

**TRANSNET RAIL INFRASTRUCTURE MANAGER**

an Operating Division of **TRANSNET SOC LTD**

[hereinafter referred to as **Transnet**]

[Registration No. 1990/000900/30]

REQUEST FOR PROPOSAL [RFP] - SERVICE

FOR THE PROVISION OF EARTHMOVING EQUIPMENT FOR THE EASTERN REGION SHUTDOWN FOR A PERIOD OF TWO MONTHS.

RFP NUMBER	ERACET-NPG-57720
ISSUE DATE:	21 May 2026
CLOSING DATE:	29 May 2026
CLOSING TIME:	10:00 AM
BID VALIDITY PERIOD:	07 OCTOBER 2026 (90 Business Days from Closing Date)

SUBMISSION TO: Transnet e-tender submission portal – see SBD 1 for details

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.

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

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF TRANSNET RAIL INFRASTRUCTURE MANAGER, A DIVISION TRANSNET SOC LTD							
BID NUMBER:	ERACET-NPG-57720	ISSUE DATE:	20 May 2026	CLOSING DATE:	27 May 2026	CLOSING TIME:	10H00 AM
DESCRIPTION	FOR THE PROVISION OF EARTHMOVING EQUIPMENT FOR THE EASTERN REGION SHUTDOWN FOR A PERIOD OF TWO MONTHS						
BID RESPONSE DOCUMENTS SUBMISSION INSTRUCTIONS							
<i>(please refer to section 2, paragraph 3 for a detailed process on how to upload submissions):</i> https://transnetetenders.azurewebsites.net							
BIDDING PROCEDURE / TECHNICAL ENQUIRIES MAY BE DIRECTED TO:							
CONTACT PERSON	Elvis Mabona						
TELEPHONE NUMBER	013 658 2473						
FACSIMILE NUMBER	N/A						
E-MAIL ADDRESS	elvis.mabona@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							
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.							
	TCP PIN		OR	CSD NO			
SUPPLIER COMPLIANCE STATUS	<input type="checkbox"/> Yes <input type="checkbox"/> No			OR	BBEEE STATUS LEVEL SWORN AFFIDAVIT		
If Yes, Who was the Certificate issued by?							
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)					
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)					
	<input type="checkbox"/>	A REGISTERED AUDITOR					
		NAME:					
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED FOR PURPOSES OF COMPLIANCE WITH THE B-BBEE ACT]							

Respondent's Signature

Date & Company Stamp

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]
Signature of the Bidder	Date:

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
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. 1.7 RESPONDENTS ARE REQUIRED TO SELF-REGISTER ON NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE (CSD) WHICH HAS BEEN ESTABLISHED TO CENTRALLY ADMINISTER SUPPLIER INFORMATION FOR ALL ORGANS OF STATE AND FACILITATE THE VERIFICATION OF CERTAIN KEY SUPPLIER INFORMATION. ONLY FOREIGN SUPPLIERS WITH NO LOCAL REGISTERED ENTITY NEED NOT REGISTER ON THE CSD. THE CSD CAN BE ACCESSED AT HTTPS://SECURE.CSD.GOV.ZA/ .

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: _____

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	FOR THE PROVISION OF EARTHMOVING EQUIPMENT FOR THE EASTERN REGION SHUTDOWN FOR A PERIOD OF TWO MONTHS. [the Services]
TENDER ADVERT	All Transnet tenders are advertised on the National Treasury's e-Tender Publication Portal and the Transnet website only. If you receive tender adverts for Transnet in any other platform other than the ones mentioned, it is your duty to verify the authenticity, accuracy, latest updates and reliability of the information with the platforms mentioned. Should both 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	<p>This RFP may be downloaded directly from National Treasury's e-Tender Publication Portal at www.etenders.gov.za free of charge.</p> <p>To download RFP 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 in the list, click on the "Tender documents" tab and process to download all uploaded documents.</p> <p>The RFP may also be downloaded from the Transnet Portal at https://transnetetenders.azurewebsites.net (</p>
COMMUNICATION	<p>Transnet will publish the outcome of this RFP on the National Treasury e-tender portal and Transnet website with 10 days after the award has been finalised. All unsuccessful bidders have a right to request for reasons for their bid not being successful. This requested must be directed to the contact person stated in the SBD 1 form</p> <p>Any addenda to the RFP or clarifications will be published on the e-tender portal and Transnet website. Bidders are required to check the e-tender portal or Transnet website prior to finalising their bid submissions for any changes or clarifications to the RFP.</p> <p>Transnet will not be held liable if Bidders do not receive the latest information regarding this RFP with the possible consequence of either being disadvantaged or disqualified as a result thereof.</p>
BRIEFING SESSION	N/A
CLOSING DATE	<p>10:00 am Wednesday, 27 May 2026</p> <p>Bidders must ensure that bids are uploaded timeously onto the system. Generally, if a bid is late, it will not be accepted for consideration.</p> <p>Respondents are to submit bid documents by uploading them onto the Transnet system against each tender selected. A Bidder can upload 30mb per upload and multiple uploads are permitted.</p> <p>Bidders should ensure that electronic bid submissions are submitted at least a day before the closing date and bidders should not wait for the last hour before the deadline to submit. This is to enable them to timeously address issues which they may encounter due to internet speed, bandwidth or the size of the number of uploads being submitted. Transnet will not be held liable for any challenges experienced by bidders as a result of their own technical challenges.</p>

VALIDITY PERIOD	<p>07 October 2026 (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, at the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be deemed to remain valid until a final contract has been concluded.</p> <p>Should a bidder fail to respond to a request for extension of the validity period before it expires, that bidder will be excluded from tender process.</p> <p>With regard to the validity period of next highest ranked bidders, please refer to Section 2, paragraph 10.12</p>
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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 but should Respondents have specific queries they should email 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:

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

the intent to bid and submit its bid through its own profile under the same company name that will eventually bid for the tender. No company shall submit a bid on behalf of another company regardless of the company being a subsidiary or holding company.

- l) In case of a Joint Venture, any of the parties/companies to the Joint Venture may use its registered profile to submit a bid on behalf of the Joint Venture.
- m) A detailed bidder guide can be found on the Transnet Portal transnetetenders.azurewebsites.net

4 RFP INSTRUCTIONS

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

5 JOINT VENTURES OR CONSORTIUMS

Respondents who would wish to respond to this RFP as a Joint Venture [**JV**] or consortium with B-BBEE entities, must state their intention to do so in their RFP submission. Such Respondents must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If at the time of the bid submission such a JV or consortium agreement has not been concluded, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by Transnet through this RFP process. This written confirmation must clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to Transnet.

- Respondents are to note that for the purpose of Evaluation, a JV will be evaluated based on one consolidated B-BBEE score card (a consolidated B-BBEE Status Level verification certificate) Preference points will be awarded to a bidder for attaining the specific goals requirements in accordance with the table indicated in Section 4.1 of the specific goals Claim Form.

6 COMMUNICATION (CLARIFICATIONS AND COMPLAINTS)

- 6.1 For specific clarification relating to this RFP, an RFP Clarification Request Form should be submitted to, Elvis.Mabona@transnet.net before **12:00 am, 27 May 2026**, 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 Specific complaints relating to this RFP before or after the closing date should be formally submitted by emailing to groupscmcomplaints@transnet.net. Once the complaint has been submitted, the Transnet SCM Complaints office will acknowledge your complaint and send you a complaint form for completion.
- 6.3 After the closing date of the RFP, a Respondent may only communicate with the name of delegated [Prudence Nkabinde](#), at telephone number 011-584-0821, email Prudence.Nkabinde@transnet.net on any matter relating to its RFP Proposal.
- 6.4 Respondents are to note that changes to its submission will not be considered after the closing date.
- 6.5 It is prohibited for Respondents to attempt, either directly or indirectly, to canvass any officer or employee of Transnet in respect of this RFP between the closing date and the date of the award of the business.
- 6.6 Respondents found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.
- 6.7 Transnet will publish the outcome of this RFP in the National Treasury e-tender portal and Transnet website with 10 days after the award has been finalised. Respondents are required to check the National Treasury e-tender Portal and Transnet website for the results of the tender process. All unsuccessful bidders have a right to request Transnet to furnish reasons for their bid not being successful. This requested must be directed to the contact person stated in the SBD 1 form

7 CONFIDENTIALITY

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

8 COMPLIANCE

The successful Respondent [hereinafter referred to as the **[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;
- 10.2 award a contract in connection with this Proposal at any time after the RFP's closing date;
- 10.3 award a contract for only a portion of the proposed Goods/Services which are reflected in the scope of this RFP;

- 10.4 split the award of the contract between more than one Supplier/Service provider, as may be explicitly articulated in the conditions or objective criteria to this RFP;
- 10.5 cancel the bid process;
- 10.6 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;
- 10.7 request audited financial statements or other documentation for the purposes of a due diligence exercise;
- 10.8 not accept any changes or purported changes by the Respondent to the bid rates after the closing date and/or after the award of the business, unless the contract specifically provided for it;
- 10.9 to cancel the contract and/request that National Treasury place the Respondent on its Database of Restricted Suppliers for a period not exceeding 10 years, on the basis that a contract was awarded on the strength of incorrect information furnished by the Respondent or on any other basis recognised in law;
- 10.10 to award the business to the next ranked bidder, provided that he/she is still prepared to provide the required Goods at the quoted price, should the preferred bidder fail to sign or commence with the contract within a reasonable period after being requested to do so. Under such circumstances, the validity of the bids of the next ranked bidder(s) will be deemed to remain valid, irrespective of whether the outcome of the tender has been published the outcome of the bid process on the National Treasury e-tender Portal and Transnet website. Bidders may therefore be requested to advise whether they would still be prepared to provide the required Goods at their quoted price.
- 10.11 Request a bidder to furnish further information relating to its Environmental, Social and Governance (ESG) standing at any stage of the procurement or contracting process. This information may not be used for purposes of evaluation and/or disqualify bidder, but may be use for purpose of record and analysis of ESG compliance.
- 10.12 Where sub-contracting is applied in a tender, conduct due diligence assessment on the sub-contractor(s) and this may entail requesting the bidder to provide further information relating to the sub-contractor(s) or directly requesting the information from the sub-contractor(s) as well as conducting any necessary investigations on the sub-contractor(s) to detect issues of "FRONTING".

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

11 LEGAL REVIEW

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

12 SECURITY CLEARANCE

Acceptance of this bid could be subject to the condition that the Successful Respondent, its personnel providing the Goods/Services and its subcontractor(s) must obtain security clearance from the appropriate authorities to the level of **CONFIDENTIAL/ SECRET/TOP SECRET**. Obtaining the required clearance is the responsibility

of the Successful Respondent. Acceptance of the bid is also subject to the condition that the Successful Respondent will implement all such security measures as the safe performance of the contract may require.

TRANSNET URGES ITS CLIENTS, SUPPLIERS AND THE GENERAL PUBLIC TO REPORT ANY FRAUD OR CORRUPTION TO

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



Email: Transnet.Reportit@outlook.com

Toll free: 0800 003 056

SMS:0637867403

Please Call Me number: *120*0637867403

Website: <https://whistleblowersoftware.com/secure/Transnet>

SECTION 3: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS

1 BACKGROUND

The Transnet Rail Infrastructure Manager (TRIM), through its Perway and Technical Support disciplines, oversees the maintenance and operation of key railway infrastructure, including embankments, cuttings, tunnels, bridges, and the formation that supports the track components such as sleepers, ballast, and rails. This infrastructure is crucial for the efficient functioning of the rail network.

Earthmoving equipment plays a pivotal role in the construction, rehabilitation, and maintenance of the railway formation. These machines contribute significantly to ensuring the continued availability and functionality of the railway infrastructure, which is essential for Transnet's operations.

As part of TRIM's Rail Network Strategy, there is a strong focus on maintaining and enhancing the availability of railway infrastructure to support the growing demand for modern rail services. The volume of traffic and tonnage on the network has increased substantially over time, which necessitates periodic construction and rehabilitation of the railway formation to meet the demands of modern rail transport.

A consistent and reliable supply of earthmoving plant is therefore crucial for the successful execution of the Rail Network Strategy. The efficient operation of this equipment is vital for undertaking various activities, including formation works, rehabilitation projects, and other ad-hoc maintenance tasks. Earthmoving machinery is a key component in ensuring the smooth and effective maintenance of Transnet's rail infrastructure.

2 EXECUTIVE OVERVIEW

Transnet is seeking one or more strategic partners to provide regional solutions for earthmoving equipment. In addition, Transnet aims to enhance its existing processes for delivering these services across its diverse locations to better serve its end-user community.

The selected service provider(s) will be expected to align with Transnet's mission and business objectives. Achieving these mutual goals will require a commitment to meeting contractual obligations, embracing new challenges, and fostering an environment of teamwork, joint participation, flexibility, innovation, and open communication. This partnership approach will allow Transnet and the selected service provider(s) to review and optimise current practices, processes, and systems, enabling them to enhance operational efficiency and service delivery.

Through this collaboration, Transnet seeks to achieve the following benefits:

2.1 Cost Reduction and Enhanced Service Benefits

Transnet expects to benefit from reduced acquisition costs and improved service outcomes, resulting from the service provider's economies of scale and optimised service processes.

2.2 Improved Service Availability and Cost Efficiency

The selected service provider(s) must ensure the availability of earthmoving equipment to meet Transnet's operational needs, while also working to reduce costs for both Transnet and the service provider(s).

2.3 Proactive Service and Process Improvements

Transnet expects continuous improvement from the service provider, with a focus on enhancing service provision and refining related processes.

2.4 Competitive Advantage through Innovation

Transnet's overall competitive position should be strengthened through the service provider's use of leading-edge technology and advanced service delivery systems.

2.5 Reliability of Service Provider Personnel

Transnet end users must be able to rely on the service provider's personnel for prompt and informed responses to service inquiries, recommendations, and substitutions.

2.6 Streamlined Acquisition Processes

Transnet seeks to reduce costs by streamlining the acquisition of services, including the management of services on a group basis.

3 SCOPE OF REQUIREMENTS

3.1 Transnet is seeking to source prospective bidders for the provision of earthmoving equipment for the Eastern Region shutdown, required for a period of two (2) months. The earthmoving equipment will be used for various construction activities, including extraction, compaction, backfilling, grading, and soil transportation, among other site-specific functions. The purpose of this equipment is to expedite construction processes while ensuring safety and compliance on site. Please see **Annexure A** for detailed scope of work

4 SAFETY, LEGISLATIVE AND ENVIRONMENTAL COMPLIANCE

The respondent must:

- Comply fully with the Occupational Health and Safety Act (Act 85 of 1993) and all relevant Construction Regulations.
- Ensure all plant and operators comply with Transnet Safety Procedures, Basic Conditions of Employment Act, and Environmental Legislation.
- Ensure safety files and certifications are available and up to date for the duration of the hire.

No	Documentation	Applicable Legislation
1	Daily Inspection Checklist or Registers for equipment	OHS Act 85 of 1993, Section 8, Construction Regulations, Driving machinery regulations'
2	Copies of valid training or competency Certificates for Operators	OHS Act 85 of 1993, Section 8, Construction Regulations, Driving machinery regulations'
3	Copies of medical certificate of fitness for Operators	OHS Act 85 of 1993, Section 8, Construction Regulations,
4	Copies of valid Letter of Good Standing	OHS Act 85 of 1993, Section 8, Construction Regulations,

Respondent's Signature

Date & Company Stamp

DEFINITIONS

- **Dry Hire** means the hire of Equipment with the Operator and without fuel but including costs such as insurances, grease, oil and maintenance of Equipment
- **Equipment** means the item of equipment as specified in the Pricing Schedule and Scope of Services including an Operator
- **Long Term Hire** means a period of hire exceeding five (5) consecutive working days.
- **Establishment and de-establishment (Mobilisation and Demobilisation) charge** means the price to be charged by the Respondent as specified in the Pricing Schedule, to mobilise and transport the Equipment to the Designated Site and de-mobilise and transport the Equipment from the Designated Site.
- **Normal Rate** means the rate for the Equipment and Operator when the Equipment is operating in normal Working Hours as specified in the Pricing Schedule.
- **Operator** means the competent person in terms of the OHS Act, provided and remunerated by the *Respondent* to operate the Equipment.
- **Overtime** means the time the Equipment is operated outside of the Working Hours as specified in the Pricing Schedule and Scope of Services.
- **Overtime Rate** means the rate for the Equipment and Operator when the Equipment is operating outside of Working Hours as specified in the Pricing Schedule and Scope of Services.
- **Short Term Hire** means a period of hire less than or not exceeding five (5) consecutive working days.
- **Standby Rate** means the hire rate for the Equipment as specified in the Pricing Schedule and Scope of Services, which is payable during Standby Time.
- **Standby Time** means that part of the Working Hours during which the Equipment is on standby at the Designated Site but no work is available.
- **Idle Time** means that when the Equipment is prevented by prolonged inclement weather from working, the charge shall be 50% of the hire rate.
- **Services** include the hire of Equipment for construction or maintenance with an Operator.
- **Transport Charge** means if more than one Designated Site is specified in the Scope of Services to transport the Equipment from one Designated Site to another Designated Site.
- **Wet Hire** means the rate which includes an operator, wages, insurances, fuels, and all other operating and overhead costs relevant to the operation of the Equipment.
- **Working Hours** means the hours of the *Purchaser's* normal working day at the Designated Site or Designated Sites as specified in the Scope of Services, during which the Equipment is required for hire by the *Purchaser*.

5 GREEN ECONOMY / CARBON FOOTPRINT

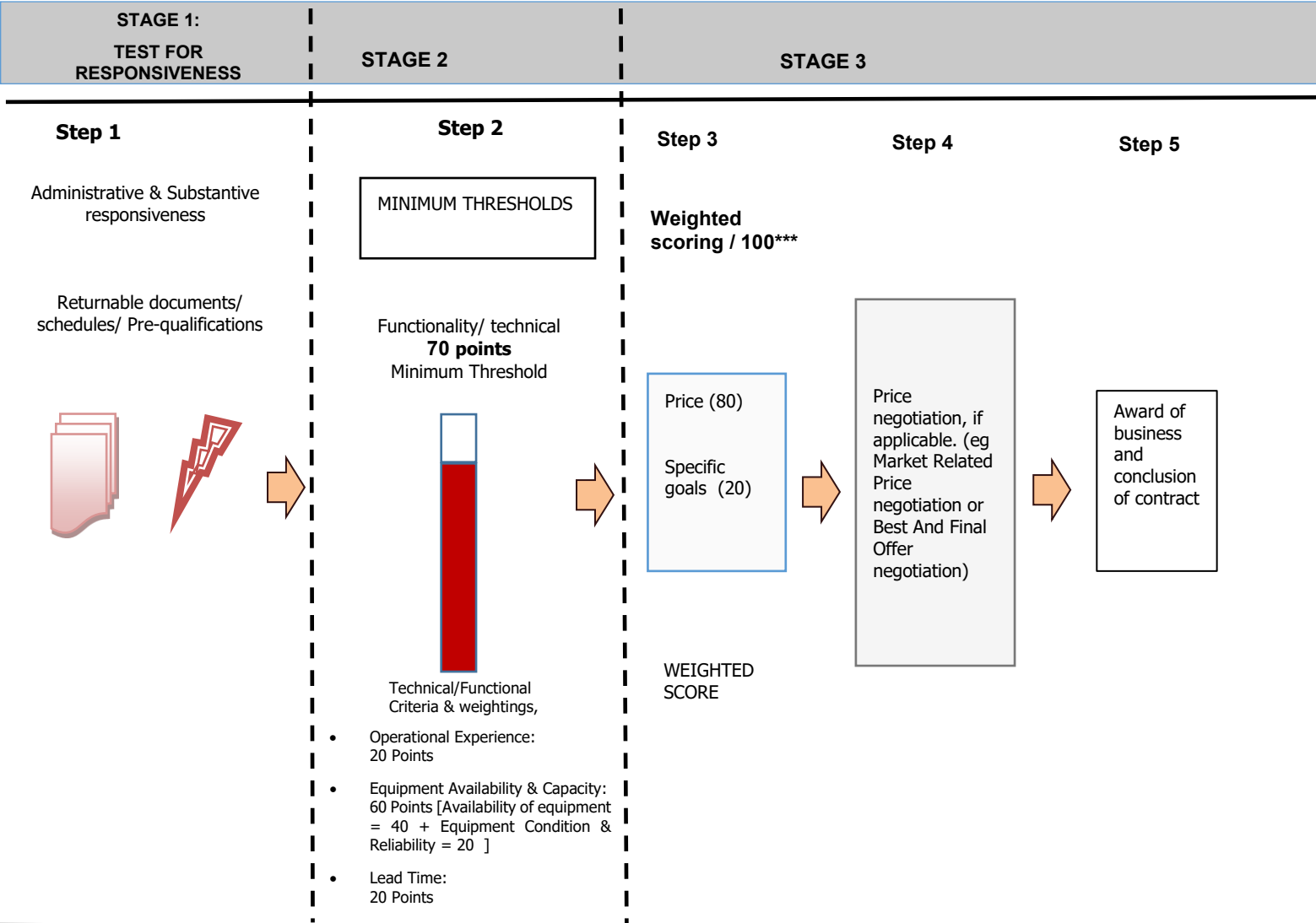
Transnet wishes to have an understanding of your company's position with regard to environmental commitments, including key environmental characteristics such as waste disposal, recycling and energy conservation. *Please submit details of your entity's policies in this regard.*

6 GENERAL SERVICE PROVIDER OBLIGATIONS

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

7 EVALUATION METHODOLOGY [INDICATE APPROPRIATE CRITERIA

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



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).

Respondent's Signature

Date & Company Stamp

7.1 STEP ONE: Test for Administrative and Substantive Responsiveness

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

Administrative responsiveness check	RFP Reference
<ul style="list-style-type: none"> Whether the Bid has been lodged on time 	<i>Section 1 paragraph 3</i>
<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 	<i>Section 5</i>
<ul style="list-style-type: none"> Verify the validity of all returnable documents 	<i>Section 5</i>
<ul style="list-style-type: none"> Verify if the Bid document has been duly signed by the authorised respondent 	<i>All sections</i>
<ul style="list-style-type: none"> Whether any general and legislation qualification criteria set by Transnet, have been met 	<i>All sections</i>
<ul style="list-style-type: none"> Whether the Bid contains a priced offer 	<i>Section 4 - Quotation Form</i>
<ul style="list-style-type: none"> Whether the Bid materially complies with the scope and/or specification given 	<i>All Sections</i>
<ul style="list-style-type: none"> Whether any general and legislation qualification criteria set by Transnet, have been met 	<i>All sections including: Section 2 paragraphs, 2.2, 6, 11.2, General Bid Conditions clause 20</i>
<ul style="list-style-type: none"> Whether the Bid contains a priced offer as prescribed in the pricing and delivery schedule 	<i>Section 4</i>
<ul style="list-style-type: none"> Whether the Bid materially complies with the scope and/or specification given 	<i>All Sections</i>

The test for responsiveness [Step One] must be passed for a Respondent's Proposal to progress to Step Two for technical criteria

7.2 STEP TWO: Minimum Threshold 70% for Technical Criteria

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

Technical Evaluation Criteria	Points Weightings	Scoring guideline
<p>1. Operational experience (20 Points) Objective: To assess the bidder’s proven experience and demonstrated capability in the provision of wet hire earthmoving / yellow plant equipment for projects of a similar nature, complexity, and scale.</p> <p>Mandatory Submission Requirements Bidders must fully complete and submit the prescribed Operational Experience Declaration Template contained in Annexure B: Technical Submission / Questionnaire.</p> <p>Minimum Experience Requirement: Bidders must submit a minimum of three (3) qualifying reference letters and/or completion certificates for projects involving the provision of wet hire earthmoving / yellow plant equipment.</p> <p>Acceptable Evidence (ALL must comply): Each supporting reference letter and/or completion certificate must:</p> <ul style="list-style-type: none"> • Be on the official company letterhead of the client/employer. • Be signed by an authorised representative • Clearly indicate: <ul style="list-style-type: none"> ○ Client / Employer name ○ Project description ○ Project location ○ Contract start and end dates ○ Contract value ○ Wet hire earthmoving / yellow plant services provided ○ Equipment types utilised ○ Contact person name and designation ○ Contact number ○ Email address • Be dated and not older than five (5) years <p>⚠ Important Evaluation Rules:</p> <ul style="list-style-type: none"> • Supporting documents must be clearly cross-referenced to the corresponding project listed in the Operational Experience Declaration Template. • Only projects completed within the last five (5) years will be considered. • Purchase orders, invoices, unsigned documents, generic testimonials, or self-issued references will not be accepted for scoring purposes. No document reuse across areas <p>NOTE: Evaluation will be conducted per Area quoted.</p> <ul style="list-style-type: none"> ➤ Witbank ➤ Nelspruit ➤ Polokwane 	<p>20</p>	<p>20 - Points Bidder submitted qualifying proof of experience for three (3) or more completed projects involving wet hire earthmoving / yellow plant equipment for projects of similar or greater size and complexity.</p> <p>10 - Points Bidder submitted qualifying proof of experience for less than three (3) completed projects involving wet hire earthmoving / yellow plant equipment for projects of similar nature.</p> <p>0 - Points</p> <ul style="list-style-type: none"> • Bidder failed to submit qualifying proof of experience; OR • Submitted incomplete / non-compliant references; OR • Submitted references not related to wet hire earthmoving / yellow plant services; OR • Failed to submit the prescribed Operational Experience Declaration Template.

Technical Evaluation Criteria	Points Weightings	Scoring guideline
<p>2. Equipment Availability & Capacity (Objective: To verify sufficient, accessible, and deployable plant capacity across multiple areas)</p> <p>2.1 Earthmoving Equipment Ownership/ Availability</p> <p>Requirement: Bidders must demonstrate availability of equipment required per pricing schedule and per area</p> <p>Mandatory Submission Requirements (per equipment type listed in the pricing schedule): For each equipment type quoted, bidders must submit:</p> <p>A. Proof of Ownership OR Access</p> <ul style="list-style-type: none"> • Certificate of Registration OR; • Invoice / Proof of Purchase OR; • Valid Lease Agreement / Letter of Intent / MOU <p>B. Minimum Compliance Requirements</p> <ul style="list-style-type: none"> • Documents must: <ul style="list-style-type: none"> ○ Clearly reflect equipment type, model, and serial/registration number ○ Must be in the bidder’s name OR supported by a Valid Lease Agreement / Letter of Intent / MOU • Lease/LOI/MOU must <ul style="list-style-type: none"> ○ Be signed by both parties ○ Be valid for the entire contract duration ○ Must contain a list of equipment type, model, and serial/registration number for equipment under lease ○ Confirm availability for contract duration. ○ Lessor contact details ○ Proof of ownership from lessor <p>NOTE: The evaluation will be done per area.</p> <ul style="list-style-type: none"> ➤ Witbank ➤ Nelspruit ➤ Polokwane <p>⚠ Evaluation Rules:</p> <ul style="list-style-type: none"> • Evaluation performed per area • Equipment types defined per pricing schedule • Each equipment type must have valid supporting document • Documents submitted for one area for the purpose of evaluation may not be submitted for another area • Equipment availability will be evaluated based on the percentage of required equipment types for which bidders submit compliant supporting documentation, relative to the total equipment required per area. 	<p>40</p>	<p>40 - Points 100% of required equipment is available and supported by compliant documentation for proof of ownership, and/or invoice / proof of purchase, and/or; valid lease agreement / letter of intent / MOU.</p> <p>25 – Points ≥90% but <100% of required equipment is available and supported by compliant documentation for proof of ownership, and/or invoice / proof of purchase, and/or; valid lease agreement / letter of intent / MOU</p> <p>10 - Points ≥ 70% but < 90% of required equipment is available and supported by compliant documentation for proof of ownership, and/or invoice / proof of purchase, and/or; valid lease agreement / letter of intent / MOU</p> <p>0 - Points < 70% compliant availability with Insufficient amount of equipment per area are available, and/or Bidder has submitted no information, and/or incomplete/ inadequate information to determine a score</p>

Technical Evaluation Criteria	Points Weightings	Scoring guideline
<p>2.2 Equipment Condition & Reliability Requirement: Bidders must demonstrate that all equipment proposed is operational, maintained, and fit-for-purpose for deployment.</p> <p>Mandatory Submission Requirements (per equipment type listed in the pricing schedule):</p> <ul style="list-style-type: none"> ▪ Equipment Condition Declaration (Mandatory for ALL equipment types): <ul style="list-style-type: none"> • Signed declaration on bidder’s letterhead confirming: <ul style="list-style-type: none"> ○ Equipment is in working condition ○ Equipment is available for deployment upon instruction ○ Equipment will be dedicated to the contract when required ▪ Maintenance / Serviceability Evidence (Mandatory per equipment type): At least ONE of the following per equipment type: <ul style="list-style-type: none"> • OEM/service provider maintenance record; OR • Workshop/service report; OR • Internal maintenance log / job card extract; OR • Service confirmation from equipment owner/lessor ▪ Recency Requirement (applies to all maintenance evidence): Evidence must demonstrate that the equipment has been serviced or maintained: <ul style="list-style-type: none"> • Within the last 12 months, OR • Within the last 1,000 operating hours or OEM-recommended service interval (where applicable) <p>⚠ Evaluation Rules:</p> <ul style="list-style-type: none"> • Assessment is conducted per equipment type, not per document • Each equipment type must be supported by its own identifiable maintenance evidence • Submitted documents must clearly indicate equipment type, model, and/or serial/registration number • Documents submitted for one area for the purpose of evaluation may not be submitted for another area • Incomplete, illegible, or unverifiable documents will not be counted <p>Definition of “Compliant Equipment Type”: An equipment type will be considered compliant only if BOTH: - A valid declaration is submitted; AND - Acceptable maintenance/serviceability evidence meeting recency requirements is provided</p>	<p>20</p>	<p>20 Points – 100% of equipment types are compliant (i.e. every equipment type listed in the pricing schedule has both a valid declaration and compliant maintenance/serviceability evidence)</p> <p>10 Points – ≥ 70% but < 100% of equipment types are compliant (i.e. at least 70% of equipment types meet BOTH declaration and maintenance evidence requirements)</p> <p>0 Points – < 70% of equipment types are compliant; OR - No declaration submitted; OR -Maintenance/serviceability evidence does not meet recency requirements; OR - Equipment condition cannot be reasonably verified based on submitted documentation</p>

Technical Evaluation Criteria	Points Weightings	Scoring guideline
<p>3. Lead Time / Mobilisation (Per Area Basis)</p> <p>Objective: To evaluate the bidder’s demonstrated ability to mobilise and deliver the full required quantity of earthmoving equipment per Area within the required shutdown timelines.</p> <p>Requirement: Bidders must demonstrate mobilisation capability for the full consolidated quantity of equipment required per Area, as reflected in the Pricing Schedule and prescribed Lead Time / Mobilisation Declaration Template..</p> <p>Important Notes: Bidders must indicate per equipment type and per Area:</p> <ul style="list-style-type: none"> • Total quantity required • Quantity deliverable within two (2) calendar days from date of instruction • Percentage (%) deliverable within two (2) calendar days • Balance quantity deliverable after two (2) calendar days • Number of calendar days required to deliver the remaining balance quantity <p>Mandatory Submission Requirement: Bidders must fully complete and submit the prescribed Lead Time / Mobilisation Declaration Template provided under Annexure B: Technical Submission / Questionnaire for each Area quoted.</p> <p>⚠ Important Evaluation Rules</p> <p>Evaluation will be conducted separately per Area:</p> <ul style="list-style-type: none"> ➢ Witbank ➢ Nelspruit ➢ Polokwane <ul style="list-style-type: none"> • Lead time commitments must apply to the total required equipment quantities per Area. • Bidders must demonstrate the ability to mobilise equipment concurrently for the relevant Area. • Equipment committed for mobilisation in one Area may not be simultaneously committed for another Area for evaluation purposes. <p>Quantities declared in the Lead Time / Mobilisation Declaration Template must align with:</p> <ul style="list-style-type: none"> ➢ The Pricing Schedule ➢ Equipment ownership / lease documentation ➢ Equipment availability submissions <ul style="list-style-type: none"> • Partial delivery within two (2) calendar days must be clearly indicated. • Failure to complete all equipment quantities in the prescribed template may result in the bidder not being scored for this criterion. • Transnet reserves the right to verify declared mobilisation capability and supporting documentation. 	<p>20</p>	<p>20 Points – 00% of required equipment per Area can be mobilised and delivered within two (2) calendar days from date of instruction</p> <p>10 Points – At least 90% but less than 100% of required equipment per Area can be mobilised and delivered within two (2) calendar days, and the remaining balance equipment can be delivered after two (2) calendar days.</p> <p>0 Points –</p> <ul style="list-style-type: none"> • Less than 90% of required equipment per Area can be mobilised within two (2) calendar days; OR • Lead time is not clearly indicated; OR • Mobilisation submission is incomplete; OR • Quantities declared do not align with the Pricing Schedule; OR • Bidder failed to submit the prescribed Lead Time / Mobilisation Declaration Template.

Technical Evaluation Criteria	Points Weightings	Scoring guideline
<p>Definition of Compliant Mobilisation Submission: A mobilisation submission will be regarded as compliant only where:</p> <ul style="list-style-type: none"> • All equipment types listed in the Pricing Schedule are included • Total quantities declared equal the total quantities required per Area • Delivery timelines are clearly stated • Percentages are mathematically consistent with quantities declared • Submission is reasonably verifiable against supporting availability documentation 		
<p>Total Weighting:</p> <p>Minimum qualifying score required:</p>	<p>100%</p> <p>70%</p>	

Respondents must complete and submit **Annexure A** which include a **Technical Questionnaire/checklist**. A Respondent’s compliance with the minimum functionality/technical threshold will be measured using supporting documentation as per their responses to **Annexure A**.

Respondents are to note that Transnet will round off final technical scores to the nearest 2 (two) decimal places for the purposes of determining whether the technical threshold has been met.

The minimum threshold for technical/functionality [Step TWO] must be met or exceeded for a Respondent’s Proposal to progress to Step Four for final evaluation

7.3 STEP THREE: Evaluation and Final Weighted Scoring

a) **Price Criteria** [Weighted score 80 points]:

Evaluation Criteria	RFP Reference
<ul style="list-style-type: none"> • Commercial offer 	<p><i>Section 4</i></p>

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

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

Where:

- Ps* = Score for the Bid under consideration
- Pt* = Price of Bid under consideration
- Pmin*= Price of lowest acceptable Bid

- b) **Specific Goals** [Weighted score 20 point]
- Specific goals preference points claim form
 - Preference points will be awarded to a bidder for attaining the specific goals requirements in accordance with the table indicated in Section 4.1 of the specific goals Claim Form.

7.4 **SUMMARY: Applicable Thresholds and Final Evaluated Weightings**

Thresholds	Minimum Threshold
Technical / functionality	70%

Evaluation Criteria	Final Weighted Scores
Price and Total Cost of Ownership	80
Specific goals - Scorecard	20
TOTAL SCORE:	100

7.5 **STEP FOUR: Price Negotiations (if applicable)**

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

7.6 **STEP FIVE: Award of business and conclusion of contract**

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

SECTION 4: PRICING AND DELIVERY SCHEDULE**Pricing Instructions to Bidders:**

- Select only the Area(s) you are quoting for by ticking the appropriate box.
- You must price all line items under each selected Area's Price Schedule.
- Failure to fully price a selected Area will lead to disqualification.
- Transnet reserves the right to award per Area to the highest ranked Bidder who complies fully.

Area No.	Area Description	Tick if Quoting for this Area	Note
Area 1	Nelspruit	<input type="checkbox"/>	All line items in this area must be fully priced
Area 2	Witbank	<input type="checkbox"/>	All line items in this area must be fully priced
Area 3	Polokwane	<input type="checkbox"/>	All line items in this area must be fully priced

1 Explanatory Note to Bidders: Calculation of Line-Item Total

Bidders are required to calculate the **Line Total** for each item by applying their quoted rates to the estimated quantities provided in the pricing schedule. The calculation must be performed as follows:

Line Total = (Estimated Wet Hours × Bid Wet Rate per Hour) + (Estimated Standby Hours × Bid Standby Rate per Hour) + (Estimated Overtime Hours × Bid Overtime Rate per Hour) + ((Estimated Establishment Events + Estimated De-establishment Events) × Establishment/De-establishment Rate per Event)

AREA 1 -NELSPRUIT - STANDARD WET HIRE ITEMS

Section Code	Section / Area	Item No	Plant / Service Description	Qty / Units	Est. Wet Hours	Est. Standby Hours	Est. Overtime Hours	Est. Establish Events	Est. De-Establish Events	Bid Wet Rate / Hr	Standby Rate / Hr	Overtime Rate / Hr	Establishment/De-establishment Rate / Event	Line Total (Excl. VAT)
S01	Line 30 (Waterval Boven, Ondervalle)- Shutdown Plant - Turnout Replacement	S01-1	TLB (4X4)	3	108	0	72	3	3					
S01	Line 30 (Waterval Boven, Ondervalle)- Shutdown Plant - Turnout Replacement	S01-2	Tipper Truck (10m ³)	3	108	0	72	3	3					
S01	Line 30 (Waterval Boven, Ondervalle)- Shutdown Plant - Turnout Replacement	S01-3	Front End Loader	1	48	0	12	1	1					
Subtotal - S01 (Excl. VAT):														
S02	Line 30 (Waterval Boven, Elandshoek) - Shutdown Site Clearance Plant (Sleeper Replacement)	S02-1	TLB (4X4)	2	32	0	0	4	4					
Subtotal - S02 (Excl. VAT):														
S03	Line 34 (Boulders, Kaapmuiden) - Shutdown Plant - Turnout Replacement	S03-1	TLB (4X4)	3	108	0	72	3	3					
S03	Line 34 (Boulders, Kaapmuiden) - Shutdown Plant - Turnout Replacement	S03-2	Tipper Truck (10m ³)	3	108	0	72	3	3					
Subtotal - S03 (Excl. VAT):														

AREA 1 -NELSPRUIT - STANDARD WET HIRE ITEMS														
Section Code	Section / Area	Item No	Plant / Service Description	Qty / Units	Est. Wet Hours	Est. Standby Hours	Est. Overtime Hours	Est. Establish Events	Est. De-Establish Events	Bid Wet Rate / Hr	Bid Standby Rate / Hr	Bid Overtime Rate / Hr	Establishment/ De-establishment Rate / Event	Line Total (Excl. VAT)
S04	Line 34 (Nelspruit-Kaapmuiden) - Shutdown Site Clearance Plant (Sleeper Replacement)	S04-1	TLB (4X4)	1	16	0	0	2	2					
S04	Line 34 (Nelspruit-Kaapmuiden) - Shutdown Site Clearance Plant (Sleeper Replacement)	S04-2	Front End Loader	1	48	0	12	1	1					
Subtotal - S04 (Excl. VAT):														
S05	Line 35 (Komatipoort) - Shutdown Plant - Turnout Replacement	S05-1	TLB (4X4)	1	36	0	24	1	1					
S05	Line 35 (Komatipoort) - Shutdown Plant - Turnout Replacement	S05-2	Tipper Truck (10m ³)	1	36	0	24	1	1					
Subtotal - S05 (Excl. VAT):														
S06	Line 35 (Kaapmuiden-komatipoort) - Shutdown Site Clearance Plant (Sleeper Replacement)	S06-1	TLB (4X4)	1	16	0	0	2	2					
Subtotal - S06 (Excl. VAT):														
S07	Line 44 (Phalaborwa-Hoedspruit) - Shutdown Site Clearance Plant (Bridge Sleeper Replacement)	S07-1	TLB (4X4)	2	32	0	0	4	4					
Subtotal - S07 (Excl. VAT):														
S08	Line 65 (Phalaborwa-Hoedspruit) - Shutdown Site Clearance Plant (Rail Replacement)	S08-1	TLB (4X4)	1	16	0	0	2	2					
Subtotal - S08 (Excl. VAT):														
S09	Nelspruit Kaapmuiden	S09-1	Hire, Truck; Tipper 10m3	2	144	72	96	2	2					
S09	Nelspruit Kaapmuiden	S09-2	Hire, Earth Moving; 4x4 TLB	1	72	36	48	1	1					
S09	Nelspruit Kaapmuiden	S09-3	Hire, Earth Moving; 30T Excavator	1	72	36	48	0	0					
S09	Nelspruit Kaapmuiden	S09-4	Hire, Walk Behind Roller	1	72	36	48	1	1					
Subtotal – S09 (Excl. VAT):														

Respondent's Signature

Date & Company Stamp

AREA 1 -NELSPRUIT - STANDARD WET HIRE ITEMS

Section Code	Section / Area	Item No	Plant / Service Description	Qty / Units	Est. Wet Hours	Est. Standby Hours	Est. Overtime Hours	Est. Establish Events	Est. De-Establish Events	Bid Wet Rate / Hr	Bid Standby Rate / Hr	Bid Overtime Rate / Hr	Establishment/ De-establishment Rate / Event	Line Total (Excl. VAT)
S10	Nelspruit Hazyview	S10-1	Hire, Truck; Tipper 10m3	2	144	72	96	2	2					
S10	Nelspruit Hazyview	S10-2	Hire, Earth Moving; 4x4 TLB	1	72	36	48	1	1					
S10	Nelspruit Hazyview	S10-3	Hire, Earth Moving; 30T Excavator	1	72	36	48	0	0					
S10	Nelspruit Hazyview	S10-4	Hire, Walk Behind Roller	1	72	36	48	1	1					
Subtotal - S10 (Excl. VAT):														
S11	Nelspruit Matshaye	S11-1	Hire, Truck; Tipper 10m3	2	144	72	96	2	2					
S11	Nelspruit Matshaye	S11-2	Hire, Earth Moving; 4x4 TLB	1	72	36	48	1	1					
S11	Nelspruit Matshaye	S11-3	Hire, Earth Moving; 30T Excavator	1	72	36	48	0	0					
S11	Nelspruit Matshaye	S11-4	Hire, Walk Behind Roller	1	72	36	48	1	1					
Subtotal - S11 (Excl. VAT):														
S12	Nelspruit Mkhuhlu	S12-1	Hire, Truck; Tipper 10m3	2	144	72	96	2	2					
S12	Nelspruit Mkhuhlu	S12-2	Hire, Earth Moving; 4x4 TLB	1	72	36	48	1	1					
S12	Nelspruit Mkhuhlu	S12-3	Hire, Earth Moving; 30T Excavator	1	72	36	48	0	0					
S12	Nelspruit Mkhuhlu	S12-4	Hire, Walk Behind Roller	1	72	36	48	1	1					
Subtotal - S12 (Excl. VAT):														
S13	Nelspruit Mbumba	S13-1	Hire, Truck; Tipper 10m3	2	144	72	96	2	2					
S13	Nelspruit Mbumba	S13-2	Hire, Earth Moving; 4x4 TLB	1	72	36	48	1	1					
S13	Nelspruit Mbumba	S13-3	Hire, Earth Moving; 30T Excavator	1	72	36	48	0	0					
S13	Nelspruit Mbumba	S13-4	Hire, Walk Behind Roller	1	72	36	48	1	1					
Subtotal - S13 (Excl. VAT):														
S14	Nelspruit Cottondale	S14-1	Hire, Truck; Tipper 10m3	2	144	72	96	2	2					
S14	Nelspruit Cottondale	S14-2	Hire, Earth Moving; 4x4 TLB	1	72	36	48	1	1					
S14	Nelspruit Cottondale	S14-3	Hire, Earth Moving; 30T Excavator	1	72	36	48	0	0					
S14	Nelspruit Cottondale	S14-4	Hire, Walk Behind Roller	1	72	36	48	1	1					
Subtotal - S14 (Excl. VAT):														
S15	Nelspruit Acornhhoek	S15-1	Hire, Truck; Tipper 10m3	2	144	72	96	2	2					
S15	Nelspruit Acornhhoek	S15-2	Hire, Earth Moving; 4x4 TLB	1	72	36	48	1	1					
S15	Nelspruit Acornhhoek	S15-3	Hire, Earth Moving; 30T Excavator	1	72	36	48	1	1					
S15	Nelspruit Acornhhoek	S15-4	Hire, Walk Behind Roller	1	72	36	48	1	1					
Subtotal - S15 (Excl. VAT):														

AREA 1 -NELSPRUIT - STANDARD WET HIRE ITEMS

Section Code	Section / Area	Item No	Plant / Service Description	Qty / Units	Est. Wet Hours	Est. Standby Hours	Est. Overtime Hours	Est. Establish Events	Est. De-Establish Events	Bid Wet Rate / Hr	Bid Standby Rate / Hr	Bid Overtime Rate / Hr	Establishment/ De-establishment Rate / Event	Line Total (Excl. VAT)
S16	Nelspruit Hoedspruit - Olifants	S16-1	Hire, Truck; Tipper 10m3	1	72	30	48	1	1					
S16	Nelspruit Hoedspruit - Olifants	S16-2	Hire, Earth Moving; 4x4 TLB	1	72	30	48	1	1					
S16	Nelspruit Hoedspruit - Olifants	S16-3	Hire, Earth Moving; 30T Excavator	1	72	30	48	1	1					
S16	Nelspruit Hoedspruit - Olifants	S16-4	Hire, Walk Behind Roller	1	72	30	48	1	1					
Subtotal - S16 (Excl. VAT)														
S17	Line 30 - Shutdown Plant - Drainage rehabilitation at Elandshoek km 70/14	S17-1	TLB (4X4)	2	384	0	192	2	2					
S17	Line 30 - Shutdown Plant - Drainage rehabilitation at Elandshoek km 70/14	S17-2	Tipper Truck (10m ³)	4	768	0	192	4	4					
S17	Line 30 - Shutdown Plant - Drainage rehabilitation at Elandshoek km 70/14	S17-3	Excavator (30T) with Bucket and Rock Pecker	1	192	0	48	1	1					
S17	Line 30 - Shutdown Plant - Drainage rehabilitation at Elandshoek km 70/14	S17-4	Water Tank (10 000L)	1	80	0	40	1	1					
S17	Line 30 - Shutdown Plant - Drainage rehabilitation at Elandshoek km 70/14	S17-5	Front End Loader	1	80	0	40	1	1					
Subtotal - S17 (Excl. VAT):														
S18	Line 65 - Shutdown Plant - Culvert rehabilitation km 52	S18-1	TLB (4X4)	2	384	0	192	2	2					
S18	Line 65 - Shutdown Plant - Culvert rehabilitation km 52	S18-2	Tipper Truck (10m ³)	4	768	0	192	4	4					
S18	Line 65 - Shutdown Plant - Culvert rehabilitation km 52	S18-3	Excavator (30T) with Bucket and Rock Pecker	1	192	0	48	1	1					
S18	Line 65 - Shutdown Plant - Culvert rehabilitation km 52	S18-4	Water Tank (10 000L)	1	80	0	40	1	1					
S18	Line 65 - Shutdown Plant - Culvert rehabilitation km 52	S18-5	Front End Loader	1	80	0	40	1	1					
Subtotal - S18 (Excl. VAT):														
S19	Line 30, 34 & 35 plant for vegetation clearance	S19-1	TLB (4X4)	3	90	0	30	1	1					
S19	Line 30, 34 & 35 plant for vegetation clearance	S19-2	Tipper Truck (10m ³)	3	90	0	30	1	1					
S19	Line 30, 34 & 35 plant for vegetation clearance	S19-3	Hire, Earth Moving; 30T Excavator	3	90	0	30	1	1					
Subtotal - S19 (Excl. VAT):														

Summary of Pricing: Area 1 - Nelspruit

SUB-TOTAL Excluding VAT [<i>Sum of S01 to S19</i>]:	
VAT @15%:	
OVERALL TOTAL Including VAT:	

Respondent's Signature_____
Date & Company Stamp

AREA 2 - WITBANK STANDARD WET HIRE ITEMS

Section Code	Section / Area	Item No	Plant / Service Description	Qty	Normal. Wet Hours	Est. Standby Hours	Est. Overtime Hours	Establishment	De-Establishment	Normal Hours/ Hr	Standby Rate / Hr	Overtime Rate / Hr	Establishment and De-Establishment each	Line Total
WIR01	Check rail & Ballast	W01-1	Truck Tipper 10m3	3	216	0	192	3	3					
WIR01	Check rail & Ballast	W01-2	TLB (4X4)	2	72	0	48	2	2					
WIR01	Check rail & Ballast	W01-3	Excavator (20T)	1	72	0	48	1	1					
WIR01	Check rail & Ballast	W01-4	Vibrating Roller 10T	1	72	0	48	1	1					
WIR01	Check rail & Ballast	W01-5	Water Tank 10 000L	1	72	0	48	1	1					
WIR01	Check rail & Ballast	W01-6	Grader 140	1	72	0	48	1	1					
WIR01	Check rail & Ballast	W01-7	Front End Loader	1	72	0	48	1	1					
Subtotal - W01													Subtotal - W01:	
WIR02	Witbank Lydenburg km 106	W02-1	Truck Tipper 10m3	4	288	0	192	4	4					
WIR02	Witbank Lydenburg km 106	W02-2	TLB (4X4)	1	72	0	48	1	1					
WIR02	Witbank Lydenburg km 106	W02-3	Excavator (20T)	1	72	0	48	1	1					
WIR02	Witbank Lydenburg km 106	W02-4	Vibrating Roller 10T	1	72	0	48	1	1					
WIR02	Witbank Lydenburg km 106	W02-5	Water Tank 10 000L	1	72	0	48	1	1					
WIR02	Witbank Lydenburg km 106	W02-6	Grader 140	1	72	0	48	1	1					
WIR02	Witbank Lydenburg km 106	W02-7	Front End Loader	1	72	0	48	1	1					
WIR02	Witbank Lydenburg km 106	W02-8	Dozer D4	1	72	0	48	1	1					
Subtotal - W02													Subtotal - W02:	
WIR03	Witbank - cable rerouting	W03 - 1	TLB (4X4)	1	250	0	0	1	1					
Subtotal - W03													Subtotal - W03:	

Grand Total (Excl. VAT) [Sum of W01 to W03] :	
VAT @15 % :	
Overall Total (Including VAT) :	

AREA 3 - POLOKWANE STANDARD WET HIRE ITEMS														
Section Code	Section / Area	Item No	Plant / Service Description	Qty	Normal. Wet Hours	Est. Standby Hours	Est. Overtime Hours	Establishment	De-Establishment	Normal Hours/ Hr	Standby Rate / Hr	Overtime Rate / Hr	Establishment and De-Establishment each	Line Total
PLK01	Groenbuilt to Makhado	P01-1	TLB (4X4)	1	150	0	0	1	1					
PLK01	Groenbuilt to Makhado	P01-2	Grader (140T)	1	150	0	0	1	1					
PLK01	Makhado to Beit Bridge	P01-3	TLB (4X4)	1	170	0	0	2	2					
PLK01	Makhado to Beit Bridge	P01-4	Grader (140T)	1	170	0	0	2	2					
Subtotal - P01:														
PLK02	Groenbuilt to Haakdoring	P02-1	TLB (4X4)	1	160	0	0	1	1					
PLK02	Groenbuilt to Haakdoring	P02-2	Grader (140T)	1	160	0	0	1	1					
Subtotal - P02:														
PLK03	Pienaarsrivier	P03-1	TLB (4X4)	1	160	0	0	1	1					
PLK03	Pienaarsrivier	P03-2	Grader (140T)	1	160	0	0	1	1					
PLK03	Haakdoring	P03-3	TLB (4X4)	1	160	0	0	1	1					
PLK03	Haakdoring	P03-4	Grader (140T)	1	160	0	0	1	1					
Subtotal - P03:														
PLK04	Letsitele and Hoedspruit	P04-1	TLB (4X4)	1	160	0	0	1	1					
PLK04	Letsitele and Hoedspruit	P04-2	Grader (140T)	1	160	0	0	1	1					
PLK04	Groenbuilt and Letsitele	P04-3	TLB (4X4)	1	320	0	0	1	1					
PLK04	Groenbuilt and Letsitele	P04-4	Grader (140T)	1	320	0	0	1	1					
PLK04	Groenbuilt and Letsitele	P04-5	D4 Dozzer	1	360	0	0	4	4					
PLK04	Groenbuilt and Letsitele working with Dozer	P04-6	TLB (4X4)	1	150	0	0	2	2					
Subtotal - P04:														
PLK05	Groenbuilt to Tzaneen Cutting	P05-1	TLB (4X4)	2	240	0	0	2	2					
PLK05	Groenbuilt to Tzaneen Cutting	P05-2	Hire, Truck; Tipper 10m3	3	360	0	0	3	3					
Subtotal - P05:														

Grand Total (Excl. VAT) [Sum of P01 to P05] :	
VAT @15 % :	
Overall Total (Including VAT) :	

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

Notes to Pricing:

- a) Respondents are to note that if the price offered by the highest scoring bidder is not market-related, Transnet may not award the contract to that Respondent. Transnet may-
- (i) negotiate a market-related price with the Respondent scoring the highest points or cancel the RFP;
 - (ii) if that Respondent does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the second highest points or cancel the RFP;
 - (iii) if the Respondent scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the third highest points or cancel the RFP.

If a market-related price is not agreed with the Respondent scoring the third highest points, Transnet must cancel the RFP.

- b) Prices must be quoted in South African Rand inclusive of VAT where applicable.

c) **Pricing Requirement and Split Award Clarification**

Respondents may elect to submit bids for **one or both Areas (Area 1 and/or Area 2)**.

However, where a Respondent elects to bid for a specific Area, the following shall apply:

- The Respondent **must submit pricing for all line items** contained within the Price Schedule for that selected Area.
- Partial pricing, omission of line items, or zero-rated line items will not be permitted and will be deemed non-responsive.

Failure to fully complete and price all line items within the selected Area will result in disqualification of the bid for that Area.

For clarity:

- Evaluation and award will be conducted per Area, not per individual line item.
 - Transnet reserves the right to award each Area independently to the highest ranked responsive bidder for that Area.
 - Bidders are not required to bid for both Areas but must fully price any Area they choose to bid for.
- d) To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this pricing schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being declared non-responsive.
- e) Rates proposed must be market-related and reflective of prevailing industry rates for wet hire of yellow plant, inclusive of all associated costs such as operator, fuel, maintenance, insurance, mobilisation, and overheads.
- f) Transnet reserves the right to benchmark proposed rates against historical contracts, market-related pricing, and industry norms. Rates deemed excessive or unbalanced may result in further clarification, negotiation, or disqualification.
- g) Quantities given are estimates only. Any orders resulting from this RFP will be on an "as and when required" basis.
- h) Prices must be quoted in South African Rand inclusive of VAT.

- i) are to be quoted on a delivered basis to Witbank or Nelspruit depots.
- j) Please note that should you have offered a discounted price(s), Transnet will only consider such price discount(s) in the final evaluation stage if offered on an unconditional basis.
- k) Where a Respondent's price(s) includes imported goods/items, the rate of exchange to be used must be in South African Rands for purposes of determining whether the price is market related or not and must be the currency's rate published by the South African Reserve Bank on the date of the advertisement of the bid:
Currency rate of exchange utilised: _____
- l) Respondents, if awarded the contract, are required to indicate that their prices quoted would be kept firm and fixed for the contract duration. [Not to be confused with bid validity period Section 2, clause 1]

YES	
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1. DISCLOSURE OF CONTRACT INFORMATION

PRICES TENDERED

Respondents are to note that, on award of business, Transnet is required to publish the outcome of the RFQ and information of the successful Respondents *inter alia* on the National Treasury e-Tender Publication Portal, (www.etenders.gov.za), as required per National Treasury Instruction Note 09 of 2022/2023.

JOHANNESBURG STOCK EXCHANGE DEBT LISTING REQUIREMENTS

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

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

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

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

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

The below form contains personal information as defined in the Protection of Personal Information Act, 2013 (the "Act"). By completing the form, the signatory consents to the processing of her/his personal information in accordance with the requirements of the Act. Consent cannot unreasonably be withheld.

Is the Respondent
(Complete with a "Yes" or "No")

A DPIIP/FPPO		Closely Related to a DPIIP/FPPO		Closely Associated to a DPIIP/FPPO		
List all known business interests, in which a DPIIP/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						
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. PRICE REVIEW

The successful Respondent(s) [the Service provider] will be obliged to submit to an annual price review. Transnet will be benchmarking this price offering(s) against the lowest price received as per a benchmarking exercise. If the Service provider’s price(s) is/are found to be higher than the benchmarked price(s), then the Service provider shall match or better such price(s) within 30 [thirty] calendar days, failing which the contract may be terminated at Transnet’s discretion or the particular item(s) or service(s) purchased outside the contract.

3. “AS AND WHEN REQUIRED” CONTRACTS

- 3.1 Purchase orders will be placed on the Service provider(s) from time to time as and when Services are required.
- 3.2 Transnet reserves the right to place purchase orders until the last day of the contract for deliveries to be effected, within the delivery period / lead time specified, beyond the expiry date of the contract under the same terms and conditions as agreed upon.
- 3.3 Delivery requirements may be stipulated in purchase orders and scheduled deliveries may be called for. However, delivery periods and maximum monthly rates of delivery offered by the Respondents will be used as guidelines in establishing lead times and monthly delivery requirements with the Supplier.
- 3.4 Where scheduled deliveries are required, the delivery period(s) specified must be strictly complied with, unless otherwise requested by Transnet. Material supplied earlier than specified may not be paid for or may be returned by Transnet, with the Supplier being held liable for all expenses so incurred, e.g. handling and transport charges.
- 3.5 If the delivery period offered by the Respondents is subject to a maximum monthly production capacity, full particulars must be indicated in Section 4 [Pricing and Delivery Schedule]
- 3.6 The Respondent must state hereunder its annual holiday closedown period [if applicable] and whether this period has been included in the delivery lead time offered:

3.7 Respondents are required to indicate below the action that the Respondent proposes to take to ensure continuity of supply during non-working days or holidays.

4. NATIONAL RAILWAY SAFETY REGULATOR ACT

In compliance with the National Railway Safety Regulator Act, 16 of 2002, the successful Respondent [**the Supplier**] shall ensure that the Goods to be supplied to Transnet, under the terms and conditions of a contract between the parties, comply fully with the specifications as set out in Annexure C [*Specifications and Drawings*] of this RFP, and shall also adhere to railway safety requirements and/or regulations [as applicable]. Permission for the engagement of a subcontractor by the Supplier, as applicable, both initially and during the course of a contract, shall be subject to a review of the capability of the proposed subcontractor to comply with the specified railway safety requirements and/or regulations. The Supplier and/or its subcontractor shall grant Transnet access, during the term of the contract, to review any safety-related activities, including the coordination of such activities across all parts of the organisation.

Accepted:

YES	
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NO	
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5. SERVICE LEVELS

- 5.1 An experienced national account representative(s) is required to work with Transnet’s procurement department. [No sales representatives are needed for individual department or locations].
Additionally, there shall be a minimal number of people, fully informed and accountable for this agreement.
- 5.2 Transnet will have monthly reviews with the Service provider’s account representative on an on-going basis.
- 5.3 Transnet reserves the right to request that any member of the Service provider’s team involved on the Transnet account be replaced if deemed not to be adding value for Transnet.
- 5.4 The Service provider guarantees that it will achieve a 95% [ninety-five per cent] service level on the following measures:
 - a) Random checks on compliance with quality/quantity/specifications
 - b) On-time delivery

If the Service provider does not achieve this level as an average over each quarter, Transnet will receive a 1.5% [one and a half per cent] rebate on quarterly sales payable in the next quarter
- 5.5 The Service provider must provide a telephone number for customer service calls.
- 5.6 Failure of the Service provider to comply with stated service level requirements will give Transnet the right to cancel the contract in whole, without penalty to Transnet, giving 30 [thirty] calendar days’ notice to the Service provider of its intention to do so.

Acceptance of Service Levels:

YES	
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NO	
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6. TOTAL COST OF OWNERSHIP AND CONTINUOUS IMPROVEMENT INITIATIVES

6.1 Respondents shall indicate whether they would be committed, for the duration of any contract which may be awarded through this RFP process, to participate with Transnet in its continuous improvement initiatives to reduce the total cost of ownership [TCO], which will reduce the overall cost of transportation Goods/Services and related logistics provided by Transnet’s operating divisions within South Africa to the ultimate benefit of all end-users.

Accepted:

YES	
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NO	
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If “yes”, please specify details in paragraph 6.2 below.

6.2 Respondents must briefly describe their commitment to TCO and continuous improvement initiatives and give examples of specific areas and strategies where cost reduction initiatives can be introduced. Specific areas and proposed potential savings percentages should be included. Additional information can be appended to the Respondent’s Proposal if there is insufficient space available below.

7. 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:

7.1 Quality and specification of Goods/Services delivered:

7.2 Continuity of supply:

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

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

SIGNED at _____ on this ____ day of _____ 20__

Respondent’s Signature

Date & Company Stamp

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

 Respondent's Signature

 Date & Company Stamp

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

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

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

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

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

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

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

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

ADDRESS FOR NOTICES

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

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

Name of Entity:

Facsimile: _____

Address: _____

NOTIFICATION OF AWARD OF RFP

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

VALIDITY PERIOD 07 October 2026

Transnet requires a validity period of 90 Business Days [from closing date] against this RFP, excluding the first day and including the last day.

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

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

(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)

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>will</u> result in Transnet affording Respondents a further opportunity to submit by a set deadline. Should a Respondent thereafter fail to submit the requested documents, this may result in a Respondent's disqualification.</i>

 Respondent's Signature

 Date & Company Stamp

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]
SECTION 4 : Pricing and Delivery Schedule – All line items must be fully priced for each Area selected by the Respondent. Failure to fully complete pricing for any selected Area may result in the bid being declared non-responsive for that Area.	

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:

RETURNABLE DOCUMENTS USED FOR SCORING	SUBMITTED [Yes or No]
i) Valid proof of compliance with Specific Goals requirements as stipulated in Section 8 of this RFP (Valid B-BBEE Certificate / Sworn Affidavit / CIPC Certificate, as applicable and in accordance with DTIC Guidelines)	
ii) Certified copies of Identity Documents of Owners / Directors / Members, together with applicable B-BBEE supporting documentation	
iii) Annexure B: Technical Submission / Questionnaire duly completed and signed, including all supporting documentation required for functionality / technical evaluation purposes	
iv) Signed contactable reference letters and/or completion certificates for similar wet hire earthmoving / yellow plant projects in support of Operational Experience evaluation	
v) Proof of equipment ownership and/or access, including certificates of registration, invoices, proof of purchase, lease agreements, Memorandum of Understanding (MOU), or letters of intent for equipment quoted per Area	
vi) Equipment Condition Declaration together with maintenance / serviceability records for equipment quoted	
vii) Completed Lead Time / Mobilisation Declaration Template indicating delivery lead times per Area and equipment type	

c) Essential Returnable Documents:

, Respondents are further required to submit the following **Essential Returnable Documents** with their RFP and to confirm submission of these documents by so indicating [Yes or No] in the table below:

CONTINUED VALIDITY OF RETURNABLE DOCUMENTS

ESSENTIAL RETURNABLE DOCUMENTS & SCHEDULES	SUBMITTED [Yes or No]
Section 1: SBD1 Form	
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 : SPECIFIC GOALS POINTS CLAIM FORM (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 Agreement0	
SECTION 1 - Part A and B : CSD Registration report	
SECTION 1 - Part A and B : Tax Clearance Certificate or electronic access PIN obtained from SARS's New Tax Compliance Status (TCS) system.	

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

SIGNED at _____ on this ____ day of _____ 20__

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____

Name _____

2 _____

Name _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

SECTION 6: RFQ DECLARATION CERTIFICATE OF ACQUAINTANCE & BREACH OF LAW FORM WITH RFP

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	Master Agreement and SLA attached
3	Transnet’s Supplier Integrity Pact
4	Non-disclosure Agreement
5	Specifications and drawings attached to this RFP

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

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

Respondent’s Signature

Date & Company Stamp

SECTION 7: RFP DECLARATION AND BREACH OF LAW FORM

We hereby certify that:

1. Transnet has supplied and we have received appropriate responses to any/all questions [as applicable] which were submitted by ourselves for RFP Clarification purposes;
2. We have received all information we deemed necessary for the completion of this Request for Proposal [RFP];
3. We have been provided with sufficient access to the existing Transnet facilities/sites and any and all relevant information relevant to the Goods/Services as well as Transnet information and Employees, and have had sufficient time in which to conduct and perform a thorough due diligence of Transnet’s operations and business requirements and assets used by Transnet. Transnet will therefore not consider or permit any pre- or post-contract verification or any related adjustment to pricing, service levels or any other provisions/conditions based on any incorrect assumptions made by the Respondent in arriving at his Bid Price.
4. At no stage have we received additional information relating to the subject matter of this RFP from Transnet sources, other than information formally received from the designated Transnet contact(s) as nominated in the RFP documents;
5. We are satisfied, insofar as our entity is concerned, that the processes and procedures adopted by Transnet in issuing this RFP and the requirements requested from Bidders in responding to this RFP have been conducted in a fair and transparent manner;
6. We have complied with all obligations of the Bidder/Supplier as indicated in the Transnet Supplier Integrity which includes but are not limited to ensuring that we take all measures necessary to prevent corrupt practices, unfairness and illegal activities in order to secure or in furtherance to secure a contract with Transnet;
7. we declare that 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
8. If such a relationship as indicated in paragraph 7, exists, the Respondent is to complete the following section:

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

ADDRESS:

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]

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

BIDDER’S DISCLOSURE (SBD4)

12 PURPOSE OF THE FORM

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

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

13 Bidder’s declaration

13.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling 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.

14.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

14.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the

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.

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

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

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

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

BREACH OF LAW

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

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

NATURE OF BREACH:

DATE OF BREACH: _____

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

SIGNED at _____ on this ____ day of _____ 20__

For and on behalf of _____ duly authorised hereto	AS WITNESS:
Name:	Name:
Position:	Position:
Signature:	Signature:

SECTION 8 : SPECIFIC GOALS POINTS CLAIM FORM

This preference form must form part of all bids invited. It contains general information and serves as a claim for preference points for specific goals Contribution. Transnet will award preference points to companies who provide valid proof of evidence of as per the table below.

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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

1.3 Preference points for this bid shall be awarded for:

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

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTION B-BBEE Status Level of Contributor (1 or 2) [10] Entities that are EME and QSE 51% Black Owned [10]	20
Total points for Price and Specific Goals must not exceed	100

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

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE**3.1 THE 80/20 PREFERENCE POINT SYSTEMS**

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

80/20

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

Where

- P_s = Points scored for comparative price of bid under consideration
- P_t = Comparative price of bid under consideration
- P_{\min} = Comparative price of lowest acceptable bid

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

Selected Specific Goal	Number of points allocated (20)
B-BBEE Level of contributor (1 or 2)	10
EME and QSE 51% Black Owned	10
Non-Compliant and/or B-BBEE Level 3-8 contributors	0

4. EVIDENCE REQUIRED FOR CLAIMING SPECIFIC GOALS

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

Specific Goals	Acceptable Evidence
B-BBEE	B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline
Entities that are 51 % Black Owned	CI B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline

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 .]
EME³	Sworn Affidavit signed by the authorised EME representative and attested by a Commissioner of Oaths confirming annual turnover and black ownership Certificate issued by CIPC (formerly CIPRO) confirming annual turnover and black ownership Certificate issued by SANAS accredited verification agency only if the EME is being measured on the QSE scorecard

4.3 A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level verification certificate for every separate bid.

4.4 Tertiary Institutions and Public Entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

4.5 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that

does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

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

6.1 B-BBEE Status Level of Contribution: . =(maximum of 10 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	
-----	--	----	--

7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One person business/sole propriety
 - Close corporation
 - Company
 - (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional Service provider
- Other Service 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 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If a bidder submitted false information regarding its B-BBEE status level of contributor or any other matter required in terms of the Preferential Procurement Regulations, 2022 which will affect or has affected the evaluation of a bid the purchaser may, in addition to any other remedy it may have
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) if the successful bidder subcontracted a portion of the bid to another person without disclosing it, Transnet reserves the right to penalise the bidder up to 10 percent of the value of the contract;
 - (e) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (f) forward the matter for criminal prosecution.

WITNESSES	
1.
2.

.....
SIGNATURE(S) OF BIDDERS(S)
DATE:
ADDRESS.....

SECTION 9: PROTECTION OF PERSONAL INFORMATION

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

consent; data subject; electronic communication; information officer; operator; person; personal information; processing; record; Regulator; responsible party; special information; as well as any terms derived from these terms.
2. Transnet will process all information by the Respondent in terms of the requirements contemplated in Section 4(1) of the POPIA:

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

Respondent's Signature

Date & Company Stamp

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://www.justice.gov.za/infoereg/>, click on contact us, click on complaints.IR@justice.gov.za

ANNEXURE B: TECHNICAL SUBMISSION CHECKLIST

This Annexure will be used for evaluation under Step Three -Technical/Functionality Criteria

1. Operational experience (20 Points)**Objective**

To assess the bidder's proven experience and demonstrated capability in the provision of wet hire earthmoving / yellow plant equipment for projects of a similar nature and scale

Mandatory Submission Requirements

Bidders must fully complete and submit the prescribed Operational Experience Declaration Template contained in this Annexure and attach all supporting documentation required for evaluation purposes. Bidders must submit a minimum of three (3) reference letters and/or completion certificates for similar projects involving wet hire earthmoving / yellow plant equipment.

Acceptable Evidence (All submitted evidence must comply):

Each reference letter and/or completion certificate must:

- Be on **official company letterhead** of the recommending entity.
- Be **signed** by an authorised representative
- Clearly indicate:
 - Contact person (name and designation)
 - Contact details (telephone and email)
 - Project description and scope of work (must clearly indicate wet hire plant equipment provision)
 - Contract period (start and end date)
 - Project location
 - Value of work executed
- Clearly demonstrate provision of wet hire earthmoving / yellow plant equipment services;
- Be dated and not older than five (5) years from the RFP closing date.

Non-Acceptable Evidence ((Will not be considered for scoring purposes):

The following documents will not be accepted as qualifying proof of experience:

- Purchase Orders only;
- Invoices only;
- Unsigned reference letters;
- Generic testimonials with no project scope;

Respondent's Signature

Date & Company Stamp

- References unrelated to wet hire plant services;
- Self-issued references.

Important Evaluation Rules

- Evaluation will be conducted per Area quoted.
- Supporting documentation must correspond with the declared projects in the template below.
- Transnet reserves the right to verify all submitted references.

Respondents to complete the below table and attached supporting documents to support proof of experience mentioned above:

OPERATIONAL EXPERIENCE DECLARATION TEMPLATE

Ref No.	Name of Client / Company	Project Description / Scope of Work	Project Location	Contract Period (Start & End Date)	Value of Work Executed (ZAR)	Types of Equipment Utilised	Contact Person	Contact Number	Email Address	Reference Letter / Completion Certificate Attached (Yes/No)
1										
2										
3										
4										
5										

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Date & Company Stamp

The scoring of the Operational experience requirements will be as follows:

Points Available	Scoring criteria
20	Bidder submitted qualifying proof of experience for three (3) or more completed projects involving provision of wet hire earthmoving / yellow plant equipment for projects of a similar or larger scope and complexity.
10	Bidder submitted qualifying proof of experience for less than three (3) completed projects involving provision of wet hire earthmoving / yellow plant equipment for projects of a similar nature.
0	Bidder failed to submit qualifying proof of experience and/or submitted incomplete, non-compliant, unsigned, unverifiable, or irrelevant supporting documentation

Respondent's Signature_____
Date & Company Stamp

2 EQUIPMENT AVAILABILITY & CAPACITY (40 POINTS)**Objective**

To verify that the bidder has sufficient, accessible, and deployable earthmoving / yellow plant equipment capacity available to execute the required works across the Areas quoted for under this RFP.

Mandatory Submission Requirement

Bidders must fully complete and submit the prescribed Equipment Availability & Capacity Declaration Template contained in this Annexure and attach all supporting documentation required for evaluation purposes.

Bidders must demonstrate availability of the equipment required per pricing schedule and per Area quoted.

Acceptable Supporting Evidence

For each equipment type quoted, bidders must submit at least one (1) of the following:

- Certificate of Registration; OR
- Invoice / Proof of Purchase; OR
- Valid Lease Agreement; OR
- Letter of Intent (LOI); OR
- Memorandum of Understanding (MOU).

Minimum Compliance Requirements

All supporting documentation submitted must:

- Clearly indicate the:
 - Equipment type;
 - Model;
 - Serial number and/or registration number;
- Be in the bidder's name; OR
- Where equipment is leased/subcontracted:
 - Be supported by a valid Lease Agreement, LOI, or MOU;
 - Be signed by both parties;
 - Clearly indicate equipment type, model, and serial/registration number;
 - Confirm equipment availability for the contract duration;
 - Include the lessor/owner contact details;
 - Be supported by proof of ownership from the lessor/owner.
- Where equipment does not require registration, bidders must submit:
 - Invoice;
 - Asset register extract;
 - Proof of purchase; OR
 - OEM documentation clearly identifying the equipment.

Important Evaluation Rules

- Evaluation will be conducted per Area quoted:
 - Witbank
 - Nelspruit
 - Polokwane
- Equipment availability will be evaluated against the total equipment requirements reflected in the pricing schedule for the Area quoted.
- Supporting documents submitted for one Area may NOT be reused for another Area.
- Bidders must clearly allocate equipment to the specific Area quoted for.
- All supporting documents must be clearly marked with:
 - Area Number; and
 - Equipment Reference.
- Equipment submitted for one Area will only be evaluated for that specific Area.

- Incomplete, illegible, expired, unverifiable, or non-compliant supporting documentation will not be considered for scoring purposes.
- Failure to fully complete the prescribed declaration template may result in a score of zero for this criterion.

EQUIPMENT AVAILABILITY & CAPACITY DECLARATION TEMPLATE

AREA 1 – NELSPRUIT

Bidder Declaration – Area 1 (Nelspruit)

Declaration	Bidder Response (Tick Applicable Box)
Bidder confirms that all equipment declared below is available for this RFP and can be deployed when required	<input type="checkbox"/> YES <input type="checkbox"/> NO
Bidder confirms that supporting documents attached correspond with the equipment declared below	<input type="checkbox"/> YES <input type="checkbox"/> NO
Bidder confirms that no supporting documents submitted for this Area have been reused for another Area	<input type="checkbox"/> YES <input type="checkbox"/> NO

Ref No.	Equipment Type	Minimum Quantity Required	Quantity Available for this RFP	Ownership Status (Owned / Leased / Subcontracted)	Supporting Document Submitted (Yes/No)	Supporting Document Type (Registration / Invoice / Lease / LOI / MOU)	Equipment Registration / Serial Number	Area Marked on Supporting Document (Yes/No)
1	Hire, Truck; Tipper 10m ³	4						
2	Hire, Earth Moving; 4x4 TLB	3						
3	Hire, Earth Moving; 30T Excavator	3						
4	Hire, Roller; Vibrating 10T	1						
5	Hire, Truck, Tanker; Water 15 000L	1						
6	Hire, Machine; Grader 140	1						
7	Hire, Loader; 950 Front End Loader	2						

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8	Hire, Bulldozer, Earth Moving; D4 Dozer	1						
9	Hire, Bulldozer, Earth Moving; 20T Excavator	1						
10	Hire, Truck, Tanker; Water 10 000L	2						
11	Hire, Walk Behind Roller	7						
12	Excavator (30T) with Bucket and Rock Pecker	2						

AREA 2 – WITBANK

Bidder Declaration – Area 2 (Witbank)

Declaration	Bidder Response (Tick Applicable Box)
Bidder confirms that all equipment declared below is available for this RFP and can be deployed when required	<input type="checkbox"/> YES <input type="checkbox"/> NO
Bidder confirms that supporting documents attached correspond with the equipment declared below	<input type="checkbox"/> YES <input type="checkbox"/> NO
Bidder confirms that no supporting documents submitted for this Area have been reused for another Area	<input type="checkbox"/> YES <input type="checkbox"/> NO

Ref No.	Equipment Type	Minimum Quantity Required	Quantity Available for this RFP	Ownership Status (Owned / Leased / Subcontracted)	Supporting Document Submitted (Yes/No)	Supporting Document Type (Registration / Invoice / Lease / LOI / MOU)	Equipment Registration / Serial Number	Area Marked on Supporting Document (Yes/No)
1	Truck Tipper 10m ³	4						
2	TLB (4X4)	2						
3	Excavator (20T)	2						

Respondent's Signature

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4	Vibrating Roller 10T	2						
5	Water Tank 10 000L	2						
6	Grader 140	2						
7	Front End Loader	2						
8	D4 Dozer	1						

AREA 3 – POLOKWANE

Bidder Declaration – Area 3 (Polokwane)

Declaration	Bidder Response (Tick Applicable Box)
Bidder confirms that all equipment declared below is available for this RFP and can be deployed when required	<input type="checkbox"/> YES <input type="checkbox"/> NO
Bidder confirms that supporting documents attached correspond with the equipment declared below	<input type="checkbox"/> YES <input type="checkbox"/> NO
Bidder confirms that no supporting documents submitted for this Area have been reused for another Area	<input type="checkbox"/> YES <input type="checkbox"/> NO

Ref No.	Equipment Type	Minimum Quantity Required	Quantity Available for this RFP	Ownership Status (Owned / Leased / Subcontracted)	Supporting Document Submitted (Yes/No)	Supporting Document Type (Registration / Invoice / Lease / LOI / MOU)	Equipment Registration / Serial Number	Area Marked on Supporting Document (Yes/No)
1	TLB (4X4)	6						
2	Grader (140)	5						
3	D4 Dozer	1						
4	Hire, Truck; Tipper 10m ³	3						

Respondent's Signature_____
Date & Company Stamp

Points Available	Scoring Criteria
40 Points	100% of required equipment is available and supported by compliant documentation for proof of ownership, and/or invoice / proof of purchase, and/or; valid lease agreement / letter of intent / MOU.
25 Points	≥90% but <100% of required equipment is available and supported by compliant documentation for proof of ownership, and/or invoice / proof of purchase, and/or; valid lease agreement / letter of intent / MOU
10 Points	≥ 70% but < 90% of required equipment is available and supported by compliant documentation for proof of ownership, and/or invoice / proof of purchase, and/or; valid lease agreement / letter of intent / MOU
0 Points	< 70% compliant availability with Insufficient amount of equipment per area are available, and/or Bidder has submitted no information, and/or incomplete/ inadequate information to determine a score

All supporting documents must be marked with the relevant area to indicate support to that specific area, and the same supporting documents cannot be used for more than one area.

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2. LEAD TIME / MOBILISATION DECLARATION TEMPLATE (20%)**IMPORTANT INSTRUCTIONS TO BIDDERS**

- This template forms part of Annexure B: Technical Submission / Questionnaire and must be fully completed for each Area quoted.
- Bidders must declare their mobilisation capability against the full consolidated equipment quantities required per Area.
- Quantities declared below must align with:
 - the Pricing Schedule;
 - equipment ownership / lease documentation;
 - equipment availability submissions.
- Equipment committed for one Area may not be simultaneously committed for another Area for evaluation purposes.
- Failure to fully complete this template for all equipment quantities applicable to the Area quoted will result in a score of zero for this criterion.
- Percentages declared must be mathematically consistent with quantities provided.

Area 1 - Nelspruit Depot

Equipment Type	Total Quantity Required for Area	Quantity Deliverable Within 2 Calendar Days	% Deliverable Within 2 Calendar Days	Balance Quantity Deliverable After 2 Days	Delivery Time for Balance Quantity (Calendar Days)
TLB (4X4) / Hire, Earth Moving; 4x4 TLB	29				
Tipper Truck (10m ³) / Hire, Truck; Tipper 10m ³	33				
Front End Loader	4				
Excavator (30T) / Hire, Earth Moving; 30T Excavator	11				
Excavator (30T) with Bucket and Rock Pecker	2				
Walk Behind Roller	8				
Water Tanker (10 000L)	2				

Bidder Declaration – Area 1 (Nelspruit)

Declaration	Bidder Confirmation (Tick Applicable Box)
Total quantities declared above equal the full equipment requirement for this Area	<input type="checkbox"/> YES <input type="checkbox"/> NO
Equipment declared for this Area has not been committed to another Area for evaluation purposes	<input type="checkbox"/> YES <input type="checkbox"/> NO

Area 2 – Witbank Depot

Equipment Type	Total Quantity Required for Area	Quantity Deliverable Within 2 Calendar Days	% Deliverable Within 2 Calendar Days	Balance Quantity Deliverable After 2 Days	Delivery Time for Balance Quantity (Calendar Days)
Tipper Truck (10m ³)	7				

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TLB (4X4)	4				
Excavator (20T)	2				
Vibrating Roller (10T)	2				
Water Tanker (10 000L)	2				
Grader 140	2				
Front End Loader	2				
D4 Dozer	1				

Bidder Declaration – Area 2 (Witbank)

Declaration	Bidder Confirmation (Tick Applicable Box)
Total quantities declared above equal the full equipment requirement for this Area	<input type="checkbox"/> YES <input type="checkbox"/> NO
Equipment declared for this Area has not been committed to another Area for evaluation purposes	<input type="checkbox"/> YES <input type="checkbox"/> NO

Area 2 – Polokwane Depot

Equipment Type	Total Quantity Required for Area	Quantity Deliverable Within 2 Calendar Days	% Deliverable Within 2 Calendar Days	Balance Quantity Deliverable After 2 Days	Delivery Time for Balance Quantity (Calendar Days)
TLB (4X4)	10				
Grader 140	7				
D4 Dozer	1				
Tipper Truck (10m ³)	3				

Bidder Declaration – Area 3 (Polokwane)

Declaration	Bidder Confirmation (Tick Applicable Box)
Total quantities declared above equal the full equipment requirement for this Area	<input type="checkbox"/> YES <input type="checkbox"/> NO
Equipment declared for this Area has not been committed to another Area for evaluation purposes	<input type="checkbox"/> YES <input type="checkbox"/> NO

AUTHORISED BIDDER DECLARATION

I / We hereby confirm that the information provided in this Lead Time / Mobilisation Declaration Template is true, accurate, and aligned to the equipment availability and supporting documentation submitted as part of this RFP response.

Authorised Representative	Signature	Date

 Respondent's Signature

 Date & Company Stamp

The scoring of the Equipment lead time requirements will be as follows (per Price schedule/area):

Points Available	Scoring criteria
20 Points	100% of required equipment per Area can be mobilised and delivered within two (2) calendar days from date of instruction.
10 Points	At least 90% but less than 100% of required equipment per Area can be mobilised and delivered within two (2) calendar days, and the remaining balance equipment can be delivered after two (2) calendar days.
0 Points	<ul style="list-style-type: none">• Less than 90% of required equipment per Area can be mobilised within two (2) calendar days; OR• Lead time is not clearly indicated; OR• Mobilisation submission is incomplete; OR• Quantities declared do not align with the Pricing Schedule; OR• Bidder failed to submit the prescribed Lead Time / Mobilisation Declaration Template.

Respondent's Signature

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