Grade requirements**

Rail Profile	Grade
--------------	-------

60 E1	R350LHT
SAR57	R260
SAR48	R260

- 1.2.3 The welding process proposed by the bidder shall be capable of being carried out successfully on new rails, worn rails and combinations of such rails once it has been approved.
- 1.2.4 The supplier shall submit all documents that are specific to the welding process as listed in **clause 5.4 of BS EN 14730-1:2017 including a technical report or product manual.**
- 1.2.5 The supplier shall submit a comprehensive metallurgical report detailing all the results of the tests **in clause 1.3.2)** of this document excluding ultrasonic testing of this document.
- 1.2.6 The process shall be identified according to **clause 5.2 of BS EN 14730-1:2017.**
- 1.2.7 It shall be capable of being carried out in track, at or near a trackside or in a workshop.
- 1.2.8 The pre-heating process shall achieve the required welding temperature of 950 °C as stipulated in the **Track Welding Manual (BBB8341\_latest version)**. The process shall not result in excessively large austenite grains that weaken the heat affected zone.
- 1.2.9 The crucible shall tap automatically and shall be designed in a manner as to avoid spattering in accordance with **clause 5.3 in BS EN 14730-1:2017.**
- 1.2.10 Riser removal shall be done in such a manner that the resultant surface is flush or red.
- 1.2.11 The entire welding process shall not damage the rail.

### 1.3 Metallurgical Compliance Requirements

The bidder is required to provide quality analysis report(s) which includes a minimum of **four** aluminothermic welded samples tested by a third party (external) ISO 17025 accredited laboratory. Two types of tests will be conducted for the welded rails, that is, bend test and other quality tests such as chemical analysis, hardness (Vicker's), macroscopic examination and microscopic examination.

- 1.3.1 Compliance shall be achieved by undertaking the tests specified in category 3 of Table 2, **clause 5.5 in BS EN 14730-1:2017** specification exclusive of ultrasonic inspection. Tests will be conducted using R350LHT and R260 steel grade for 60E1, SAR57 and SAR48 rail profiles respectively.
- 1.3.2 The tests in Table 2 shall be conducted in accordance **with clause 7 of BS EN 14730-1:2017** using the steps listed in Annex A in the same standard. An ISO 17025 (or equivalent standard) accredited laboratory shall be used for testing, unless otherwise special permission is granted by a Principal Engineer of Rail Network Technical.
- 1.3.3 **Radiographic Testing (RT)** shall be conducted on all the samples as an additional non-destructive testing requirement. The x-ray film results shall be examined by a certified NDT organisation and will be evaluated in accordance to **Radiographic Evaluation on Transnet Freight Rail Lines BBB8375 Revision 2.**
- 1.3.4 Preparation and allocation test welds shall be done according to clause 5.7 of BS EN 14730-1:2017.



1.3.5 Approval shall be granted upon full compliance of the requirements of this document and specification **BS EN 14730-1:2017**.

1.3.6 **Re-approval following any change in the process after initial approval shall be conducted in accordance with clause 6 of BS EN 14730-1:2017.**

*NB\* all references to tables and figures mentioned herein are in the BS EN 14730-1:2017 specification*

#### **1.4 Additional Requirements**

1.4.1 Vickers hardness test load 30kg shall be used for clause 1.3.2 of this document and any conversions from various loads must be stated clearly in the report.

1.4.2 Hardness profile measurements shall be made on a smooth ground surface in "as cast" condition. The hardness shall include the heat softened zone extending to both sides of rail until 20 mm of the unaffected parent rail (see Annex I in BS EN 14730-1:2017). Indents shall be taken longitudinally between 3 and 5 mm from the running surface of the rail crown at 2 mm intervals.

1.4.3 Hardness measurements for hardness profile shall graphically be represent as shown in Annex I2 in BS EN 14730-1:2017.

1.4.4 Samples for microscopic examination shall be taken and prepared in accordance to Annex H in BS EN 14730-1:2017. The microstructure shall be pearlite. The visible heat affected zone shall not contain any bainite or martensite examined at x100 magnification.

1.4.5 Cold etching shall be done to reveal the fusion zone of weld. The fusion zone shall exhibit a nominally symmetrical shape about the weld.

1.4.6 TFR shall request additional electronic images of the microstructures from the microscopic examination and of the visible heat affected zone if necessary.

1.4.7 TFR representatives shall witness all the welding tests including surface visual examination, slow bend test and radiographic testing.

#### **1.5 Reference**

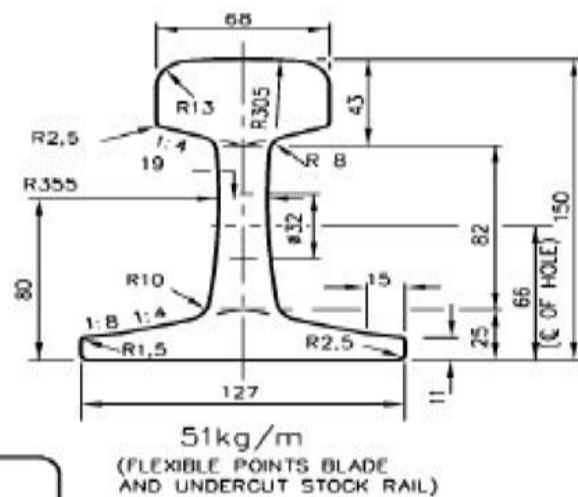
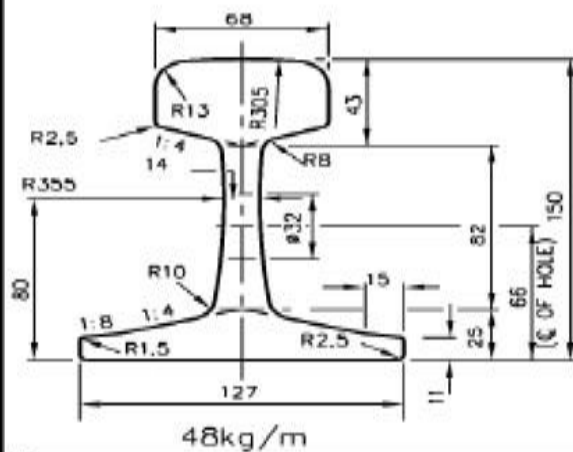
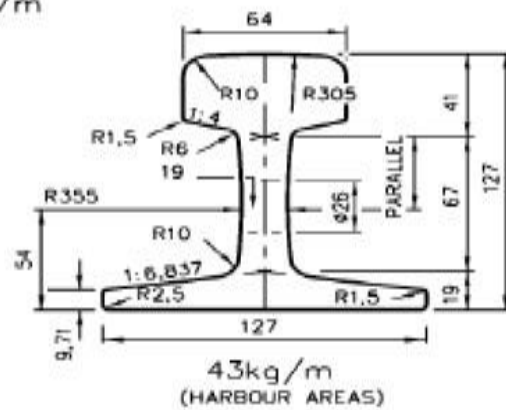
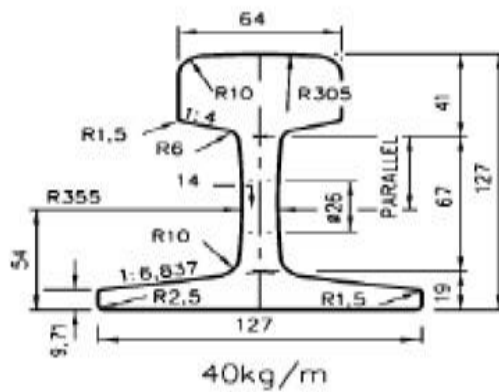
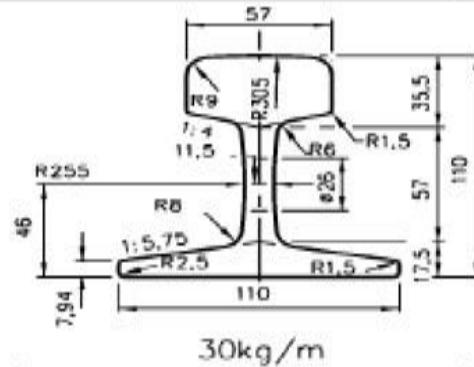
*EN 14730-1:2017, Railway Applications-Track-Aluminothermic welding of rails-Part 1: Approval of welding processes.*

*BS EN 13674-1:2011, Railway Applications-Track-Rail-Part 1: Vignole railway rails 46kg/m and above*

#### **1.6 Annexures**

1.6.1 The rails profiles below are as per annexure 14 of Transnet Freight Rail Manual for Track Maintenance (latest version). Other rail profiles not in this Annexure shall be found in BS EN 13674-1:2011 specification.

## RAIL PROFILES

ANNEXURE 14  
SHEET 1 of 6

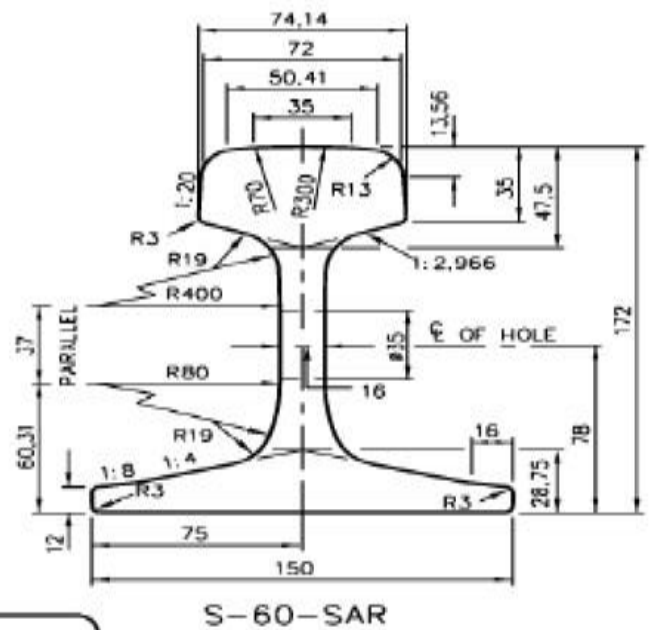
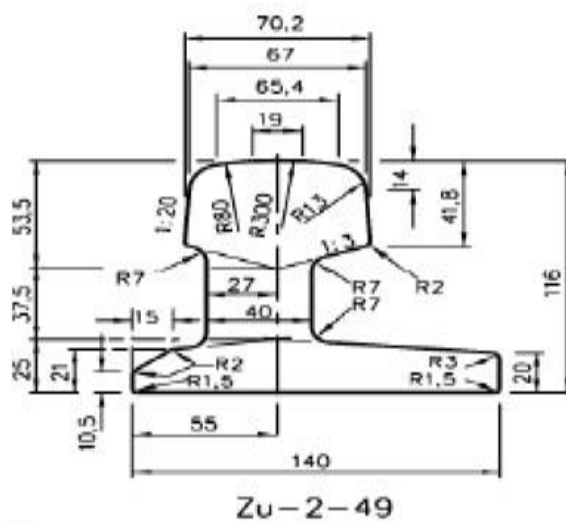
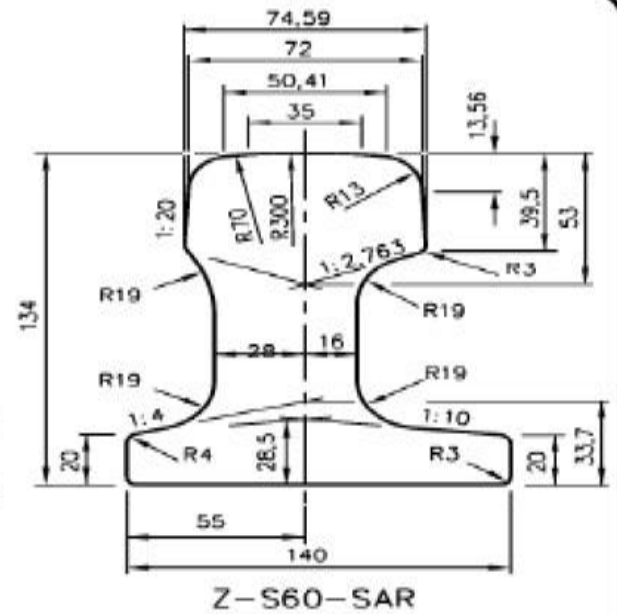
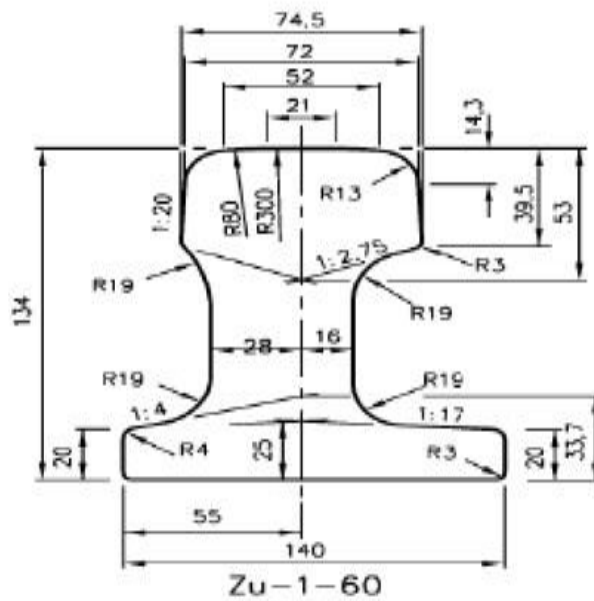
REMARKS :  
1. FOR PROPERTIES AND ROLL MARKS SEE  
ANNEXURE 14 SHEETS 4 TO 6

BE 97-14 Sht 1 Version 2





## RAIL PROFILES

ANNEXURE 14  
SHEET 3 of 6

REMARKS :  
1. FOR PROPERTIES AND ROLL MARKS SEE  
ANNEXURE 14 SHEETS 4 TO 6

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Respondent's Signature

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