

TRANSNET FREIGHT RAIL

an Operating Division of **TRANSNET SOC LTD**

[hereinafter referred to as **Transnet**]

[Registration No. 1990/000900/30]

REQUEST FOR INFORMATION [RFI]

Information is required from the market for the provision of alternative energy or green energy to Transnet Freight Rail's (TFR) traction power supply points. The information gathered from the RFI will be used to develop TFR's Renewable Energy Power Purchase Programme (REPPP) for traction loads. Responses to the RFI may be localized and do not need to cover the whole country, corridor or region.

The main expected outcome on this RFI is to identify locations across South Africa's existing railroad infrastructure where renewable projects are taking place or are envisioned, establishing cost estimate information, technical feasibility/compatibility, Power Purchase Agreement (PPA) information, project financing information and estimated timelines for supplying energy for TFR's electrical traction loads.

RFI NUMBER:	SIC22009CIDB (HOAC- HO- 38730)
ISSUE DATE:	04 NOVEMBER 2022
NON-COMPULSORY BRIEFING:	15 NOVEMBER 2022
CLOSING DATE:	31 January 2023
CLOSING TIME:	10:00 AM

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 CONTENTS

Section No	Page
SECTION 1: SBD1 FORM.....	4
PART A	4
PART B	5
SECTION 2: NOTICE TO RESPONDENTS	6
1 INFORMATION REQUEST	6
2 EXPRESSION OF INTEREST [EOI].....	6
3 FORMAL BRIEFING.....	7
4 RESPONSE SUBMISSION	7
5 RFI/EOI INSTRUCTIONS.....	8
6 B-BBEE JOINT VENTURES OR CONSORTIUMS	8
7 PREFERENTIAL PROCUREMENT PREQUALIFICATION INFORMATION.....	8
8 COMMUNICATION.....	9
9 CONFIDENTIALITY	9
10 STATUS OF THIS RFI AND SUBSEQUENT PROCESS.....	9
11 DISCLAIMERS.....	9
12 SECURITY CLEARANCE	10
13 NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE	10
14 TAX COMPLIANCE.....	10
SECTION 3: RFI SCOPE OF REQUIREMENTS.....	12
1 INTRODUCTION.....	12
2 BACKGROUND	12
3 KEY OBJECTIVES OF THIS RFI PROCESS.....	15
4 GENERAL RESPONDENT OBLIGATIONS.....	15
5 CONFIDENTIALITY AND COMPLIANCE	15
6 UNDERTAKINGS BY RESPONDENT.....	15
7 COSTS TO RESPOND TO THE RFI.....	15
8 AUTHORITY OF SIGNATORY	16
9 OFFERING OF COMMISSION OR GRATUITY	16
10 UNDERTAKING BY TRANSNET.....	16
SECTION 4: TRANSNET'S RFI INFORMATION	17
1 STATISTICS [THE GOODS]	17
2 INFORMATION TO BE PROVIDED BY RFI RESPONDENTS	18
3 TECHNICAL CAPABILITY	23
4 FINANCIAL REQUIREMENTS FOR FUTURE AWARD OF BUSINESS.....	23
5 TEST FOR ADMINISTRATIVE RESPONSIVENESS	23
SECTION 5: EXPRESSION OF INTEREST	24

SECTION 6: CERTIFICATE OF ACQUAINTANCE WITH RFI, TERMS & CONDITIONS & APPLICABLE DOCUMENTS27

SECTION 7: B-BBEE PREFERENCE POINTS CLAIM FORM28

SECTION 8: RFI CLARIFICATION REQUEST FORM33

SECTION 9: SBD 4 - BIDDER'S DISCLOSURE34

SECTION 10: CERTIFICATE OF ATTENDANCE OF NON-COMPULSORY RFI BRIEFING37

NOTE:.....37

SECTION 11: PROTECTION OF PERSONAL INFORMATION38

- ANNEXURE A: SPECIFICATIONS ATTACHED TO THIS RFI/EOI
- ANNEXURE B – NON-DISCLOSURE AGREEMENT
- ANNEXURE C – TRANSNET’S GENERAL BID CONDITIONS
- ANNEXURE D – TRANSNET’S SUPPLIER INTEGRITY PACT
- ANNEXURE E – SUPPLIER DECLARATION FORM

RFI FOR THE PROVISION OF ALTERNATIVE ENERGY OR GREEN ENERGY TO TRANSNET FREIGHT RAIL'S (TFR) TRACTION POWER SUPPLY POINTS.**SECTION 1: SBD1 FORM****PART A****INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF TRANSNET FREIGHT RAIL, A DIVISION TRANSNET SOC LTD							
BID NUMBER:	SIC22009CIDB/ HOAC-HO-38730	ISSUE DATE:	04 November 2022	CLOSING DATE:	31 January 2023	CLOSING TIME:	10h00am
DESCRIPTION	FOR THE PROVISION OF ALTERNATIVE ENERGY OR GREEN ENERGY SOURCES FOR TFR'S TRACTION ENERGY LOADS						
BID RESPONSE DOCUMENTS SUBMISSION							
RESPONDENTS ARE TO UPLOAD THEIR BID RESPONSE PROPOSALS ONTO THE TRANSNET SYSTEM AGAINST EACH BID/RFI SELECTED (please refer to section 2, paragraph 4 for a detailed process on how to upload submissions): https://transnetetenders.azurewebsites.net							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	Phumudzo Gadivhana			CONTACT PERSON	Thabo Selemela		
TELEPHONE NUMBER	011 584 0765			TELEPHONE NUMBER	066 412 6153		
FACSIMILE NUMBER	N/A			FACSIMILE NUMBER	N/A		
E-MAIL ADDRESS	Phumudzo.Gadivhana@transnet.net			E-MAIL ADDRESS	Thabo.Selemela@transnet.net		
SUPPLIER INFORMATION							
NAME OF BIDDER							
POSTAL ADDRESS							
STREET ADDRESS							
TELEPHONE NUMBER	CODE			NUMBER			
CELLPHONE NUMBER							
FACSIMILE NUMBER	CODE			NUMBER			
E-MAIL ADDRESS							
VAT REGISTRATION NUMBER							
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:			OR	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No			B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	

Respondent's Signature

Date and Company Stamp

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT MUST BE SUBMITTED FOR PURPOSES OF COMPLIANCE WITH THE B-BBEE ACT]

1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO

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.

PART B

TERMS AND CONDITIONS FOR BIDDING

1. TAX COMPLIANCE REQUIREMENTS

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

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

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

DATE: _____

Respondent's Signature

Date and Company Stamp

SECTION 2: NOTICE TO RESPONDENTS**1 INFORMATION REQUEST**

Information is requested from interested persons, companies, close corporations or enterprises [hereinafter referred to as the **Respondent(s)**] to supply the aforementioned information to Transnet. Respondents are to note that the subsequent Request for Proposal [**RFP**] when is issued by Transnet will be to the open market where anyone can respond.

2 EXPRESSION OF INTEREST [EOI]

The subsequent Request for Proposal [**RFP**] if and when this is issued by Transnet will be to the open market where anyone can respond.

DESCRIPTION	FOR THE PROVISION OF ALTERNATIVE ENERGY OR GREEN ENERGY TO TRANSNET FREIGHT RAIL'S (TFR) TRACTION POWER SUPPLY POINTS
TENDER ADVERT	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.
RFI DOWNLOADING	<p>This RFI may be downloaded directly from National Treasury's e-Tender Publication Portal at www.etenders.gov.za free of charge.</p> <p>To download RFI and Annexures:</p> <ul style="list-style-type: none"> • Click on "Tender Opportunities"; • Select "Advertised Tenders"; • In the "Department" box, select Transnet SOC Ltd; <p>Once the tender has been located in the list, click on the 'Tender documents' tab and process to download all uploaded documents.</p> <p>The RFI may also be downloaded from the Transnet Portal at https://transnetetenders.azurewebsites.net (please use Google Chrome to access Transnet link) free of charge (<i>refer to section 2, paragraph 4 below for detailed steps</i>)</p>
COMMUNICATION	<p>Any addenda to the RFI or clarifications will be published on the e-tender portal and Transnet website. Bidders are required to check the e-tender portal and Transnet website prior to finalising their bid submissions for any changes or clarifications to the RFI.</p> <p>Transnet will not be held liable if Bidders do not receive the latest information regarding this RFI.</p>
BRIEFING SESSION	<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: Phumudzo.Gadivhana@transnet.net</p> <p>This is to ensure that Transnet may make the necessary arrangements for the briefing session.</p> <p>Refer to paragraph 3 for details.</p>
CLOSING DATE	<p>10:00 am on Tuesday 31 January 2023</p> <p>Bidders must ensure that bids are uploaded timeously onto the system.</p>

	<p>As a general rule, if a bid is late, it will not be accepted for consideration.</p> <p><i>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.</i></p>
VALIDITY PERIOD	<p>90 Business Days from Closing Date.</p> <p>Bidders are to note that they may be requested to extend the validity period of their bid, on the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process, the validity of the bidder(s)' bid will be deemed to remain valid until the RFI process has been concluded.</p>

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

3 FORMAL BRIEFING

- 3.1 A non-compulsory briefing will be conducted **via Teams** on the **15 November 2022**, at **11h00am** for a period of \pm 1.5 hours. The briefing session will start punctually, and information will not be repeated for the benefit of Respondents joining the meeting late.
- 3.2 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.

4 RESPONSE SUBMISSION

- 4.1 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.
- 4.2 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

5 RFI/EOI INSTRUCTIONS

- 5.1 All returnable documents listed in the expression of interest [section 5] in this RFI must be returned with your submission.
- 5.2 The person or persons signing the submission must be legally authorised by the respondent to do so.

6 B-BBEE JOINT VENTURES OR CONSORTIUMS

Bidders may choose during the subsequent RFP process to enter into a Joint Venture with B-BBEE companies. RFP Bidders will also be required to submit a signed JV agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If at the time of the bid submission such a JV or consortium agreement has not been concluded, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by Transnet through the RFP process. This written confirmation must clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to Transnet.

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

7 PREFERENTIAL PROCUREMENT PREQUALIFICATION INFORMATION**7.1 Subcontracting**

Transnet fully endorses Government's transformation and empowerment objectives. Respondents are requested to give preference to companies which are Black Owned, Black Women Owned, Black Youth Owned, owned by Black People with Disabilities, EMEs and QSEs including any companies designated as B-BBEE Facilitators¹.

7.2 B-BBEE Level

Although B-BBEE will not form part of this RFI process, Respondents are required to complete Section 6 [the B-BBEE Preference Point Claim Form] and submit it together with proof of their B-BBEE Status as stipulated in the Claim Form just for information purposes as this will enable Transnet to determine the B-BBEE status of the relevant role-players in the market, with a view to a possible subsequent RFP process

Respondents are required to indicate the B-BBEE status and the categories of their enterprise in the table below:

Enterprise	Annual Turnover	Indicate what is applicable	B-BBEE status	Level
Large	>R50 Million			
QSE	>R10 Million <R50 Million			
EME	<R10 Million			

¹ The Minister of Trade and Industry has the power to designate certain Organs of State or Public Entities as B-BBEE Facilitators. As such they will be treated as having rights of ownership held 100% by Black People, 40% by Black Women and 20% by Black designated groups.

8 COMMUNICATION

- 8.1 For specific queries relating to this RFI a Clarification Request Form should be submitted to Phumudzo Gadivhana, email Phumudzo.Gadivhana@transnet.net before **12:00 pm on 18 January 2023** substantially in the form set out in Section 8. In the interest of fairness and transparency Transnet's response to such a query will be published on the e-tender portal and Transnet website.
- 8.2 After the closing date of the RFI a Respondent may only communicate with the **Prudence Nkabinde** (BEC chairperson), at telephone number **011 584-0821**, email Prudence.Nkabinde@transnet.net on any matter relating to its RFI Proposal.
- 8.3 Respondents are to note that changes to its submission will not be considered after the closing date.
- 8.4 It is prohibited for Respondents to attempt, either directly or indirectly, to canvass any officer or employee of Transnet in respect of this RFI.
- 8.5 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.

9 CONFIDENTIALITY

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

10 STATUS OF THIS RFI AND SUBSEQUENT PROCESS

- 10.1 It is envisaged that Service Provider will be appointed, through a separate RFP process, to supply and install alternative/green energy sources for traction energy loads.
- 10.2 This RFI is not an offer to purchase, and Transnet is under no obligation to accept any proposals in this process and/or the subsequent RFP which may be issued hereafter.
- 10.3 As this is a Request for Information only, no business will be awarded through this process.

11 DISCLAIMERS

- 11.1 Respondents are hereby advised that Transnet is not committed to any course of action as a result of its issuance of this RFI and/or its receipt of submissions in response to it. In particular, please note that Transnet reserves the right and at its sole and full discretion to:
- (a) utilise any information provided to it in response to this RFI to draft the scope of requirements for inclusion in an RFP;
 - (b) take no further action whatsoever, if it so decides;
 - (c) withdraw from this process and the provisions of this project at any time;
 - (d) select the RFI and RFP participants based on Transnet's criteria;
 - (e) change the dates of adjudication and submission;

- (f) not invite RFI respondents for further participation in the RFP process;
- (g) not bind itself to accept any or all of the RFIs;
- (h) increase or decrease the quantities/scope as indicated in the RFI;
- (i) validate any information submitted by Respondents in response to this bid. This would include, but is not limited to, requesting the Respondents to provide supporting evidence. By submitting a bid, Respondents hereby irrevocably grant the necessary consent to Transnet to do so;
- (j) request audited financial statements or other documentation for the purposes of a due diligence exercise;
- (k) not accept any changes or purported changes by the Respondent to the bid rates after the closing date;

11.2 Note that Transnet will not reimburse any Respondent for any preparatory costs or other work performed in connection with this submission.

12 SECURITY CLEARANCE

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

13 NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE

13.1 Respondents are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. Respondents must register on the CSD prior to submitting their bids. Business may not be awarded to a Respondent who has failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD.

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

14 TAX COMPLIANCE

- 14.1 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).
- 14.2 It is a condition of this bid that the tax matters of the successful Respondents be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.
- 14.3 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:**



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



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



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



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



Telegram
Speak to an Agent via Telegram



0800 003 056



086 551 4153



reportit@ethicshelpdesk.com



***120*0785980808#**

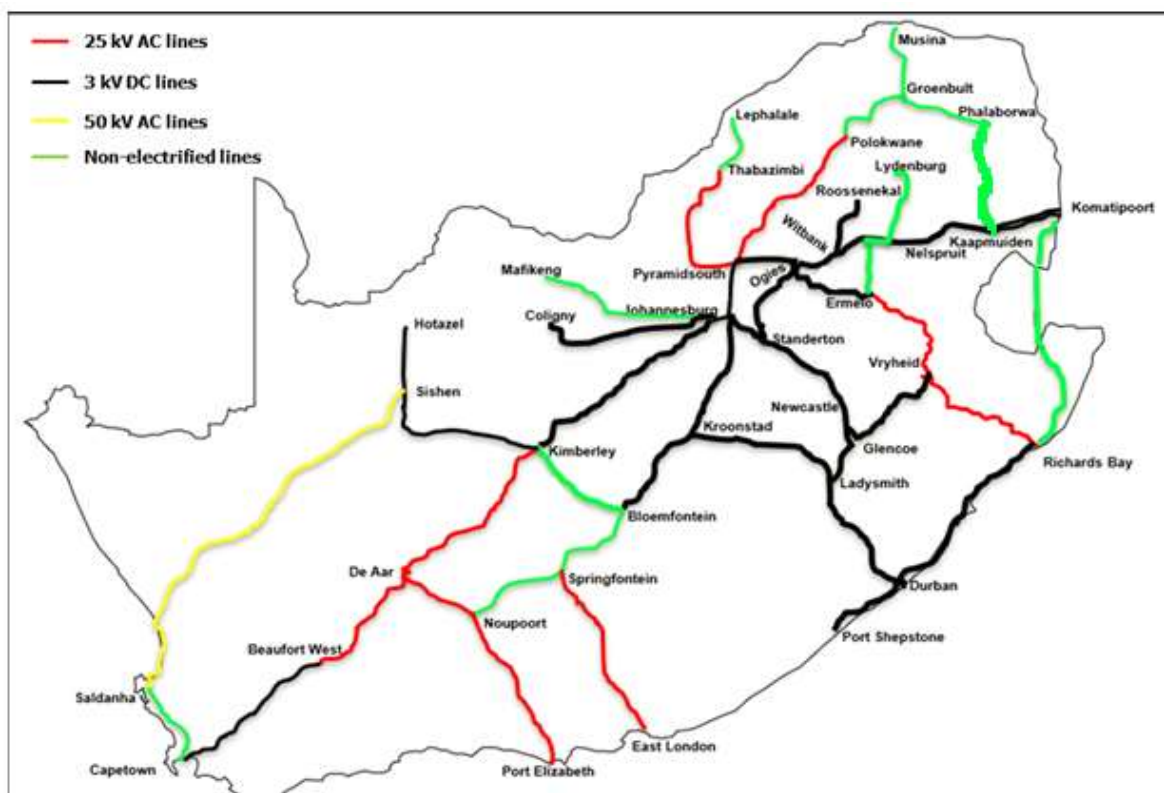
SECTION 3: RFI SCOPE OF REQUIREMENTS

1 INTRODUCTION

- 1.1 Transnet Freight Rail is the largest operating division of Transnet. The division's primary business is to provide rail transport of commodities for the export, regional and domestic markets. Transnet Freight Rail also transports a broad range of bulk general freight commodities and containerised freight.
- 1.2 The division maintains a complex rail network of approximately 31 000 track kilometres (20 900 route kilometres) over which commodities are railed. The diverse rail network comprises 1 500 kilometres heavy haul lines and includes 3 928 kilometres of branch lines that serve as feeders to main lines. The rail network service provides strategic links between ports, terminals and production hubs providing connectivity with Southern African railways to support regional integration. Infrastructure connectivity, coupled with close co-operation with other operating divisions and collaboration with key customers, enables the delivery of freight volumes across value chains.
- 1.3 In 2014 Transnet developed its energy policy and energy security and mitigation strategy to outline Transnet's commitment to energy security, energy efficiency and to serve as a driver to reduce its carbon footprint. One of the objectives of the policy is to promote and support the use of renewable and alternative energy sources and technologies to reduce energy cost and greenhouse gas emission. It is for this reason that TFR is embarking on an RFI to identify existing and envisioned renewable energy projects, as possible sources of alternative supply for traction substations.
- 1.4 The information obtained from the RFI shall be used to develop TFR's Renewable Energy Power Purchase Program.
- 1.5 TFR has decided to invite interested parties' participation, as part of its corporate strategy to introduce renewable energy into the TFR traction system. TFR both appreciates and encourages the inclusion of renewable energy proposals beyond and not limited to only popular market drivers solar and wind energy. This includes the incorporation of renewable energy sources such as or hybrids of hydroelectric power, biomass, geothermal or other and TFR would welcome alternate suggestions in this regard.

2 BACKGROUND

- 2.1 Energy supplies have developed over the last 10 years and with changes to legislation and new technology developments, alternative energy suppliers to the state-owned entity (SOE) in South Africa (Eskom) have the potential to become feasible from both an economic and compatibility point of view. TFR has extensive existing rail infrastructure with the following main corridors: Ore-line Corridor (Sishen to Saldana mainly Iron ore export), North Corridor (Coal export corridor - from Lephalale to Richards Bay), North-East Corridor (Polokwane, Nelspruit, Phalaborwa, Komatipoort), Central Corridor (Botswana, Krugersdorp, JHB), Container Corridor (JHB to Durban), Cape Corridor (Hotazel to Kimberly, Bloemfontein, De Aar to PE and Cape Town). Figure 1 shows TFR's railway lines and different types of electrification systems; detailed location points may be requested by emailing the Supply Chain Services.



2.2 TFR electrified railway lines utilize the following electrification configurations:

a. 50 kV AC Electrification (Sishen to Saldanha)

Each supply point (Traction Feeder Station) on the Ore Line is 180 km apart and are fed by two 40 MVA transformers that are owned and maintained by Eskom. The sections are electrically separated by neutral sections. An upgrade project is currently taking place to replace the two 40 MVA transformers with two 60 MVA transformers to feed the same 180 km sections of line. Details of where these upgrades are taking place can be requested by emailing from the Supply Chain Services.

b. 25 kV AC Electrification (Kimberly – De Aar – PE, De Aar to Beaufort West, Ermelo to Richards Bay, Thabazimbi to Pyramid,)

For 25 kV AC the point of supply varies based on the type of line and if it is supplied by a dedicated transmission line. Transnet's 20 MVA single phase traction transformer feeds 20 to 25 km sections of traction lines. The sections are electrically separated by Neutral Sections.

c. 3 kV DC Electrification (Hotazel to Kimberly, Cape Corridor, Container Corridor, Pyramid South to Ermelo, Nelspruit, Komatipoort).

As the oldest electrification type for traction, several configurations and ages of technology are in use. The traction transformer is paired to a diode rectifier unit to feed 6 to 15 km sections of traction lines. Sizing varies from 3 MW to 10 MW with double units that may be operated coupled. Each 6 to 15km feeding section is electrically isolated from the adjacent feeding sections by section insulators.

- 2.3 Electric power for the operating of electrified traction systems is mainly supplied by Eskom. In some areas supplies are also obtained from local municipalities. Expected proposals are to connect on the high voltage Three (3) phase utility network (primary) side of the Transnet traction substations. The distribution network voltage ranges between 22 kV to 220kV for various locations. There are three basic traction systems in use at present - 3 kV DC, and 25 and 50 kV AC.
- 2.4 Train signalling supplies are obtained from 6.6/11 kV distribution lines. Alternatively in the 50 kV AC and some of the 25 kV AC lines, single-phase step-down points are connected to the Overhead Track Equipment (OHE).
- 2.5 The 3 kV DC traction substations are all connected to the overhead track equipment in a parallel feeding arrangement. All three phases from the utility distribution line are connected to each 3 kV DC substation on the primary side of the transformer.
- 2.6 In the case of AC systems, the Eskom supply is stepped down at the substation to 25 kV single phase. In order to balance the loading on the 3-phase supply network of the AC systems, it is essential that alternate sections of the AC traction systems be supplied from different phases and that phase breaks be provided between different sections.
- 2.7 The Sishen - Saldanha section is electrified at 50 kV single phase and is a direct feed from the Eskom 88 kV substations. These three systems differ from each other with respect to the method of feeding the overhead track equipment.
- 2.8 The traction substation ratings for the 3 kV, 25 kV and 50 kV systems are indicated below:

Parameters	3 kV system	25 kV system	50 kV system
Continuous power rating	3MW – 6 MW	20 MVA	40MVA-60MVA
2 hour rating	-	-	1.5 x Continuous
30 minutes rating	2 x Continuous	-	2 x Continuous
2 minutes rating	-	2 x Continuous	-
1 minute rating	3 x Continuous	-	-
10 seconds rating	3.5 Continuous	-	-
Nominal output voltage	3 kV	25 kV	50 kV
Nominal continuous output current	1500 A – 2000 A	800 A	800 – 1200 A
Busbar voltage range at substation during load conditions	2.5 – 3.3 kV	23 – 27.5 kV	45 – 55 kV
Average substation spacing	6-21 km	15-30 km	160 km

- 2.9 The total power requirements for traction substations depends on geographical rail track factors (gradients and radius/curves), number of locomotives, number and type of wagons and loaded mass. Furthermore, operational factors such as train delays, speed restrictions and required minimum headway will result in varying energy consumption patterns. Respondents should indicate any additional infrastructure needed to run an uninterrupted TFR train service. All locomotives operating on the AC networks have regen capabilities and as such any supply point on these networks must be receptive to the regen energy

3 KEY OBJECTIVES OF THIS RFI PROCESS

- 3.1 The objective of this RFI is to establish requirements from the market to enable Transnet Freight Rail to procure renewable energy for TFR's traction loads across all corridors, nationwide.
- 3.2 This request for information is intended to support the investigation by Transnet on opportunities available in the market for renewable energy generation alternatives that can be implemented in the shortest lead time to commercial operation. Such opportunities to include purchasing of existing available renewable energy supply in the immediate term as well as joint development and investment projects, together with Transnet, that could provide such supply in the medium to long term.
- 3.3 It is in this context that Transnet intends to:
 - a) Gain a better understanding of the renewable energy market, particularly for wind, solar and other energy sources which might be prevalent and / or relevant for the railway loads which are intermittent in nature.
 - b) Gauge market appetite for commercial supply and/or investment for the TFR Renewable Energy Power Purchase Programme; and
 - c) Refine the commercial assumptions for the initiative and design an appropriate procurement framework for the initiative roll-out.

4 GENERAL RESPONDENT OBLIGATIONS

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

5 CONFIDENTIALITY AND COMPLIANCE

- 5.1 This RFI and information contained herein or provided for purposes thereof, remain the property of Transnet and may not be reproduced, sold or otherwise disposed of. All recipients of this document (whether a RFI is submitted or not) shall treat the details of this document as strictly private and confidential.
- 5.2 Information disclosed in this RFI is given in good faith and only for the purposes of providing sufficient information to the Respondent to enable submission of a well-informed and realistic RFI.

6 UNDERTAKINGS BY RESPONDENT

- 6.1 It will be accepted that the Respondent, on submitting the RFI response, has read, understood and accepted all the terms and conditions of the document. The submission of an RFI by any Respondent shall presume complete acceptance of the terms and conditions of the document. All qualifications and or exceptions should be noted in the RFI Response document.

7 COSTS TO RESPOND TO THE RFI

- 7.1 All Respondents wishing to submit a RFI response must be in possession of this document, the RFI. Transnet will not be responsible for or pay any expense or losses which may be incurred by any

Respondent in the preparation and submission of the RFI and the costs of the RFI at all stages of the RFI process. Costs, if any, will be for each Respondent's own account.

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

8 AUTHORITY OF SIGNATORY

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

9 OFFERING OF COMMISSION OR GRATUITY

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

10 UNDERTAKING BY TRANSNET

- 10.1 In responding to this RFI, Transnet encourages all RFI Respondents to put their best effort into the construction and development of the proposal.
- 10.2 The RFI process will include due governance and the results of the adjudication process will be available to Respondents.

SECTION 4: TRANSNET'S RFI INFORMATION**1 STATISTICS [The Goods]**

- 1.1 TFR's electrical power demand and energy consumption is indicated in the table below. The data was analysed for the period between July 2021 and July 2022. The table is not complete but shows statistics for some of the selected sections. TFR appreciates and encourages the inclusion of renewable energy project proposals that can meet the complete or portion of the traction system power demand for the sections. Proposals for renewable energy projects falling out of the sections indicated below will also be considered.

Section	Energy Supply			Power demand & energy consumption	
	Firm Supply/ Supply voltage(s)	Utility/ Municipality	Tariff Structure	Combined NMD	TFR, Rail Network Monthly Average Consumpti on (Jul 2021 – Jul 2022)
Sishen - Saldanha	40 MVA x 7 50kV AC Traction	Eskom	Transflex 1	285 MVA	36 GWh
Hotazel - Kimberley	132 kV 3 kV DC Traction	Eskom	Transflex 1	199 MVA	10.74 GWh
Kimberley – De Aar	20 MVA x 7 132 kV 25kV AC Traction	Eskom	Transflex 1	49 MVA	3.4 GWh
De Aar – Gqerberha	20 MVA x 17 132 kV/220 25kV AC Traction	Eskom	Transflex 1	136 MVA	7.72 GWh
Ermelo – Richards Bay	20 MVA x 22 88 kV/132 kV 25kV AC Traction	Eskom/ Municipality	Transflex 1 / Time of Use Tariff - Enerflex	166 MVA	26.42 GWh
Witbank-Ogies- Ermelo,	5 MVA x 29, 10 MVA x 4 88 kV Eskom Supply 3kV DC Traction	Eskom	Transflex 1	65.5 MVA	9.54 GWh
Grootlaagte- Geluksplaas	5 MVA x 3 88 kV Eskom Supply 3kV DC Traction	Eskom	Transflex 2	13 MVA	0.6 GWh
Thabazimbi- Pyramid South	20 MVA x 10 88 kV/132 kV Eskom Supply 25kV AC Traction	Eskom	Transflex 1	60.6 MVA	2.13 GWh

Pyramid South-Greenview	4.5 MWx3, 6 MW 88kV Eskom Supply 3kV DC Traction	Eskom	Transflex 1	16 MVA	0.466 GWh
Greenview-Ogies	3 MW x 6, 4.5 MW x 8, 5 MW x 2 42 kV/88 kV/132kV Eskom Supply 3kV DC Traction	Eskom	Transflex 1	84 MVA	5.64 GWh
Beaufort West – De Aar	20 MVA x 9 132 kV Eskom Supply 25kV AC Traction	Eskom	Transflex 1	22.5MVA	1.13 GWh
Beaufort West - Bellville	33 kV, 66 kV x 22, 132 kV x 26 Eskom Supply 3kV DC Traction	Eskom	Transflex 1	141.5 MVA	2.0 GWh

2 INFORMATION TO BE PROVIDED BY RFI RESPONDENTS

2.1 Respondents expressing an interest to participate in this RFI are requested to provide as much detail as possible about their proposed power plants to supply renewable energy to TRF's traction substations.

2.2 Information on respondent's renewable projects experience

The Respondent is requested to provide the following information about renewable energy projects they have executed:

- Name of the Respondent.
- The main business of the Respondent, with regards to the energy project e.g., trader, generator of energy or investor.
- Company experience in years, in conducting renewable energy project studies, modelling, design, installation and/or integration.
- Renewable energy projects the Respondent has developed and/or implemented whether in a municipal, national or other context?
- Size of the renewable energy projects developed and/or implemented in MW, size of total land used, type of technology used, duration of project broken down into the following phases: development, design, approvals, construction and commissioning.
- Skill transfer undertaken during the execution of the projects in design, operation and maintenance of the plants.
- The name and contact details of the person appointed by the Respondent as its representative if the TFR's Project Manager wishes to engage on the submitted projects detail.
- Whether the Respondent has previously undertaken a renewable energy project for traction loads.

2.3 Information on proposed project

The Respondent is requested to provide information on any existing or envisioned projects which may be utilised to supply power to TFR's traction substations. The Respondent is requested to provide the following information about development projects they propose for the TFR Renewable Energy Power Purchase Program, either as a standalone or as a joint investment with Transnet:

- a) Provide overview of the project scope, background and estimated upfront capital cost and estimated O&M cost per year over the proposed PPA period.
- b) Describe the proposed project location and land size. Details to be provided where relevant, on the status of discussions / agreements for land security purposes.
- c) Proposed renewable energy technology and indicate the maturity/readiness level of technology using the table below.

Technology maturity/readiness level	Description	Tick applicable box
9	Actual system in operational environment	
8	System complete and qualified	
7	System prototype demonstration in operational environment	
6	Technology demonstrated in relevant environment	
5	Technology validated in relevant environment	
4	Technology validated in lab	
3	Experimental proof of concept	
2	Technology concept formulated	
1	Basic principle observed	

- d) Provide details on the capacity of the proposed power generation facility. If the facility is existing, provide information about any excess capacity and forecasted increase in demand.
- e) Propose energy storage technology for traction loads which are intermittent e.g., batteries, super-capacitors, flywheel, etc. and indicate the maturity/readiness level of the technology using the table below

Technology maturity/readiness level	Description	Tick applicable box
9	Actual system in operational environment	
8	System complete and qualified	

7	System prototype demonstration in operational environment	
6	Technology demonstrated in relevant environment	
5	Technology validated in relevant environment	
4	Technology validated in lab	
3	Experimental proof of concept	
2	Technology concept formulated	
1	Basic principle observed	

- f) Indicate major components for the generation plant and the estimated lead time for the procurement and delivery.
- g) Indicate whether the power generation facility can readily (modularly) be increased in capacity.
- h) Provide international specification adoption with standardized practices and regulations published by either statutory bodies such as SANS, IEC, BS or IEEE.
- i) Indicate whether generation connection capacity assessment at the proposed location has been completed by Eskom or Municipality. If the report is available, it should be submitted as part of the RFI submission. Where relevant details of any interactions with the relevant transmission and/or distribution network owners regarding the connection options for the proposed project.
- j) Discuss integration capability of power generation facility to operate as hybrid of other renewable energy alternatives.
- k) Indicate expected Energy Yield per annum (MWh) over the PPA period.
- l) Indicate annual DC output degradation rate of the proposed technology if applicable.
- m) Estimate generation losses and transmission losses per kilometre.
- n) Estimate the potential carbon emission savings for TFR per MWh generated due to the usage of the proposed plant.
- o) Provide details on an indicative tariff. Detail to also be provided on the energy charge and capacity charges (where relevant) as well as any other components of the tariff including wheeling, expected annual escalations and variable costs.
- p) Will the energy output of the plant be linked to the train schedule, or will the excess energy produced by the plant be stored in a storage facility for later use by the trains?
- q) Indicative cost of operation and maintenance per annum for proposed power generation facility over the PPA period.
- r) Recyclability of renewable energy plant components, end-of-life disposal scheme and estimated salvage value.

- s) Indicate the required environmental approvals and the progress made in obtaining any outstanding regulatory approvals/authorisation and anticipated timelines.
- t) Expected service life of the plant.
- u) Indicate the project spatial requirements as well as any need for civil and electrical services from TFR or other entities for the implementation of the proposed project.
- v) Indicate the anticipated project contribution to economic development including job creation during construction and operations, skills development, local content value, and use and development of SMMEs.
- w) Indicate potential vulnerabilities such as theft, environmental, micro and macro-economic factors that have the potential to disrupt the power supply service.
- x) If the power generation facility is existing, details are requested on the anticipated refurbishment or expansion (if any) to be undertaken for the facility.

2.4 Information relevant to TFR's Renewable Energy Power Purchase Programme RFP

Should Transnet release an RFP for the proposed project that will form part of the REPPP, the respondent is requested to:

- a) Provide the anticipated time (in months) that is required to prepare and submit a bid response for the proposed the following project:
 - i. Joint investment development project (Self generation).
 - ii. Wheeling project (Pure power purchase).
- b) Provide anticipate time (in months) to achieve commercial operation date, following financial close of the proposed self-generation project.
- c) Provide the anticipated key risks relevant to the implementation of the proposed project.

2.5 Information relevant to the proposed project power purchase agreement

In respect of the proposed power facility, the Respondent is requested to provide the following information:

- a) Indicate which of the below proposed PPAs would the Respondent be more likely to enter and provide a comprehensive motivation for the preferred structure of the PPA.

PPA pricing structure	Description
Fixed price nominal	Fixed electricity price (with no inflation) for the duration of the PPA contract
Fixed price with escalation (stepped)	Starting electricity price that rises according to a contractual profile. The steps may be in nominal terms (without inflation) or in real terms with inflation indexation on top
Fixed price with inflation indexation	Starting electricity price that rises annually with inflation, typically measured by changes in a consumer price index (CPI)
Other (please specify)	Please describe the proposed PPA pricing structure

- b) Provide factors that will determine the PPA terms duration.
- c) Indicate how the different PPA durations (e.g. 10, 15 or 20 years) will affect the proposed the proposed tariffs.
- d) If the PPA pricing structure is not fixed nominal or fixed price with inflation indexation, what will affect the PPA price escalations be based on.
- e) For an existing facility, please indicate how will the current PPA contracts with other off takers affect the proposed PPA with TFR.
- f) Any additional information where relevant on its project regulatory requirements and licences where relevant which it may deem necessary to bring to the attention of TFR regarding renewable energy self-generation and/or distribution.

2.6 Information relevant to proposed project financing

The Respondent is requested to provide a general background on how the Respondent intends to finance the overall project, including as much detail as possible with respect to:

- a) How the Respondent proposes to finance the project, whether self-financing or borrowing from investors. If borrowing what will be the anticipated debt/equity split?
- b) Agreement required between TFR and the respondent for project financing.
- c) Indicate which of the below project models would the Respondent be more likely to enter and provide comprehensive motivation for the preferred structure. The Respondent can propose a different model to those shown in the Table below.

Proposed project model	Transnet own generation	Wheeling (With the option of transfer)	Wheeling (Without the option of transfer)
Project scope	Joint venture partnership, equity/debt split, develop, design, build, operate, maintain and transfer to TFR or concession after the PPA period	Generator connection, wheeling agreement, PPA and the option to transfer the facility to TFR or concession after the PPA period	Generator connection, wheeling agreement and PPA without the option of transfer of the facility to TFR after PPA period
Conceptual Description	New generation facility to be located within Transnet land or land owned by a third party that could be acquired and incorporated into the Transnet land reserves. The Respondent embarks on a joint venture with Transnet to develop the project, finance project, EPC the project and operates the facility for a period equal to the PPA period, including training of TFR staff before transferring facility to TFR. Both TFR and the partner will cover the capital cost. TFR will pay back the partner's cost and debt through the PPA. TFR is the off-taker.	Existing generation facility with spare capacity is located outside TFR servitude and is operated and maintained by the Respondent. Energy is sold back to TFR at an agreed upon tariff with the project transferred to TFR after the PPA period. The capital cost of the plant shall be covered in the PPA. TFR is the energy off-taker. Training of TFR staff to be undertaken by the Respondent.	Existing generation facility is located outside TFR servitude and might be outside the respective municipal boundaries and is operated and maintained by the Respondent. Energy is sold back to TFR at an agreed upon tariff and the project will remain the ownership of the developer after the PPA period. TFR is the primary energy off-taker.

3 TECHNICAL CAPABILITY

- 3.1 Respondents are requested to indicate their existing capability with regards to renewable energy projects by ticking the applicable box in the table below:

Description	Yes	No
Project financing		
Development and modelling of renewable energy projects		
Engineering, Procurement and Construction (EPC) of renewable energy projects		
Operation and maintenance of renewable energy plants		
Development of Power Purchase Agreements		
Embedded Generation Installation (EGI) compliance testing		
Training of staff on various stages of renewable energy projects		

4 FINANCIAL REQUIREMENTS FOR FUTURE AWARD OF BUSINESS

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

5 TEST FOR ADMINISTRATIVE RESPONSIVENESS

- 5.1 The test for administrative responsiveness will include the following:

Administrative responsiveness check
<ul style="list-style-type: none"> Whether the Bid has been lodged on time
<ul style="list-style-type: none"> Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time
<ul style="list-style-type: none"> Verify the validity of all returnable documents
<ul style="list-style-type: none"> Verify if the Bid document has been duly signed by the authorised respondent

SECTION 5: EXPRESSION OF INTEREST

I/We _____

[name of company, close corporation or partnership]

of [full address] _____

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

represented by _____

in my capacity as _____

being duly authorised, hereby lodge an Expression of Interest in the supply of alternative/green energy sources for traction energy, as follows:

ADDRESS FOR NOTICES

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

Name of entity: _____

Facsimile: _____

Address: _____

NAME(s) AND ADDRESS / ADDRESSES OF DIRECTOR(s) OR MEMBER(s)

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

(i) Registration number of company / C.C.

(ii) Registered name of company / C.C.

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

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.....

.....

Respondent's Signature

Date and Company Stamp

RETURNABLE DOCUMENTS

Respondents must submit with their responses to this RFI **as a minimum requirement**, all the returnable documents indicated below with a [✓]. All Sections must be signed and dated by the Respondent.

Minimum Requirements - Returnable Documents	Submitted [✓]
SECTION 1: SBD1 FORM	
SECTION 2: Notice to Respondents	
SECTION 3: RFI Scope of Requirements	
SECTION 4: Transnet's RFI/EOI Information	
SECTION 5: Expression of Interest	
RFI Submission as per the information requested in section 4 of the RFI document <ul style="list-style-type: none"> Information on respondent's renewable projects experience Information relevant to TFR's REPPP RFP Information relevant to the proposed project power Purchase Agreement Information relevant to the proposed project financing 	
Valid proof of Respondent's compliance to B-BBEE requirements (Valid B-BBEE certificate or Sworn Affidavit) stipulated in Section 7 of this RFI	
In the case of Joint Ventures, a copy of the Joint Venture Agreement or written confirmation of the intention to enter into a Joint Venture Agreement	
Latest Financial Statements signed by your Accounting Officer or latest Audited Financial Statements plus 2 previous years	
SECTION 6: Certificate Of Acquaintance with RFI, Terms & Conditions & Applicable Documents	
SECTION 7: B-BBEE Preference Claim Form	
SECTION 9: SBD 4 - Bidder's Disclosure	
SECTION 10: Certificate of attendance of non-compulsory Site Meeting / RFI Briefing	
SECTION 11: Protection of Personal Information	
ANNEXURE A: SPECIFICATIONS ATTACHED TO THIS RFI/EOI	
ANNEXURE B – NON-DISCLOSURE AGREEMENT	
ANNEXURE C – TRANSNET'S GENERAL BID CONDITIONS	
ANNEXURE D – TRANSNET'S SUPPLIER INTEGRITY PACT	
ANNEXURE E – SUPPLIER DECLARATION FORM	

CONTINUED VALIDITY OF RETURNABLE DOCUMENTS

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

SIGNED at _____ on this ____ day of _____ 20__

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____

Name _____

2 _____

Name _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

Respondent's Signature

Date and Company Stamp

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

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

1	Transnet's General Bid Conditions
2	Transnet's Supplier Integrity Pact
3	Non-disclosure Agreement
4	Specifications and drawings attached to this RFI/EOI

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

Bidders accept that an obligation rests on them to clarify any uncertainties regarding any bid to which they intend to respond on, before submitting the bid. The Bidder agrees that he/she will have no claim or cause of action based on an allegation that any aspect of this RFI/EOI was unclear but in respect of which he/she failed to obtain clarity. The bidder understands that his/her Bid will be disqualified if the Certificate of Acquaintance with RFI documents included in the RFI/EOI as a returnable document, is found not to be true and complete in every respect.

SIGNED at _____ on this _____ day of _____ 20____

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____

Name _____

2 _____

Name _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

Respondent's Signature

Date and Company Stamp

SECTION 7: B-BBEE PREFERENCE POINTS CLAIM FORM

The RFI (stage 1) shall not lead into any award of business, once information is received and assessed by Transnet, Stage 2 of the process may be issued to the market, leading to the award of business. This preference form must form part of all bids invited for Stage 2 of the RFI. It contains general information and shall serve as a claim for preference points for Broad-Based Black Economic Empowerment [**B-BBEE**] Status Level of Contribution.

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

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 Respondent to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System [**SANAS**], or a sworn affidavit confirming annual turnover and level of black ownership in case of all EMEs and QSEs with 51% black ownership or more together with the bid.
- 1.3 The purchaser reserves the right to require of a bidder, at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **"all applicable taxes"** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- (b) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (c) **"B-BBEE status level of contributor"** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (d) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the supply/provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- (e) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (f) **"EME"** means an Exempted Micro Enterprise as defines by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (g) **"functionality"** means the ability of a bidder to provide goods or services in accordance with specification as set out in the bid documents
- (h) **"Price"** includes all applicable taxes less all unconditional discounts.
- (i) **"Proof of B-BBEE Status Level of Contributor"**

- i) the B-BBEE status level certificate issued by an authorised body or person;
 - ii) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or
 - iii) any other requirement prescribed in terms of the B-BBEE Act.
- (j) **"QSE"** means a Qualifying Small Enterprise as defined by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (k) **"rand value"** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties.

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80/90 points will be allocated for price on the 80/20 or 90/10 basis:

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

Or

$$PS = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

- Ps = Points scored for comparative price of bid under consideration
- Pt = Comparative price of bid under consideration
- Pmin = Comparative price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

4.2 The table below indicates the required proof of B-BBEE status depending on the category of enterprises:

Enterprise	B-BBEE Certificate & Sworn Affidavit
Large	Certificate issued by SANAS accredited verification agency
QSE	Certificate issued by SANAS accredited verification agency Sworn Affidavit signed by the authorised QSE representative and attested by a Commissioner of Oaths confirming annual turnover and black ownership (only black-owned QSEs - 51% to 100% Black owned) [Sworn affidavits must substantially comply with the format that can be obtained on the DTI's website at www.dti.gov.za/economic_empowerment/bee_codes.jsp .]
EME²	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 Bidders are to note that the rules pertaining to B-BBEE verification and other B-BBEE requirements may be changed from time to time by regulatory bodies such as National Treasury or the DTI. It is the Bidder's responsibility to ensure that his/her bid complies fully with all B-BBEE requirements at the time of the submission of the bid.

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 6.1

6.1 B-BBEE Status Level of Contribution: . =(maximum of 20 points)

(Points claimed in respect of paragraph 6.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by 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	
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² In terms of the Implementation Guide: Preferential Procurement Regulations, 2017, Version 2, paragraph 11.11 provides that in the Transport Sector, EMEs can provide a letter from accounting officer or get verified and be issued with a B-BBEE certificate by SANAS accredited professional or agency as the Transport Sector Code has not been aligned to the generic Codes. EMEs in the Transport Sector are not allowed to provide a Sworn Affidavit as the generic codes are not applicable to them.

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.

(Tick applicable box)

YES		NO	
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- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 6.1 of the

foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If a bidder submitted false information regarding its B-BBEE status level of contributor, local production and content, or any other matter required in terms of the Preferential Procurement Regulations, 2017 which will affect or has affected the evaluation of a bid, or where a bidder has failed to declare any subcontracting arrangements or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) if the successful bidder subcontracted a portion of the bid to another person without disclosing it, Transnet reserves the right to penalise the bidder up to 10 percent of the value of the contract;
 - (e) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (f) forward the matter for criminal prosecution.

WITNESSES

1.
2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS.....

SECTION 8: RFI CLARIFICATION REQUEST FORM

RFI No: SIC22009CIDB (HOAC- HO- 38730)

Deadline for RFI clarification submissions: Before **12:00 am on** 18 January 2023

TO: Transnet SOC Ltd

ATTENTION: Phumudzo Gadivhana

EMAIL Phumudzo. Gadivhana@transnet.net

DATE:

FROM:

RFI Clarification No SIC22009CIDB (HOAC- HO- 38730)

REQUEST FOR RFI CLARIFICATION:

.....

.....

.....

.....

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SECTION 9: SBD 4 - BIDDER'S DISCLOSURE**1 PURPOSE OF THE FORM**

1.1 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.

1.2 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.

2 Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest³ in the enterprise, employed by the state?

YES/NO

2.1.1. 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

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

YES/NO

³ 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.

2.2.1. If so, furnish particulars:

.....
.....

2.3 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

2.3.1. If so, furnish particulars:

.....
.....

3 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:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium⁴ will not be construed as collusive bidding.
- 3.4 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.
- 3.5 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.
- 3.6 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

⁴ 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.

institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.7 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 1, 2 and 3 ABOVE IS CORRECT.

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

SECTION 10: CERTIFICATE OF ATTENDANCE OF NON-COMPULSORY RFI BRIEFING

It is hereby certified that –

1. _____

2. _____

Representative(s) of _____ *[name of entity]*

attended the RFI briefing in respect of the proposed Services to be rendered in terms of this RFI 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 Respondent.

Respondent's Signature

Date and Company Stamp

SECTION 11: PROTECTION OF PERSONAL INFORMATION

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

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

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

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

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

9. Transnet shall notify the Respondent in writing of any unauthorised access to information, cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such crimes or suspected crime. The Respondent must take all necessary remedial steps to mitigate the extent of the loss or compromise of personal information and to restore the integrity of the affected personal information as quickly as is possible.
10. The Respondent may, in writing, request Transnet to confirm and/or make available any personal information in its possession in relation to the Respondent and if such personal information has been accessed by third parties and the identity thereof in terms of the POPIA. The Respondent may further request that Transnet correct (excluding critical/mandatory or evaluation information), delete, destroy, withdraw consent or object to the processing of any personal information relating to the Respondent in Transnet's possession in terms of the provision of the POPIA and utilizing Form 2 of the POPIA Regulations.
11. In submitting any information or documentation requested in this RFI, the Respondent is hereby consenting to the processing of their personal information for the purpose of this RFI and further confirming that they are aware of their rights in terms of Section 5 of POPIA

Respondents are required to provide consent below:

YES		NO	
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12. Further, the Respondent declares that they have obtained all consents pertaining to other data subject's personal information included in its submission and thereby indemnifying Transnet against any civil or criminal action, administrative fines or other penalty or loss that may arise as a result of the processing of any personal information that the Respondent submitted.
13. The Respondent declares that the personal information submitted for the purpose of this RFI is complete, accurate, not misleading, is up to date and may be updated where applicable.

Signature of Respondent's authorised representative: _____

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