

TRANSNET ENGINEERINGan Operating Division of **TRANSNET SOC LTD**[hereinafter referred to as **Transnet**]

[Registration No. 1990/000900/30]

REQUEST FOR PROPOSAL [RFP]

APPLICATIONS ARE HEREBY INVITED FROM POTENTIAL BIDDERS WISHING TO BE PLACED ON THE TRANSNET ENGINEERING APPROVED LIST, AS SUPPLIERS OR MANUFACTURERS FOR THE SPECIALISED GOODS OR COMPONENTS AND / OR EQUIPMENT, WITHIN TRANSNET ENGINEERING BUSINESS

The Approved List will cover the following:

- **Wagons Approved list 239**
- **Locomotive Approved List [248 and 301]**
- **Ports Approved List [100]**

RFP NUMBER	TE/2026/10/0002/115019/RFP
ISSUE DATE:	14 October 2026
CLOSING DATE:	26 February 2027
CLOSING TIME:	16:00 SAST South Africa Standard Time
BID VALIDITY PERIOD:	Not Applicable for this bid.

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 because of technical challenges.

Bidders must note that this RFP is not intended to award any business/contract to bidder/respondents.

Any bidder submitting a blanket application will be disqualified. Bidders are required to specify the specific items which they are expressing interest for.

SCHEDULE OF BID DOCUMENTS

Section No	Page
SECTION 1: SBD1 FORM	3
SECTION 2: NOTICE TO BIDDERS.....	5
SECTION 3: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS	10
SECTION 4: CONDITIONS & TERMS OF REFERENCE	18
SECTION 5: PROPOSAL FORM AND LIST OF RETURNABLE DOCUMENTS	23
SECTION 6: CERTIFICATE OF ACQUAINTANCE WITH RFP, MASTER AGREEMENT & APPLICABLE DOCUMENTS	26
SECTION 7: RFP DECLARATION AND BREACH OF LAW FORM.....	27
SECTION 8: RFP CLARIFICATION REQUEST FORM.....	32
SECTION 9: PROTECTION OF PERSONAL INFORMATION	33

RFP

ANNEXURE A: APPROVED LIST OF ITEMS

ANNEXURE A 1: WAGONS

ANNEXURE A 2: LOCOMOTIVES

ANNEXURE A 3: PORTS

ANNEXURE B: TRANSNET'S GENERAL BID CONDITIONS

ANNEXURE C: TRANSNET'S SUPPLIER INTEGRITY PACT

ANNEXURE D: NON-DISCLOSURE AGREEMENT

ANNEXURE E: ISO 9001 2015 AUDIT CHECKLIST

**SECTION 1: SBD1 FORM****SBD1: PART A I****INVITATION TO BID**

APPLICATIONS ARE HEREBY INVITED FROM POTENTIAL BIDDERS WISHING TO BE PLACED ON THE TRANSNET ENGINEERING LOCOMOTIVE APPROVED LIST, AS SUPPLIERS OR MANUFACTURERS FOR THE SPECIALISED GOODS OR COMPONENTS AND/OR EQUIPMENT, WITHIN TRANSNET ENGINEERING BUSINESS, A DIVISION OF TRANSNET SOC LTD							
BID NUMBER:	TE/2026/10/0002/115019/RFP	ISSUE DATE:	14 October 2026	CLOSING DATE:	26 February 2027	CLOSING TIME:	16:00 SAST
DESCRIPTION	APPLICATIONS ARE HEREBY INVITED FROM POTENTIAL BIDDERS WISHING TO BE PLACED ON THE TRANSNET ENGINEERING APPROVED LIST, AS SUPPLIERS OR MANUFACTURERS FOR THE SPECIALISED GOODS OR COMPONENTS AND / OR EQUIPMENT, WITHIN TRANSNET ENGINEERING BUSINESS, A DIVISION OF TRANSNET SOC LTD						
BID RESPONSE DOCUMENTS SUBMISSION							
RESPONDENTS ARE TO UPLOAD THEIR BID RESPONSE PROPOSALS ONTO THE TRANSNET SYSTEM AGAINST EACH TENDER SELECTED (please refer to section 2, paragraph 3 for a detailed process on how to upload submissions): https://esupplierportal.transnet.net							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	Tony Ngedle			CONTACT PERSON	Pfarelo Siligana		
TELEPHONE NUMBER	+27 11 012 2506			TELEPHONE NUMBER	+27 12 743 2351		
FACSIMILE NUMBER	N/A			FACSIMILE NUMBER	N/A		
E-MAIL ADDRESS	Tony.ngedle@transnet.net			E-MAIL ADDRESS	pfarelo.siligana@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 NUMBER:		OR	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]			B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX]	
	Yes No					Yes No	
	☐ ☐					☐ ☐	

Respondent's Signature

Date & Company Stamp

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) 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?	☐ Yes ☐ No [If YES ENCLOSE PROOF]
2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES/WORKS OFFERED	☐ Yes ☐ No [If YES , ANSWER QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☒ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ 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 & Company Stamp

SECTION 2: NOTICE TO BIDDERS

1 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**].

DESCRIPTION	APPLICATIONS ARE HEREBY INVITED FROM POTENTIAL BIDDERS WISHING TO BE PLACED ON THE TRANSNET ENGINEERING LOCOMOTIVE APPROVED LIST AS SUPPLIERS OR MANUFACTURERS FOR THE SPECIALISED GOODS OR COMPONENTS AND / OR EQUIPMENT, WITHIN TRANSNET ENGINEERING BUSINESS
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.
RFP DOWNLOADING	This RFP may be downloaded directly from National Treasury's e-Tender Publication Portal at www.etenders.gov.za free of charge. To download RFP and Annexures: - Click on "Tender Opportunities"; - Select "Advertised Tenders"; - In the "Department" box, select Transnet SOC Ltd. Once the tender has been in the list, click on the "Tender documents" tab and process to download all uploaded documents. The RFP may also be downloaded from the Transnet Portal at https://esupplierportal.transnet.net To access Transnet link/site) free of charge (<i>refer to section 2, paragraph 3 below for detailed steps</i>)
COMMUNICATION	Since this RFP is not intended to award any contract to any bidder, Transnet will not publish the outcome of this RFP on the National Treasury e- tender portal and Transnet website after the conclusion of the testing and evaluation and approval of the submissions received. Transnet will communicate with successful bidders/respondents. All unsuccessful bidders have a right to request for reasons for their bid not being successful. This request must be directed to the contact person stated in the SBD 1 form. 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. 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.
BRIEFING SESSION	No briefing session. Refer to paragraph 2 for details.
CLOSING DATE	16:00 on Friday 26 February 2027 Bidders must ensure that bids are uploaded timeously onto the system. Generally, if a bid is late, it will not be accepted for consideration. <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>
VALIDITY PERIOD	No Bid Validity Period is Applicable to this Bid, the bid remains valid until the process is completed.

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

2 FORMAL BRIEFING

A formal briefing session will not be held.

Should respondents have specific queries they should e-mail these to the Transnet employee(s) indicated in paragraph 6 [*Communication*] below:

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 e-Tenders management platform website/ Portal <https://esupplierportal.transnet.net>
- 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 <https://esupplierportal.transnet.net> (Click on 'Help Guide')

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 or expression of interest for specified items. Any exceptions to this statement must be clearly and specifically indicated.
- 4.4 Any additional conditions must be embodied in an accompanying letter. Subject 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 included in the locomotive approve list 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, where inclusion in the locomotive approve list, will only take place once a signed copy of a JV or consortium agreement is submitted to Transnet.

6 COMMUNICATION

6.1 For specific queries relating to this RFP, an RFP Clarification Request Form should be submitted onto the system and e-mailed to **[tony.ngedle@transnet.net]** before 12:00 on 26 January 2027, substantially in the form set out in Section 8 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 **Nomvula Mathane**, the acting Transnet Engineering Adjudication Committee (TEDBAC) Secretariat, on telephone number **0123911536/1435/1492**, or email Nomvula.Sithebe@transnet.net on any matter relating to this 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 inclusion in the locomotive approve list.

6.5 Respondents found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of the state for a specified period.

6.6 Since this RFP is not intended to award any contract, Transnet will not publish the outcome of this RFP in the National Treasury e-tender portal and Transnet website after the conclusion of the testing and evaluation and approval of the submissions received. All unsuccessful bidders have a right to request Transnet to furnish individual reasons for their submissions. 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 subsequent to inclusion to the approve list, 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, written approval must be obtained from Transnet.

8 COMPLIANCE

The successful Respondent [hereinafter referred to as the **Potential 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:

- 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 cancel the bid process.
- 10.5 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;
- 10.6 request audited financial statements or other documentation for the purposes of a due diligence exercise.
- 10.7 not accept any changes or purported changes by the Respondent after the closing date of this RFP.
- 10.8 to remove a supplier from the approve list, request that National Treasury place the Respondent on its Database of Restricted Suppliers for a period not exceeding 10 years, on the strength of incorrect information furnished by the Respondent or on any other basis recognized in law.
- 10.9 if the bidder is a distributor/agent, the bidder must provide a letter from the manufacturer or OEM confirming the supply agreement. Transnet reserves the rights to validate the letter.

Note that Transnet will not reimburse any Respondent for any preparatory costs or other work performed in connection with its Proposal for inclusion on the approve list.

11 LEGAL REVIEW

A Proposal submitted by a Respondent will be subjected to review and acceptance or rejection of its proposed terms and conditions by Transnet's Legal Counsel, prior to consideration for inclusion on the approve list.

A material deviation from the RFP proposal could result in disqualification.

12 SECURITY CLEARANCE

Acceptance of this RFP 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 after inclusion to the approve list.

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. It is advisable that Respondents register on the CSD. Business cannot be awarded to a Respondent who is not registered 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 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:**

Anonymous Fraud Hotline



Toll free: 0800 003 056



Fax: 086 551 4153

Callback: *120*0785980808#



Email: reportit@ethicshelpdesk.com



Website
transnet.ethicshelpdesk.com

SECTION 3: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS

1. BACKGROUND - CONDITIONS FOR APPLICATION BY THE RESPONDENTS OR BIDDERS

Applications are hereby invited from potential bidders wishing to be placed on the Transnet Engineering approved list, as direct suppliers, manufacturers for the specialized goods or components and /or equipment, within Transnet Engineering Locomotive business.

The specialized goods or components and /or equipment are set out in "List of Items" document attached herein as Annexures:

- ANNEXURE A1: Wagons Approved list [239]
- ANNEXURE A2: Locomotive Approved List [248 and 301]
- ANNEXURE A3: Ports Approved List [100]

The following conditions will apply; failure by the respondents to adhere strictly thereto or failure to submit fully completed applications will result in disqualification of respondents or bidders:

1.1 The respondents are to apply for inclusion into the Approve list for the specific items as contained or stipulated in the List of Items document (attached herein as per Annexure A1, A2, A3).

1.2 **A blanket application in respect of all items in the Annexures (list of Items) will not be considered.** The respondent must indicate in each Annexure (A1, A2, A3) as to which item(s), as per item by item, interest is displayed against. Transnet Engineering ("TE") may call for relevant samples to be provided for testing against each of the relevant list of items as stipulated in Annexures: A1, A2, A3.

Please note that samples will be at the cost of the bidder. (Also note Section 4, point 'g')

1.3 **The name(s) of the manufacturer(s) and distributor(s) of each of the item(s) is/are required and must be stipulated in the list of items in the relevant Annexures: A1, A2, A3.**

1.4 If the bidder is an appointed distributor/agent, the bidder must provide a letter from the manufacturer or OEM confirming the supply agreement. Transnet reserves the right to validate the letter.

1.5 Please note that the manufacturer and the bidder cannot be added both in the approved list for the same item.

1.6 Additional information or documents may be requested from the respondents while Transnet Engineering commences or is busy with the evaluation or testing process, where applicable.

1.7 Transnet reserves the right to conduct In-Service Testing and Onsite Facility Audit for items selected in the Annexure (List of Items) by supplier for inclusion on the approved list.

1.8 If, and once approved for inclusion onto the Approved List, the approved bidder(s) / supplier(s) will be always held responsible for the quality of the product or items and service they provide.

1.9 Transnet reserves the right to conduct periodic quality audits internally and externally (at the bidder's premises or any other authorised premises) from time to time as requested by Transnet Engineering Quality Department to ensure compliance, and the bidder maybe subjected to periodic quality testing of their products or items and / or their premises including equipment used for such production, in order to remain on the approved list.

1.10 Transnet Approved Lists operate according to a strict framework and process, in accordance with legislative requirements, and internal procurement policies and manuals.

- 1.11 The purpose of this advertisement is to make potential suppliers aware of the products and / or services required and prompt suppliers to initiate the process of being considered and evaluated according to an approval process.

2. EXECUTIVE OVERVIEW

Applications are hereby invited from potential bidders wishing to be placed on **Transnet Engineering Approved list, for items in the relevant Annexures: A1, A2, A3**, as suppliers, manufacturers for the specialised goods or components and /or equipment as set out in in the relevant Annexures: A1, A2, A3 within Transnet Engineering Business nationally.

The selected Supplier/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

- 3.1 Bidders are required to refer to List of Items document, **attached herein the Annexures: A1, A2, A3**", attached to this RFP to view a list of all items or components which Transnet Engineering is inviting potential bidders to be considered for inclusion onto the Transnet Engineering Locomotive Approved List.
- 3.2 **Due to intellectual property and confidentiality of the specification and drawings, these will be shared with shortlisted bidders who have reached the Technical Evaluation Part A stage.**
- 3.3 **Refer to Annexures A1, A2, A3 to see all components per each category.**

Description of Category	Mark X
Annexure A1 (WAGONS)	
Annexure A2 (LOCOMOTIVES)	
Annexure A3 (PORTS)	

- 3.4 **Disclaimer: We have provided the drawings and specifications at our disposal. Where we don't have the specification and drawings you are required to submit your drawings and specifications.**

4. GREEN ECONOMY / CARBON FOOTPRINT

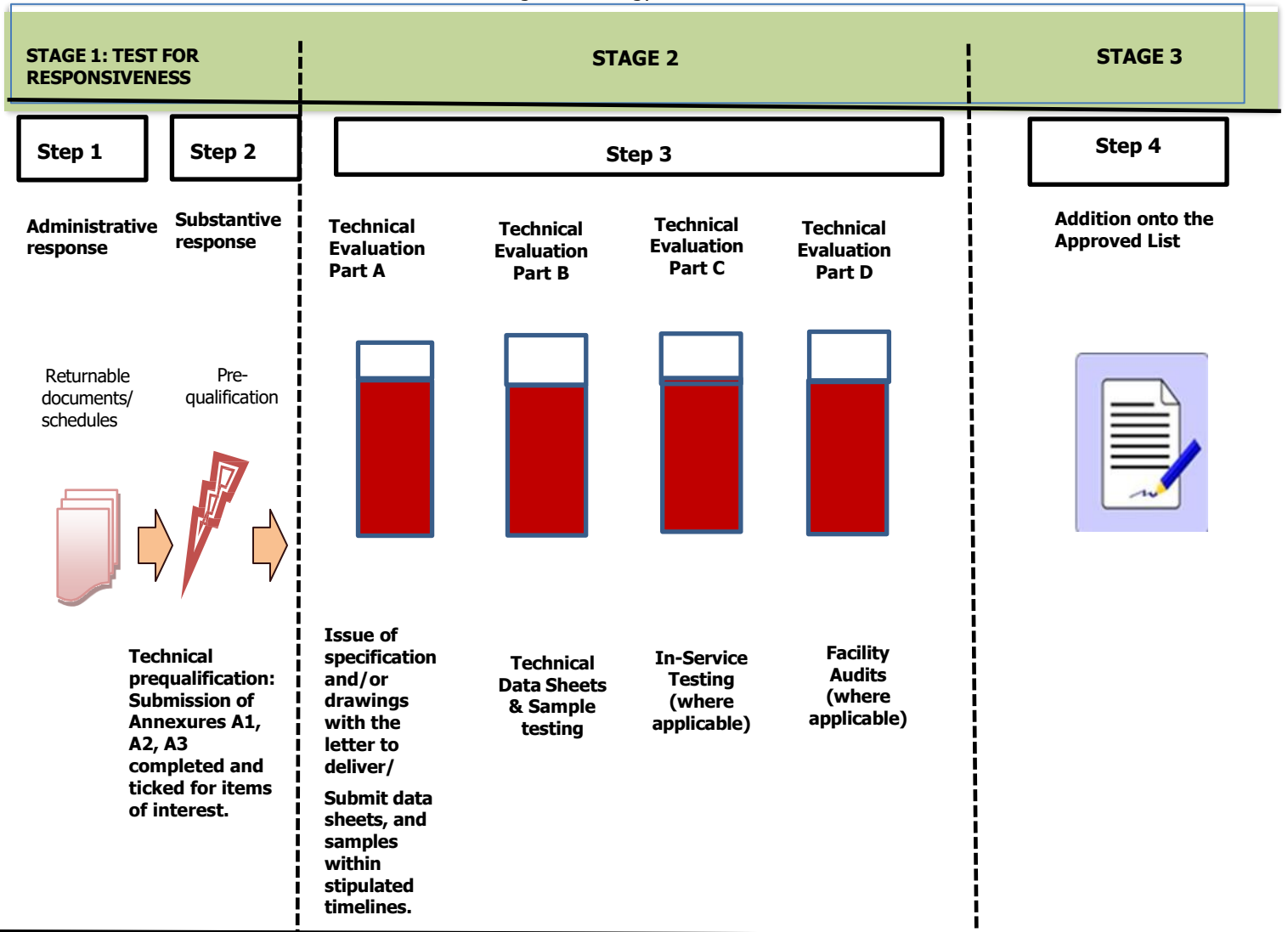
Transnet wishes to understand your company's position with regard to environmental commitments, including key environmental characteristics such as waste disposal, recycling and energy conservation. *Please submit details of your entity's policies in this regard.*

5. GENERAL SUPPLIER/SERVICE PROVIDER OBLIGATIONS

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

6. EVALUATION METHODOLOGY

Transnet will utilise the following methodology and criteria to assess the bids received:



Respondent's Signature

Date & Company Stamp

NB: Evaluation of the various stages will normally take place in a sequential manner. However, in order to expedite the process, Transnet reserves the right to conduct the different steps of the evaluation process in parallel. In such instances the evaluation of bidders at any given stage must not be interpreted to mean that bidders have necessarily passed any previous stage(s).

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	<i>Section 1 Bid Submission Details (Page 3)</i>
Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time	<i>Section 5</i>
Verify the validity of all returnable documents	<i>Section 5</i>
Verify if all sections of the Bid document (RFP) have been duly signed by the authorised respondent and returned without alterations or tampering.	<i>All sections</i>

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

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

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

Check for substantive responsiveness	RFP Reference
- Technical Prequalification: Annexure A1, A2, A3 is completed and ticked on items of interest: Submitted and completed on items of interest: Compliant. The following factors will also be deemed to be grounds for disqualification under substantive: - Submitted and not filled in on items of interest: non-compliant. - Blanket Approach: where a bidder selects all items per the annexures: Non-Compliant	<i>Section 3: Background, Overview and Scope of Requirements</i>

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: Technical Evaluation Criteria**

6.3.1 **Technical Evaluation Part A: Issue of specification and drawings with the letter to deliver/submit technical data Sheets and samples within stipulated timelines.**

a) Due to intellectual property and confidentiality of the specification and drawings, these will be shared with shortlisted bidders who have reached the Technical Evaluation Part A stage.

b) **Disclaimer: Transnet will provide the drawings and specification at our disposal.**

Where we don't have the specification and drawings you are required to submit your drawings and specifications.

- c) All relevant bidders or respondents who have passed **Step Two** above will be sent written communication requesting them to submit samples (where applicable), the due date for submission of samples will be communicated in the said written communication.
- d) Bidders or respondents who fail to submit their samples by relevant due dates may be disqualified from further testing or evaluation.
- e) Sample testing will be conducted where applicable.

6.3.2 Technical Evaluation (Part B) - Technical Data Sheets & Sample testing

This stage will be evaluated as follows: Submission of Technical Data Sheets (product/system data sheets)

Technical Evaluation Criteria	Points Weightings	Scoring guideline
Issue of specification and drawings to shortlisted bidders with the letter to deliver samples with timelines. NB: Bidders or respondents are required to submit samples for the specific item(s) which they are applying for, or expressing interest in, for inclusion per items in Annexures A1, A2, A3 within the deadline for submission. Details regarding location, time, and date of submission of the samples will be provided to respondents when the request is sent. Samples provided at the bidder's cost. NB: Bidders or respondents are required to submit all relevant specifications and all relevant product / system data sheets for the specific item(s) which they are applying for, or expressing interest in, for inclusion onto the Approved List, Annexures A1, A2, A3 Product / system data sheets will be evaluated by Transnet to ensure technical compliance to the specifications by comparing the submitted data sheets against the specifications provided. - Conformance to Specification - Submission of Product/ system data sheets	No Point Allocation	Submitted respective product / system data sheets which are compliant to the Specification = Pass Failure to submit respective product / system data sheets and / or submitted product/ system data sheets which are non-compliant to the Specification = Fail Bidders will be evaluated only for the items which they have expressed interest for and/ or submitted respective documents.
Total Weighting:	N/A	
Minimum qualifying score required:	N/A	

*Respondents must complete and submit **Specifications and the respective product/system data sheets**. A Respondent's compliance with the minimum functionality/technical threshold will be measured by their responses to Specifications. The product/ system data sheets submitted by the respondent's will be evaluated against the relevant specifications. The evaluation will be conducted by comparing the product/ system data sheets against the technical requirements stipulated in the relevant specification documents. Any product/ system data sheets that doesn't comply the technical requirements stipulated in the specification documents will be deemed to be non-responsive, therefor sure respondent will be disqualified.*

**The test for the Sample testing, where applicable, will include the following:**

Sample Evaluation Criteria	Points Weightings	Scoring guideline
Sample(s) will be evaluated in line with the technical specification and data sheets received from the respondents. As part of the Technical Evaluation Criteria process listed under step three above, Transnet Engineering will request the submission of sample(s), from respondent(s) who have passed step two above, which must be supplied to Transnet Engineering within specified due date. Details regarding location, time and date of submission of the samples will be provided to respondents when the request is disseminated. Please refer to the Annexures to see items that require sample testing to be conducted. Bidders are required to submit samples at their own cost; Transnet will not be held for any costs associated with submission or transportation or purchase of Bidder's samples. Bidders or respondents may be afforded an opportunity to re-submit further samples or more samples for further testing, where necessary. Tested or untested samples will be returned to their respective respondents by Transnet Engineering after the sample testing process is completed, where applicable and practical.	No Point Allocation	Submitted sample(s) is/are tested and complies with data sheets issued and technical specification = Pass Failure to submit the sample or submitted sample(s) is/are tested and doesn't comply to the data sheets issued and technical specification = Fail Bidders will be tested only for the items which they have expressed interest in and/ or submitted respective samples. Test reports will be issued to Bidders stipulating the outcome of the sample(s) testing that have been tested.
Total Weighting:	N/A	
Minimum qualifying score required:	N/A	

6.3.3 Technical Evaluation Part C: In-Service Testing, where applicable

In-Service Testing (Where Applicable)- please refer to Annexures A1, A2, A3	Points Weightings	Scoring guideline
In service testing (where applicable), in line with Transnet specification. Please refer to Annexures to see the items that will be subject to in-service testing. The criteria for in service testing, is outlined on Transnet specification. After successful evaluation of the initial samples, and if business requires additional samples for in-service testing; the procurement of samples required for in-service testing, where applicable, will be done through procurement by other means, as per applicable SCM policy, or through any relevant applicable procurement process deemed to be justifiable in line with Transnet SCM Policies and legislative requirements.	No Point Allocation	In-service test results meet specified criteria = Pass In service test results indicate failure to meet specified criteria = Fail The criteria for in service testing, is outlined on Transnet specification
Total Weighting:	N/A	
Minimum qualifying score required:	N/A	

6.3.4 Technical Evaluation Part D: Facility Audits, where applicable

Facility Audits (Where Applicable)	Points Weightings	Scoring guideline
Facility audits (facility) after sample approval (where applicable) Upon completion of evaluation stages above (whichever is applicable), Transnet Engineering may request its internal Quality team to conduct a quality audit of the supplier's manufacturing facility, where applicable, as stipulated on the attached Annexures, to ensure that proper quality management processes are in place that are in line with industry standards. At a minimum, Transnet Engineering requires manufacturers to have a Quality Management System (QMS) based on ISO 9001:2015 or any later/updated standards. Please refer to the attached Standards, herein attached herein as Annexure E. Transnet will pay for its own cost to travel to the Bidder's manufacturing facility, where applicable	No Point Allocation	Facility audit outcome compliant to the technical specification provided by Transnet and all findings closed = Pass Facility audit outcome is non-compliant to the technical specification provided by Transnet and all findings not closed = Fail Please refer to the attached Standards, herein attached herein as Annexure E which will be used as a minimum criterion for Quality Management System (QMS) based on ISO 9001:2015 process audit.
Total Weighting:	N/A	
Minimum qualifying score required:	N/A	

Respondents are required to pass the relevant applicable stages above to progress to Step Five for Framing of Approved List

6.4 STEP FOUR: Adding suppliers into the Approved List

- Upon completion of all relevant stages above, Transnet Engineering will follow its internal process in submitting the relevant request to the Transnet Engineering internal Governance structures (such as, Approved List Committee, Transnet Engineering Divisional Acquisition Committee, and Chief Procurement Officer) to obtain recommendations and approval of inclusion of successful bidders or respondents onto the Transnet Engineering Approved List.
- A written communication stipulating the outcome of the evaluation and testing process of this RFP requirements will be disseminated to all successful and unsuccessful bidders or respondents once the above stated internal recommendations and approvals have been finalised.
- After the completion of the approval process, an RFQ/RFP will only be issued to the successful bidder(s) that have been approved and added onto the approved list.

- Despite the above, Transnet Engineering reserves the right to step outside of the approved list when the bidders that have been placed on the list are unable to deliver in terms of Transnet's requirements at a particular point in time. The minimum grounds for stepping out of this approved list would be instances such as were bidders are charging prices that are above market related prices, bidders offering long delivery lead times, bidders not compliant to relevant legislative requirements etc, or any other justifiable reasons which permits Transnet Engineering reserves the right to step outside of the approved list.
- Bidders who have been approved to be included onto this approved list may be removed from this approved list based on justifiable grounds, in line with the Transnet Procurement Manuals and Policies.

SECTION 4: CONDITIONS & TERMS OF REFERENCE

Bidders must mark the items that they will be partaking on the List of items document attached herein as in the Annexures (List of Items).

The following conditions will also apply; failure by the Respondents to adhere strictly thereto or failure to submit fully completed applications will not be considered:

- a) The Respondents are to apply for inclusion in the Approved List for specific item numbers contained in Annexure A.
- b) A blanket application in respect of all items on the Annexures A1, A2, A3 will not be considered. The Bidder must indicate in the Annexures their choice for which item/s (item by item) interest is displayed against. If an item is left 'blank' it is deemed that the item is not to be considered for evaluation.
- c) TE may call for samples to be provided for testing against each of the items indicated in the Annexures.
- d) **The name(s) of the manufacturer(s) and distributor(s) of an item(s) is/are required and must be provided in the Annexures.**
- e) Where the Respondents wish to supply as an approved agent e.g. OEM/Manufacturer items – Approval of the parts should be obtained directly from the OEM/Manufacturer and ONLY the correct part number will be considered and must be confirmed in the response through a supporting from the OEM. letter obtained by the respondent from the OEM. The Respondents must be obliged to produce proof, at any time and upon request, that it has obtained authorisation, rights or license from the OEM/Manufacturer to manufacture, deal, sell or distribute or repair such items. Please note that the manufacturer and the bidder cannot be added both in the approved list for the same item.
- f) If the bidder is not the manufacturer of the product or will be using the premises of another company to provide the service, then the bidder must provide the following:
 - A letter signed by the manufacturer (on the manufacturer letterhead) the confirms that the bidder is allowed to supply the manufacturer's product
 - A letter signed by the Manufacturer (on the manufacturer letterhead) that the confirms that the bidder is allowed to use the facility to provide such service. The letter must also confirm that Transnet is allowed to perform audits on the premises (if applicable)
 - The term of the agreement
 - The letter must clearly indicate the contact person and details of the manufacturer
- g) Applicants are to note that Transnet reserves the right to remove the items during this RFP process based on Transnet's requirements. This includes instances where Locomotives are being phased out and replaced by the newer fleets, or items no longer required or any other justifiable reasons.
- h) Transnet reserves the right to deal directly with OEM/manufacturer or the appointed agents, as applicable for each item on the approved list
- i) Applicants are to note that some items in Annexures show little/no movement and Transnet reserves the right to remove the items, based on Transnet's operational requirements, from the exercise after the evaluation process is completed

This includes instances where Locomotives are in stages of being phased out and replaced by the newer fleets, items uniquely for those fleets might not be considered to be evaluated.

Respondent's Signature

Date & Company Stamp

- j) Testing and samples, if required, may be requested for evaluation of the application. Samples will be at the cost of the bidder. For technical evaluation, samples may be required to undergo destructive testing which may permanently damage or destroy the items during quality checks. After testing, the samples will NOT be returned to the bidders. If tested samples fail, a second opportunity will be provided to the bidder to submit samples for testing. A maximum of two sample tests will be conducted by Transnet.
- k) Additional information may be required while Transnet is busy with evaluation e.g., data sheets, technical data, or samples, etc.
- l) Upon request, the respondents are to provide their full contact details regarding their application; contact information in the form of a company letterhead with contact details, email address and physical address.
- m) If approved granted for inclusion in the Approved List, the approved Bidder / Supplier will be held responsible for the quality of the product and service at all times.
- n) Transnet reserves the right to conduct quality audits from time to time as requested to ensure compliance and the bidder may be subjected to periodic quality testing in order to maintain the names on the lists.
- o) Should the Respondents fail to meet quality standards as called for their names may be removed from the approved list.

APPROVED LIST TERMS OF REFERENCE

After inclusion of all relevant bidders or respondents onto the Transnet Engineering Approved List:

- a) Request for Proposals (RFP) or Request for Quotations (RFQ) will only be issued to all those bidders or respondents who have been approved for inclusion onto the Transnet Engineering Approved List, for those specific items or components which they have been approved for.
- b) RFP or RFQ will be issued by Transnet Engineering, as and when there is a need or demand for the specific item(s) or component(s) listed on the Approved List, Transnet Engineering is therefore not compelled to issue any RFP or RFQs to the approved bidders or respondents unless if there is a need or demand for the specific item(s) or component(s) under the Transnet Engineering Approved List.
- c) All relevant approved bidders or respondents will be evaluated in line with the requirements stipulated on each individual RFP or RFQ issued to the said bidders from time to time, as and when required.
- d) The RFP or RFQ requirements stipulated therein will comply with all relevant Transnet procurement policies and all relevant supply chain legislative requirements, applicable at that time. Upon completion of evaluation process, an agreement or contract will be entered into between Transnet and the relevant successful preferred bidder(s), who have responded to the RFP or RFQ.
- e) Transnet Engineering will endeavour to ensure that the RFP and RFQ evaluation and inclusion to the locomotive approve list is compliant with section 217(1) of the Constitution, to ensure that the procurement process followed in relation to the Approved List process is fair, equitable, transparent, competitive, and cost effective. Transnet procurement policy requirements and legislative requirements will be included as a requirement in the RFP.
- f) Approved Bidder(s) who are found, from time to time, to have breached any relevant Transnet Policies and any relevant legislative requirements, may be removed from the Transnet Engineering Approved List. Communications will be directed by Transnet, indicating intention of removal, to such relevant approved bidder who is found to have breached any Transnet Policies or any legislative requirements before such removal is implemented to allow the bidder a right of representation and presentation of possible

mitigations, in writing, to correct or remedy the breach identified. Should a bidder fail to make representations and fail to provide adequate mitigations to correct or remedy the breach identified, then such approved bidder will be removed from the Transnet Engineering Approved List once all relevant internal recommendations and approvals have been obtained from the relevant Transnet governance structures.

- g) Transnet Engineering reserves the right to step outside of the approved list when the bidders that have been placed on the list are unable to deliver in terms of Transnet's requirements at a particular point in time. The minimum grounds for stepping out of this approved list would be instances such as were bidders are charging prices that are above market related prices, bidders offering long delivery lead times, bidders not compliant to relevant legislative requirements etc, or any other justifiable reasons which permits Transnet Engineering reserves the right to step outside of the approved list.

1. DISCLOSURE OF CONTRACT INFORMATION

JOHANNESBURG STOCK EXCHANGE DEBT LISTING REQUIREMENTS

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

DOMESTIC PROMINENT INFLUENTIAL PERSONS (DPIP) OR FOREIGN PROMINENT PUBLIC OFFICIALS (FPPO)

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

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

As per the Transnet Domestic Prominent Influential Persons (DPIP) and Foreign Prominent Public Officials (FPPO) and Related Individuals Policy, respondents are required to disclose any commercial relationship with a DPIP or FPPO (as defined in the Policy) by completing the following section:

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

Respondent's Signature

Date & Company Stamp

3						
---	--	--	--	--	--	--

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

2. RESPONDENT'S SAMPLES

- 2.1 Requirements and deadlines for sample submission will be sent by letter individually to supplies that pass Stage 1.
- 2.2 The sample(s) must be clearly marked with the reference number of this RFP and the names and addresses of both the Respondent and the manufacturer.

3. MANUFACTURERS

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

3.1 Local Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

3.2 Foreign Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

4. INSPECTION DETAILS

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

4.1 Local Manufacturer(s)

RFP ITEM NO.	NAME	BUSINESS ADDRESS

4.2 Foreign Manufacturer(s)

RFP ITEM NO.	NAME	BUSINESS ADDRESS

5. NATIONAL RAILWAY SAFETY REGULATOR ACT

In compliance with the National Railway Safety Regulator Act, 16 of 2002, the successful Respondents [**the Potential Suppliers**] 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 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: (Sign) _____

6. 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:

6.1 Quality and specification of Goods/Services delivered:

6.2 Continuity of supply:

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

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

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: PROPOSAL FORM AND LIST OF RETURNABLE DOCUMENTS

I/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.

VALIDITY PERIOD

Respondent's Signature

Date & Company Stamp

No Bid Validity Period is Applicable to this Bid, the bid remains valid until the process is completed.

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.

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

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

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

Respondent's Signature

Date & Company Stamp

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	<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>
Returnable Documents Used for Scoring	<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>
Essential Returnable Documents	<i>Failure to provide essential Returnable Documents <u>may</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>

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

a) Mandatory Returnable Documents

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

MANDATORY RETURNABLE DOCUMENTS	SUBMITTED [Yes/No]
ANNEXURE A1, A2, A3: Approved List. List of Items	

b) Returnable Documents Used for Scoring

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

<u>RETURNABLE DOCUMENTS USED FOR SCORING</u>	SUBMITTED [Yes or No]
NO Returnable for Scoring	

c) Essential Returnable Documents:

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

ESSENTIAL RETURNABLE DOCUMENTS & SCHEDULES	SUBMITTED [Yes or No]
In the case of Joint Ventures, a copy of the Joint Venture Agreement or written confirmation of the intention to enter into a Joint Venture Agreement	
SECTION 1: SBD1 Form	
SECTION 4: Conditions & Terms of Reference	
SECTION 5: Proposal Form and List of Returnable documents	
SECTION 6: Certificate Of Acquaintance with RFP, Terms & Conditions & Applicable Documents	
SECTION 7: RFP Declaration and Breach of Law Form	
SECTION 8: RFP Clarification Request Form	
SECTION 9: Protection Of Personal Information	

CONTINUED VALIDITY OF RETURNABLE DOCUMENTS

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

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: CERTIFICATE OF ACQUAINTANCE WITH RFP & 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	Transnet's General Bid Conditions
2	Transnet's Supplier Integrity Pact
3	Non-disclosure Agreement

Note: Should a Respondent be successful and approved for addition to Transnet approved list of suppliers they will be required to complete a Supplier Declaration Form for registration as a vendor onto the Transnet vendor master database.

Should the Bidder find any terms or conditions stipulated in any of the relevant documents quoted in the 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 7: 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.
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:

[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 interest¹ 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

¹ 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 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

13.2.1. If so, furnish particulars:

.....

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

13.3.1. If so, furnish particulars:

.....

14 DECLARATION

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

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

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 consortium² 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.

² 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.

- 14.5 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.
- 14.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

BREACH OF LAW

We 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. 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

SECTION 8: RFP CLARIFICATION REQUEST FORM

RFP No: **TE/2026/10/0002/115019/RFP**

RFP deadline for questions / RFP Clarifications: Before 12:00 on 26 January 2027.

TO: Transnet SOC Ltd

ATTENTION: **Tony Ngedle**

EMAIL **tony.ngedle@transnet.net**

DATE: _____

FROM: _____

REQUEST FOR RFP CLARIFICATION

[illegible]

Respondent's Signature

Date & Company Stamp

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 for inclusion on the approve list, 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, 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

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

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://info regulator.org.za/complaints/>