



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]

PROVISIONING OF AN APPROVED LIST OF SERVICE PROVIDERS FOR THE SUPPLY, INSTALLATION, COMMISSIONING, SUPPORT AND DELIVERY OF NATIONAL RADIO NETWORK MODERNIZATION FOR A PERIOD OF THREE (3) YEARS ON AN "AS AND WHEN REQUIRED" BASIS.

RFP NUMBER	HOAC_VAR_52088
ISSUE DATE:	15 APRIL 2025
BRIEFING DATE:	25 APRIL 2025
CLARIFICATION DATE:	30 APRIL 2025
CLOSING DATE:	09 May 2025
CLOSING TIME:	12:00pm
BID VALIDITY PERIOD:	30 January 2026,180 Business Days from Closing Date

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

SCHEDULE OF BID DOCUMENTS

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Respondent's Signature

Date & Company Stamp

PROVISIONING OF AN APPROVED LIST OF SERVICE PROVIDERS FOR THE SUPPLY, INSTALLATION, COMMISSIONING, SUPPORT AND DELIVERY OF NATIONAL RADIO NETWORK MODERNIZATION FOR A PERIOD OF THREE (3) YEARS ON AN "AS AND WHEN REQUIRED" BASIS

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:	HOAC-VAR-52088	ISSUE DATE:	15 April 2025	CLOSING DATE:	09 May 2025	CLOSING TIME:	12:00pm
DESCRIPTION	PROVISIONING OF AN APPROVED LIST OF SERVICE PROVIDERS FOR THE SUPPLY, INSTALLATION, COMMISSIONING, SUPPORT AND DELIVERY OF NATIONAL RADIO NETWORK MODERNIZATION FOR A PERIOD OF THREE (3) YEARS ON AN "AS AND WHEN REQUIRED" BASIS						
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	Alex Baloyi						
TELEPHONE NUMBER	011 584 1425						
FACSIMILE NUMBER	N/A						
E-MAIL ADDRESS	Alex.baloyi@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:					

Respondent's Signature

Date & Company Stamp

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

1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<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)? YES NO
- DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO
- DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.

**PART B
TERMS AND CONDITIONS FOR BIDDING**

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

Respondent's Signature

Date & Company Stamp

SECTION 2: NOTICE TO BIDDERS**1 INVITATION TO BID**

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

DESCRIPTION	PROVISIONING OF AN APPROVED LIST OF SERVICE PROVIDERS FOR THE SUPPLY, INSTALLATION, COMMISSIONING, SUPPORT AND DELIVERY OF NATIONAL RADIO NETWORK MODERNIZATION FOR A PERIOD OF THREE (3) YEARS ON AN "AS AND WHEN REQUIRED" BASIS
TENDER ADVERT	All Transnet tenders are advertised on the National Treasury's e-Tender Publication Portal and the Transnet website. Should one of these media (i.e. National Treasury's e-Tender Publication Portal or Transnet website) not be available, bidders are advised to check on the other media for advertised tenders.
RFP DOWNLOADING	<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	<p>Yes– Compulsory</p> <p>Bidders are required to confirm their attendance and to send their contact details including the number of representatives (where applicable) to the following address: alex.baloyi@transnet.net</p> <p>This is to ensure that Transnet may make the necessary arrangements for the briefing session.</p> <p>Refer to paragraph 2 for details.</p>
CLOSING DATE	<p>09 May 2025 on Friday 2025</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>

	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.
VALIDITY PERIOD	<p>30 January 2026, 180 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>

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

2 FORMAL BRIEFING

A compulsory pre-proposal RFP briefing will be conducted at **138 Eloff Street, Braamfontein** on the **25 April 2025**, at 11:00 for a period of ± 1hours. [Respondents to provide own transportation and accommodation]. The briefing session will start punctually, and information will not be repeated for the benefit of Respondents arriving late.

- 2.1 *A Certificate of Attendance in the form set out in **Section 10** hereto must be completed and submitted with your Proposal as proof of attendance is required for a **compulsory** site meeting and/or RFP briefing.*
- 2.2 Respondents failing to attend the compulsory RFP briefing will be disqualified.
- 2.3 Respondents are encouraged to bring a copy of the RFP to the RFP briefing.

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.

COMMUNICATION (CLARIFICATIONS AND COMPLAINTS)

- 5.1 For specific clarification relating to this RFP, an RFP Clarification Request Form should be submitted to [**Alex Baloyi**] before **15:00 on Friday, 30 April 2025** 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.

- 5.2 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.
- 5.3 After the closing date of the RFP, a Respondent may only communicate with the [**Prudence Nkabinde**], at email Prudence.Nkabinde@transnet.net on any matter relating to its RFP Proposal.
- 5.4 Respondents are to note that changes to its submission will not be considered after the closing date.
- 5.5 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.
- 5.6 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.
- 5.7 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

6 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.

7 COMPLIANCE

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

8 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.

9 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:

- 9.1 modify the RFP's Goods/Services;
- 9.2 award a contract in connection with this Proposal at any time after the RFP's closing date;
- 9.3 award a contract for only a portion of the proposed Goods/Services which are reflected in the scope of this RFP;
- 9.4 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;
- 9.5 cancel the bid process;

- 9.6 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;
- 9.7 request audited financial statements or other documentation for the purposes of a due diligence exercise;
- 9.8 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;
- 9.9 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;
- 9.10 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.

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.

10 LEGAL REVIEW

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

11 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

TIP-OFFS ANONYMOUS:



Ethics Helpdesk (Pty) Ltd.
Ethics Management System™

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

				
	<p>AI Voice Bot "Jack" Speak to our AI Voice Chat Bot "JACK", you converse with him like chatting to a human, with the option to record a message and speak to an agent at anytime.</p>	<p>What's App Speak to an Agent via What's App.</p>	<p>Speak to an Agent Speak to an Agent via the platform with no call or data charge</p>	<p>Telegram Speak to an Agent via Telegram</p>
 0800 003 056	 086 551 4153	 reportit@ethicshelpdesk.com	 *120*0785980808#	

SECTION 3: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS

1 BACKGROUND

The Network Asset Maintenance (NAM) function is to deploy and maintain infrastructure to enable the safe movement of freight. The NAM Telecoms manages the deployment and operations of mission-critical telecommunication infrastructure that are essential for personnel and railway-based systems to ensure the safety of operations. The level of safety is ensured by guaranteeing safety-critical systems as well as voice communication of staff that operate the railway system (e.g., shunting, train driver to train control officer).

The transmission network consists mainly of Fiber optic cables installed on the OHTE across the country (a small percentage is underground). The transmission network is used to connect relay rooms to facilitate the Train Authorization Systems (TAS), the Condition Assessment Systems (CAS), and radio networks (high sites). The capacity ranges from 155 Mbps to 100 Gbps.

The modernization and capacity upgrades on the optical transmission network executed under CAN R365 commenced in the 2018/19 FY and will be finalized in the 2024/25 FY. The operation of any future network within TFR depends on the successful completion of the Dense Wavelength Division Multiplexing (DWDM) project.

The NAM Telecoms consists of two internally managed analogue networks, and one external network. These networks ensure access to wireless voice communication for operational and technical staff. The internal analogue networks are made up of conventional and trunked radio networks. The first network is an open-channel radio communication network. This network is utilised if train authorization is based on the Radio Train Order (RTO), Radio Track Warrant (RTW), and Video Display Unit (VDU). The second network is the Trunk Radio network, which is used in locations where authorization is based on the colour light signal. Figure 1 Below depicts the areas of radio (wireless) coverage for all the networks. The two analogue radio networks (Conventional and trunk) operate in the 450MHz band with the following band plan: 455-456.65MHz paired with 465-466.65 MHz to achieve coverage.

The conventional network also makes use of channels in the 459MHz paired with the 469MHz band for narrowband, low-capacity Ultra high frequency (UHF) radio links. All these frequencies are licensed by Independent Communications Authority of South Africa (ICASA). The coal line (highlighted in yellow) is currently being operated by Mobile Telephone Networks (MTN) a private commercial network operator.

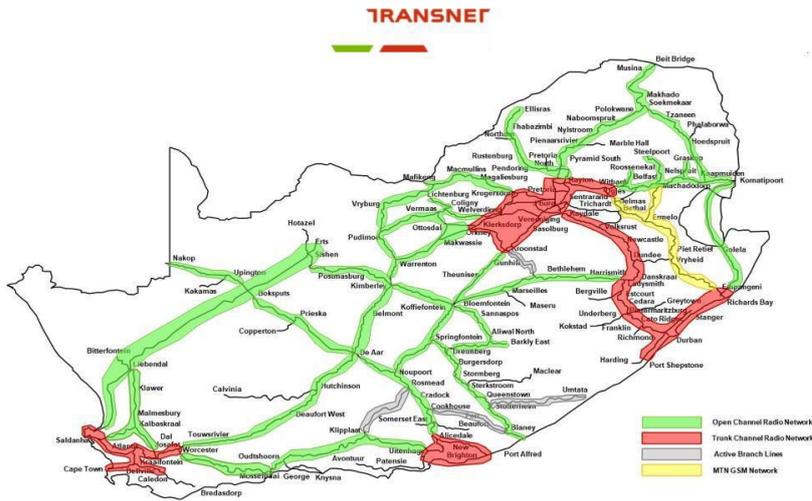


Figure 1: Mission Critical Radio Networks

These wireless communication networks provide mission-critical telecommunication services to train operations and ensure the safe movement of freight across the rail network and include the following services:

- Conventional push-to-talk voice communication between train driver and Train Control Officer (TCO).
- Group voice communication on the railways and the ports.
- Direct communication and shunting activities.
- Trunked voice communication (train driver to TCO and Transnet operational staff); and
- Data services (CAS and Tele-control).

2 EXECUTIVE OVERVIEW

Whereas Transnet is seeking a partner(s) to provide solutions for its Radio Network Modernization nationally, it also seeks to improve its current processes for providing these Goods/Services to its end user community throughout its locations.

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

Specifically, Transnet seeks to benefit from this partnership in the following ways:

- 2.1 Transnet must receive reduced cost of acquisition and improved service benefits resulting from the Supplier/Service provider’s economies of scale and streamlined service processes.
- 2.2 Transnet must achieve appropriate availability that meets user needs while reducing costs for both Transnet and the chosen Supplier/Service provider(s).

- 2.3 Transnet must receive proactive improvements from the Supplier/Service provider with respect to supply/provision of Goods/Services and related processes.
- 2.4 Transnet's overall competitive advantage must be strengthened by the chosen Supplier/Service provider's leading edge technology and service delivery systems.
- 2.5 Transnet end users must be able to rely on the chosen Supplier/Service provider's personnel for service enquiries, recommendations and substitutions.
- 2.6 Transnet must reduce costs by streamlining its acquisition of Goods/Services, including managed service processes on a Group basis.
- The main aim is to frame a fixed term approved list of service providers for the provision/supply, installation, commissioning, support, and delivery of National Radio Network Modernization for a period of three (03) years on an "as and when required" basis. A phased approach method will be adopted for the implementation of this project, with Phase 1 being the Ore Corridor and Container Corridor, with the other 4 corridors to follow in Phases 2 and 3.
 - Due to the legacy and the obsolescence of the radio network, it is expected to deploy digital radio technologies to modernize Rail Network National Radio Network with speed in some cases work should be implemented in parallel. The key objective of the demand request is to achieve the following:
 - Replace obsolete radio network required to improve and facilitate Train Driver-Train Control Officer, Yard, Ports, and other mission-critical communication.
 - Reduce operational costs relating to frequent maintenance, support, spare rebuilding, and overtime related to the prone-to-fault existing radio network.
 - Eliminate network gaps resulting from network de-optimization, decommissioning of sites, and failure to return to service due to the absence of spares, configurations, and materials.
 - Enable network capacity expansions to support new business coverage demands.
 - Provide required data capacity: Currently, the network does not support data capabilities due to its analogue status. There is a business need for the new radio network to support the digital transformation strategy.
 - Compliance with Government ICASA regulation.
 - A radio network is required to provide safety, an RSR regulatory requirement for train operating systems such as Signalling, axle counters, and Fail-Safe Data Transfer (FSDT).
 - Provide real-time and uninterrupted Central Train Communication (CTC) to train drivers in wireless communication.
 - Derailment avoidance: Provide wireless communication for the track and infrastructure condition monitoring systems e.g., hotbox detectors, ultra-sonic broken rail detector.
 - (UBRD) and drag equipment detector (DED).
 - Provision to support the Outcome Base Security (OBS) digital communication requirements e.g., Closed-Circuit Television (CCTV), and drones.

- Facilitation of radio communication from high site base stations to train control centres in all dark territories.
- Seamless implementation and change-over to the new technology during a dual-illumination period allowing for current analogue network to be operable before being switched off.
- Ensuring no interference between the Radio Distributed Power (RDP) system used on the Ore line and the LTE and DMR network. The RDP system transmit communication signals from the locomotive consist to consist, allowing for the running of longer trains on the section.
- The RDP system currently operates on 456,5750 and 456,4375 MHz frequency, which will be within the same band as the LTE will be deployed in, as such will require new locomotive RDP radio and repeater site modules must be procured and programmed to operate on within a different frequency band.
- Service provider to have a detailed implementation and migration plan for all data-based technologies and trackside equipment currently in use by Transnet for operations, monitoring and safety.

3 SCOPE OF REQUIREMENTS

3.1 Business requirement (Technical Specification):

Introduction

Most radio high sites were implemented more than two decades ago of which conditions have changed and the network near obsolete, therefore requires modernization to meet both current and future requirements. Transnet issued a Request for Information (RFI) to assess the technologies that might be employed to assure compliance while simultaneously sustaining the current network infrastructure for operations. Long-term Evolution (LTE) and Digital Mobile Radio (DMR) were the two technologies chosen for technical evaluation. The two technically evaluated and successful digital solutions under the RFI are LTE (pilot tested) and DMR (technically tested). The scope of work covers two approved technologies:

- DMR Technology - for Northern Cape Square Kilometer Array (SKA) and Shunt yards.
- LTE Technology

3.2 Scope Overview

The focus area is to modernize the existing analogue radio network by deploying digital radio Technologies i.e., upgrading Existing RF equipment to offer modern technology for the operational environment,

- The service provider must supply and deliver the radio equipment that meet Telecoms specifications (**Annexure A:** list of equipment, material and components and their associated specifications). This includes all equipment, network components and accessories for a fully functional LTE and DMR network. It is detailed in the Scope of Work **Annexure B** and **Appendix 1**.
- The service provider must be able to install, commission and test the radio equipment as per the TRIM standards/specifications (**Annexure A:** list of installation, commissioning, and testing procedures for radio equipment/network).
- The service provider must be able to provide technical support and maintenance of the radio network on an as and when basis and must be able to respond to faults reported within the

standard agreed times on as and when required basis (**Annexure F**: TFR fault management process and expected response times).

- Service provider shall be able to deliver scope of work as per **Annexure B** and **Appendix 1** on as and when required.
- Service providers must ensure equipment conformances to regulatory authority ICASA.
- Warranty period to be specified in the Specification compliance.

3.2.1 The Requirements

Equipment must conform to ICASA Regulations including Type approval and the 3GPP, ETSI and ITU-R Standards. The bidders must indicate their compliance to the Electronic Communications Act 36 of 2005 and spectrum regulations. Service providers authorisations:

- a) Supplier shall provide written proof from the OEM that they are authorised suppliers and are equipped to supply and provide support of the equipment according to OEM specifications.
- b) Supplier to confirm list of equipment, materials, spares proposed to TFR.
- c) Supplier to provide a detail methodology of acquiring, purchasing, renewing, testing and quality assurance of all equipment and installation, testing proposed to TFR.
- d) Supplier shall detail their repair process including locations of available workshops, technical facilities, and resources in the country.
- e) Suppliers shall indicate the value-added services such as OEM training, tier level support etc.

2.3.2. The Functional Requirements

The bidder must meet Transnet technical specifications provided:

- The bidders must comply to ICASA Regulations
- The bidders must comply to RSR Regulations

NB: The above specifications indicate minimum acceptance requirements however bidders are welcome to indicate additional capabilities of their equipment should they exist. See **Annexure I** Detailed specification list.

2.3.3. Performance Requirements

The equipment must comply with the ITU performance criteria listed in the technical specifications.

Management information must be carried from the management network, through multiple elements, to every element in the network.

The network should guarantee 99.999% availability.

The peripherals should meet the following requirements:

- IP rating: IPX6 or higher
- Operation in a noisy and hostile environment

The network equipment should meet the following requirements:

- a) The equipment used on the network should operate in remote hostile environments.
- b) Equipment must be of a modular type in some cases hot-swappable to limit any downtime.
- c) The network equipment must be future-proof and backward compatible to future versions.

2.3.4. Other Requirements

The requirement is for the demand request is to achieve the following, but not limited to and may Change to meet the overall project objective and sustaining of the network:

- a) Establish fixed term approved list of service providers for the provisioning of the supply, delivery, installations and testing of National Radio Network modernization to replace existing radio network with digital radio technologies on "an as and when required" basis.
- b) Detailed operating and maintenance/workshop manuals in accordance with generally accepted industrial standards must be supplied.
- c) Detailed technical specifications of the equipment and all components where supplied must be included.
- d) The service provider must ensure that there is adequate local support for the systems supplied. A contract of this size warrants at least one full time resource dedicated to servicing TFR's requirements.
- e) Since this is specialised equipment, the service provider must have at least one employee who is accredited and certified by the manufacturer(s) of the products offered, to install, commission and service these.
- f) The bidder must have suitable premises in South Africa to warehouse equipment components, assemble them as per order, test them and pre-commission them, and then ship them out to site. The bidder must also appoint a local installation team, training, and up-skilling them as necessary to support the network.
- g) The bidder must indicate for how long the products offered have been in the market, and how long it will take before they are superseded. TFR will not accept Beta versions nor end-of-life products.
- h) It is anticipated that, over the course of the project, improvements in features, performance and functionality of the products will be introduced. Transnet must be made aware of all information pertaining to the life cycle of the equipment and provide detailed solutions and mitigating solutions where applicable.
- i) Software upgrades to the NMS and network elements must be undertaken continuously throughout the contract and/or warranty, without disrupting services.
- j) The Tenderers must provide for consideration the maintenance proposal for support of the assets over entire duration of its life cycle. This proposal should be for indicative purposes.
- k) A warranty of a minimum of 2 years after successful acceptance testing is required and bidders must quote for this warranty in their submission.
- l) Adequate and appropriate training requirements for all systems, procedures and processes are to be provided to the relevant staff. This includes technical staff and TFR Faculty of Rail. They must be provided with full course documentation so that they may use this to train TFR technicians in the future. All persons that are trained either by TFR Faculty of Rail or the manufacturer must be certified to do module, software changes, installations and commissioning without the warranties becoming void.

2.3.5. Implementation Requirements

The implementation requirement for the LTE request is as follows:

- a. Firstly, frame an approved list of service providers list for the provision/supply, installation, commissioning, support and delivery of National Radio Network Modernization for a period of three (3) years on an "as and when required" basis.
- b. Secondly, to appoint a maximum of six (6) service providers as part of the approved list of service contractors, the Price- specific goals scorecard will be used for the highest (x6) scoring bidder's unit rates, to be framed on the list.
- c. Thirdly, to utilize the fixed term approved list on a rotational basis making in order to promote the principle of cost-effectiveness. The unit price itemized list will be used for this purpose.

- d. Fourthly, in order to appoint a maximum of two OEM technologies to a maximum of six (6) service providers as part of the approved list of service contractors, the Price- specific goals scorecard of the highest scoring bidders will be considered under the following scenarios/conditions:
- The first x6 highest scoring bidders will be framed for LTE technology.
 - The minimum service providers that Transnet can frame is two (2) and maximum is six (6) service providers for LTE. Transnet reserves the right to frame responsive bidder(s) below a minimum of two (2) service providers.
- e. Lastly, in order to appoint a maximum of six (6) service providers based on the Price- specific goals scorecard, bidders to complete in full the Unit Price Schedule (Bill of Material) (all Unit Price (ZAR) per Items filled) (Annexure H: Price Schedule).

2.3.6 The implementation requirement for the DMR request is as follows:

- a. To appoint a maximum of three (3) service providers as part of the approved list of service contractors, the Price- specific goals scorecard will be used for the highest (x3) scoring bidder's unit rates, to be framed on the list.
- b. To appoint a maximum of one OEM technology to a maximum of three (3) service providers as part of the approved list of service contractors, the Price- specific goals scorecard of the highest scoring bidders will be considered under the following scenarios/conditions:
- The first x3 highest scoring bidders will be framed for DMR technology.
 - The minimum service providers that Transnet can frame is one (1) and maximum is three (3) service providers for DMR.
 - Lastly, in order to appoint a maximum of three (3) service providers based on the Price- specific goals scorecard, bidders to complete in full the Unit Price Schedule (Bill of Material) (all Unit Price (ZAR) per Items filled) (Annexure H: Price Schedule)
- c. Finally, to select up to nine (9) service providers—six (6) for LTE and three (3) for DMR—according to the Price-BBBEE automated scorecard. Bidders are required to accurately complete the Unit Price Schedule (Bill of Material), ensuring all Unit Prices (ZAR) per item are provided).

2.3.7. Current Situation

- AGA act of 2007 in relation to the Iron Ore network traversing over the SKA (Square Kilometer Array) areas Digital Radio Requirement. This necessitates the use of DMR technology.
- Government Gazette 38640 - Final Frequency Spectrum Assignment Plan, March 2015.
- Implementation of a narrowband/broadband technology that co-exists with IMT technologies in the 450MHz band.

Also refer to **Annexure A, B, F, G1,G2,I and J** for the detailed information

4 GREEN ECONOMY / CARBON FOOTPRINT

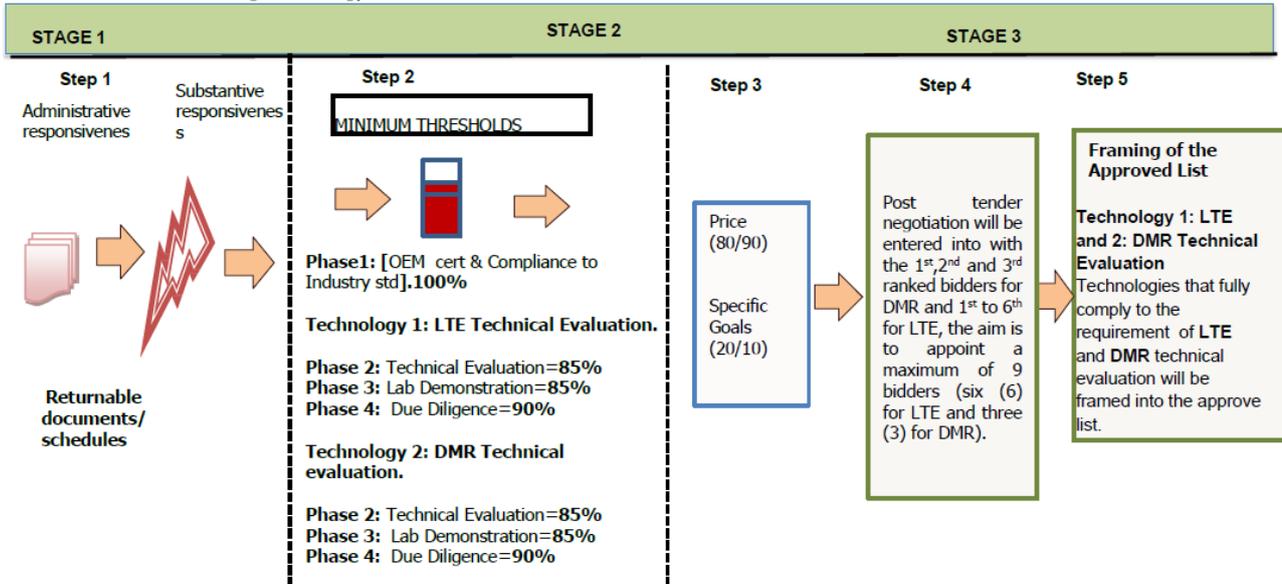
Transnet wishes to have an understanding of your company's position with regard to environmental commitments, including key environmental characteristics such as waste disposal, recycling and energy conservation. *Please submit details of your entity's policies in this regard.*

5 GENERAL SUPPLIER/SERVICE PROVIDER OBLIGATIONS

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

6 EVALUATION METHODOLOGY [INDICATE APPROPRIATE CRITERIA - REMOVE / ADD WHERE NECESSARY

Transnet will utilize the following methodology and criteria.



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

6.1 STEP ONE: Test for Administrative and Substantive Responsiveness

The test for administrative responsiveness will include the following:

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

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

Check for substantive responsiveness	RFP Reference
<ul style="list-style-type: none"> Whether the Bid materially complies with the scope and/or specification given 	<p><i>All sections including: Section 2 paragraphs, 2.2, 6, 11.2, General Bid Conditions clause 20</i></p>
<ul style="list-style-type: none"> Whether the Bid contains a priced offer: Price schedule must be fully completed for technology selected. 	<p><i>Section 4</i></p>
<ul style="list-style-type: none"> Whether the Bid contains all mandatory documents as stated below: OEM Certificate <ul style="list-style-type: none"> –The Bidder must submit an Original Equipment Manufacturer (OEM) issued certificate confirming the service provider as a certified business partner/Reseller of the LTE equipment being offered. –The Bidder must submit an Original Equipment Manufacturer (OEM) issued certificate confirming the service provider as a certified business partner/Reseller of the DMR equipment being offered. –If the OEM bids, a letter confirming that the bidder is an OEM should be submitted. OEMs that bids should not offer certificates to other prospective bidders who are bidding for the same tender (If an OEM provide certification to a prospective bidder as business partner or reseller and they both bid for this RFP, they will both be disqualified) – OEM letters used as a confirmation that the bidder is a business partner or reseller will not be accepted and will result in bidder. being disqualified. Compliance to Industry standard <p>The equipment offered shall be an approved 3GPP or 3rd Generation Partnership Project standard. Type approval valid certificate must be provided with the bid submission.</p> 	<p><i>All Sections</i></p>

The test for administrative responsiveness and substantive responsiveness [Step one] must be passed for a Respondent’s Proposal to progress to Step Two for further evaluation.

6.2 STEP TWO: The following minimum thresholds will be applicable for the technical criteria, as outlined for each respective phase.

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

Technology 1: LTE Technical evaluation	Technology 2: DMR Technical evaluation
Phase 1: 100% Compliance	Phase 1: 100% Compliance

Phase 2: 85%	Phase 2: 85%
Phase 3: 85%	Phase 3: 85%
Phase 4: 90%	Phase 4: 90%

BIDDERS MUST MEET THE MINIMUM THRESHOLD FOR EACH PHASE IN ORDER TO PROGRESS TO THE SUBSEQUENT PHASE

TECHNICAL EVALUATION CONSISTS OF TWO TECHNOLOGIES.

a. Mandatory Requirements :100% Compliance

- **OEM Certificate**
 - The Bidder must submit an Original Equipment Manufacturer (OEM) issued certificate confirming the service provider as a certified business partner/Reseller of the LTE equipment being offered.
 - The Bidder must submit an Original Equipment Manufacturer (OEM) issued certificate confirming the service provider as a certified business partner/Reseller of the DMR equipment being offered.
 - If the OEM bids, a letter confirming that the bidder is an OEM should be submitted. OEMs that bids should not offer certificates to other prospectives bidders who are bidding for the same tender **(If an OEM provide certification to a prospective bidder as business partner or reseller and they both bid for this RFP, they will both be disqualified).**
 - OEM letters used as a confirmation that the bidder is a business partner or reseller will not be accepted and will result in bidder being disqualified.

- **Compliance to Industry standard**
 - The equipment offered shall be an approved 3GPP or 3rd Generation Partnership Project standard. Type approval certificate must be provided with the bid submission.

b. Technology 1: LTE Technical evaluation: This Criteria is strictly for evaluation of LTE equipment. To evaluate and compare like to like, only bidders submitting LTE technology will be evaluated using these criteria.it consist of 3 steps (phase 2,3 and 4)

Phase 2:85%Threshold

- Company Profile - Previous Experience & Reference Letters=**30%**
- Company Technical Experience – Resumes=**20%**
- Company Technical Capabilities Technical supervisor=**20%**
- Project Implementation Method=**20%**
- Technology Capability & Roadmap=**10%**

Phase 3:85% Threshold

- Proposal Verification: Local Lab Demonstration=**85%**

Phase 4:90% Threshold

- Proposal Verification: Physical sites visit=**90%**

c. Technology 2: DMR Technical evaluation: This Criteria is strictly for evaluation of DMR equipment. To evaluate and compare like to like only bidders submitting DMR technology will be evaluated using these criteria. it consists of 3 steps (phase 2,3 and 4)

Phase 2:85%Threshold

- Company Profile - Previous Experience & Reference Letters=**30%**
- Company Technical Experience – Resumes=**20%**
- Company Technical Capabilities Technical supervisor=**20%**
- Project Implementation Method=**20%**
- Technology Capability & Roadmap=**10%**

Phase 3:85% Threshold

- Proposal Verification: Local Lab Demonstration=**85%**

Phase 4:90% Threshold

- Proposal Verification: Physical sites visit=**90%**

Failure to achieve the minimum threshold for the respective phase will lead to disqualification.

Refer to Annexure G1 and G2 : Technical Evaluation Scoring Criteria

Final technical scores will be rounded off 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 three for final evaluation.

6.3 STEP THREE Evaluation and Final Weighted Scoring

a) **Price Criteria** [Weighted score 80/90 points]:

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

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

$$PS = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \text{ OR } PS = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where:

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

- b) **Specific Goals** [Weighted score 20/10 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.

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

Thresholds	Minimum Threshold
Technical (Technology 1: LTE Technical evaluation and Technology 2: DMR Technical evaluation)	
Phase 1	100%
Technology 1: LTE Technical evaluation	
Phase 2	85%
Phase 3	85%
Phase 4	90%
Technology 2: DMR Technical evaluation	
Phase 2	85%
Phase 3	85%
Phase 4	90%

Evaluation Criteria	Final Weighted Scores
Price	80/90
Specific goals - Scorecard	20/10
TOTAL SCORE:	100

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

- Post tender negotiation will be entered into with the 1st, 2nd and 3rd ranked bidders for DMR and 1st to 6th ranked bidders for LTE, the aim is to appoint a maximum of 9 bidders (six (6) for LTE and three (3) for DMR).
- Respondents are to note that Transnet may not award (Frame the approved list) 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.
- 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 framing into the Approved list.

- 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 successful Respondent(s) will be framed into the Approved list.

6.6 **STEP FIVE: Framing of the Approved list**

- Once the Technical Evaluations report has been submitted to the BEC, a TEAR report will be prepared and forwarded to the DoA with a recommendation to frame the approved list.

6.7 Entity's financial stability will be evaluated as follows.

- Gearing Ratio
 - Total Liabilities/(Total equity +Total Liab)
- Capacity/Liquidity
 - Current Assets vs Current Liabilities
- NPAT/Revenue
 - Profitability, Net profit to turnover
- NPAT/Total Equity
 - ROE
- EBIT/Total Assets
 - ROA
- INTEREST COVER
 - EBIT/Net Finance Charges
- CASH FLOW
 - Cash generated by operations (after working capital movements)

SECTION 4: PRICING AND DELIVERY SCHEDULE

Respondents are required to complete the pricing schedule attached as **Annexure H: Pricing Schedule**

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.
- c) Any disbursement not specifically priced for will not be considered/accepted by Transnet.
- 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) Quantities given are estimates only. Any orders resulting from this RFP will be on an "as and when required" basis.
- f) Prices are to be quoted on a delivered basis to Refer to **ANNEXURE J: Area/s for deployment.**
- g) 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.
- h) 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: _____
- i) In respect of incoterms conditions, if applicable, please refer to paragraph 25 of the General Bid Conditions which is attached to the RFP as **Annexure K**
- j) Manufacturing and delivery lead time calculated from date of receipt of purchase order: _____ weeks.
- k) 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 DPIP/FPPO		Closely Related to a DPIP/FPPO		Closely Associated to a DPIP/FPPO		
List all known business interests, in which a DPIP/FPPO may have a direct/indirect interest or significant participation or involvement.						
No	Name of Entity / Business	Role in the Entity / Business (Nature of interest/ Participation)	Shareholding %	Registration Number	Status (Mark the applicable option with an X)	
					Active	Non-Active
1						
2						
3						

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

2. "AS AND WHEN REQUIRED" CONTRACTS

2.1 Purchase orders will be placed on the Supplier/Service provider(s) from time to time as and when Goods/Services are required.

- 2.2 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.
- 2.3 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.
- 2.4 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.
- 2.5 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*] **Annexure H.**
- 2.6 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:

- 2.7 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.

3. RETURN OF SURPLUS GOODS

Respondents are required to indicate whether they have a return policy in place (if so attach a copy):

YES	
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NO	
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Respondents are required to indicate a reasonable timeframe during which Transnet may return any surplus goods:

4. MANUFACTURERS

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

4.1 Local Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

4.2 Foreign Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

5. INSPECTION DETAILS

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

5.1 Local Manufacturer(s)

RFP ITEM NO.	NAME	BUSINESS ADDRESS

5.2 Foreign Manufacturer(s):

RFP ITEM NO.	NAME	BUSINESS ADDRESS

6. IMPORTED CONTENT

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

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

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

7. 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 B, Appendix 1 and I** [*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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8. SERVICE LEVELS

8.1 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.

8.2 Transnet will have quarterly reviews with the Supplier/Service provider’s account representative on an on-going basis.

- 8.3 Transnet reserves the right to request that any member of the Supplier/Service provider’s team involved on the Transnet account be replaced if deemed not to be adding value for Transnet.
- 8.4 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
- 8.5 The Service provider must provide a telephone number for customer service calls.
- 8.6 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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9. 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:

9.1 Quality and specification of Goods/Services delivered:

9.2 Continuity of supply:

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

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

SIGNED at _____ on this ____ day of _____ 20__

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____
Name _____

2 _____
Name _____

SIGNATURE OF RESPONDENT’S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

SECTION 5: PROPOSAL FORM AND LIST OF RETURNABLE DOCUMENTS

I/We _____
 [name of entity, company, close corporation or partnership] of [full address]

_____ carrying on business trading/operating as

represented by _____

in my capacity as _____

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

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

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

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

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

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 1 [one] month 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.

Respondent’s Signature

Date & Company Stamp

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

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

ADDRESS FOR NOTICES

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

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

Name of Entity: _____

Facsimile: _____

Address: _____

NOTIFICATION OF AWARD OF RFP

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

VALIDITY PERIOD

Transnet requires a validity period of **30 January 2026,180 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>

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 (Annexure E)	
<ul style="list-style-type: none"> • OEM Certificate <ul style="list-style-type: none"> ○ The Bidder must submit an Original Equipment Manufacturer (OEM) issued certificate confirming the service provider as a certified business partner/Reseller of the LTE equipment being offered. ○ The Bidder must submit an Original Equipment Manufacturer (OEM) issued certificate confirming the service provider as a certified business partner/Reseller of the DMR equipment being offered. ○ If the OEM bids, a letter confirming that the bidder is an OEM should be submitted. OEMs that bids should not offer certificates to other prospectives bidders who are bidding for the same tender (If an OEM provide certification to a prospective bidder as business partner or reseller and they both bid for this RFP, they will both be disqualified). 	

MANDATORY RETURNABLE DOCUMENTS	SUBMITTED [Yes/No]
<ul style="list-style-type: none"> ○ OEM letters used as a confirmation that the bidder is a business partner or reseller will not be accepted and will result in bidder being disqualified. ● Compliance to Industry standard <ul style="list-style-type: none"> ○ The equipment offered shall be an approved 3GPP or 3rd Generation Partnership Project standard. Type approval certificate must be provided with the bid submission. 	

b) Returnable Documents Used for Scoring

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

<u>RETURNABLE DOCUMENTS USED FOR SCORING</u>		SUBMITTED [Yes or No]
Valid proof of Respondent’s compliance to Specific Goal requirements stipulated in Section 9 of this RFP (Valid B-BBEE certificate or Sworn- Affidavit as per DTIC guidelines)		
Selected Specific Goal	Number of points allocated (20)	
B-BBEE LEVEL 1 OR 2	10	
Entities that are at least 51% black owned	4	
Entities that are at least 30% black woman owned	4	
Local Content and Production <ul style="list-style-type: none"> ● Electrical cables designated at 90% ● Two-way radio terminals and Associated Equipment designated at 60% Fully completed duly declared and signed LC Annexures C, D and E will score bidder full 2 points Incomplete, submitted blank or not submitted LC Annexures C D and E score zero points.	2	
In case the suppliers do not meet required LC Thresholds DTIC Exemption letter will be required in support for scoring purposes		
Non-Compliant and/or B-BBEE Level 3-8 contributors	0	
Selected Specific Goal	Number of points allocated (10)	

<u>RETURNABLE DOCUMENTS USED FOR SCORING</u>			SUBMITTED [Yes or No]
	B-BBEE Level of contributor (1 or 2)	3	
	30% Black women Owned entities	2	
	Entities that are at least 51% Black Owned	3	
	<p>Local Content and Production</p> <ul style="list-style-type: none"> Electrical cables designated at 90% Two-way radio terminals and Associated Equipment designated at 60%. <p>Fully completed duly declared and signed LC Annexures C, D and E will score bidder full 2 points Incomplete, submitted blank or not submitted LC Annexures C D and E score zero points.</p> <p>In case the suppliers do not meet required LC Thresholds DTIC Exemption letter will be required in support for scoring purposes</p>	2	
	Non-Compliant and/or B-BBEE Level 3-8 contributors	0	
<p>ANNEXURE C: Local Content Declaration: Summary Schedule</p> <p>ANNEXURE D: Imported Content Declaration: Supporting Schedule to Annexure C</p> <p>ANNEXURE E: Local Content Declaration: Supporting Schedule to Annexure C</p>			
<p>Technology 1: LTE Technical evaluation: This Criteria is strictly for evaluation of LTE equipment. To evaluate and compare like to like, only bidders submitting LTE technology will be evaluated using these criteria.it consist of 3 steps (phase 2,3 and 4)</p> <p>Phase 2:85%Threshold</p> <ul style="list-style-type: none"> Company Profile - Previous Experience & Reference Letters=30% Company Technical Experience – Resumes=20% Company Technical Capabilities Technical supervisor=20% Project Implementation Method=20% Technology Capability & Roadmap=10% <p>Phase 3:85% Threshold</p> <ul style="list-style-type: none"> Proposal Verification: Local Lab Demonstration=85% <p>Phase 4:90% Threshold</p> <ul style="list-style-type: none"> Proposal Verification: Physical sites visit=90% <p>Technology 2: DMR Technical evaluation: This Criteria is strictly for evaluation of DMR equipment. To evaluate and compare like to like only bidders submitting DMR technology will be evaluated using these criteria. it consists of 3 steps (phase 2,3 and 4)</p> <p>Phase 2:85%Threshold</p>			

<u>RETURNABLE DOCUMENTS USED FOR SCORING</u>	SUBMITTED ED [Yes or No]
<ul style="list-style-type: none"> • Company Profile - Previous Experience & Reference Letters=30% • Company Technical Experience – Resumes=20% • Company Technical Capabilities Technical supervisor=20% • Project Implementation Method=20% • Technology Capability & Roadmap=10% <p>Phase 3:85% Threshold</p> <ul style="list-style-type: none"> • Proposal Verification: Local Lab Demonstration=85% <p>Phase 4:90% Threshold</p> <ul style="list-style-type: none"> • Proposal Verification: Physical sites visit=90% 	

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:

ESSENTIAL RETURNABLE DOCUMENTS & SCHEDULES	SUBMITTED [Yes or No]
In the case of Joint Ventures, a copy of the Joint Venture Agreement or written confirmation of the intention to enter into a Joint Venture Agreement	
Latest Financial Statements signed by your Accounting Officer or latest Audited Financial Statements plus 2 previous years	
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 10: Certificate of attendance of compulsory RFP Briefing	
SECTION 13: Protection of Personal Information	
ANNEXURE K TRANSNET’S GENERAL BID CONDITIONS	
ANNEXURE L TRANSNET’S SUPPLIER INTEGRITY PACT	
ANNEXURE M NON-DISCLOSURE AGREEMENT	
ANNEXURE N BEE_AFFIDAVIT-EME AND QSE -GEN-MERGED	

CONTINUED VALIDITY OF RETURNABLE DOCUMENTS

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

Respondent’s Signature

Date & Company Stamp

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: _____

Respondent's Signature

Date & Company Stamp

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	Transnet’s Supplier Integrity Pact
3	Non-disclosure Agreement
4	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

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:

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.

.....
.....

13.3 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 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

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.

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:
Date:	Registration No of Company/CC
Place:	Registration Name of Company/CC

SECTION 9: SPECIFIC GOALS POINTS CLAIM FORM

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

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the 80/20 OR 90/10 preference point system shall be applicable. Despite the stipulated preference point system, Transnet shall use the lowest acceptable bid to determine the applicable preference point system in a situation where all received acceptable bids are received outside the stated preference point system.

OR

Either the 80/20 or 90/10 preference point system will apply
- 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		80/90
Selected Specific Goal	Number of points allocated (20)	
B-BBEE LEVEL 1 OR 2	10	
Entities that are at least 51% black owned	4	
Entities that are at least 30% black woman owned	4	
Local Content and Production <ul style="list-style-type: none"> • Electrical cables designated at 90% • Two-way radio terminals and Associated Equipment designated at 60% Fully completed duly declared and signed LC Annexures C, D and E will score bidder full 2 points Incomplete, submitted blank or not submitted LC Annexures C D and E score zero points.	2	

Respondent's Signature

Date & Company Stamp

<p>In case the suppliers do not meet required LC Thresholds DTIC Exemption letter will be required in support for scoring purposes</p>		20/10														
<p>Non-Compliant and/or B-BBEE Level 3-8 contributors</p>	0															
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Selected Specific Goal</th> <th style="width: 30%;">Number of points allocated (10)</th> </tr> </thead> <tbody> <tr> <td>B-BBEE Level of contributor (1 or 2)</td> <td style="text-align: center;">3</td> </tr> <tr> <td>30% Black women Owned entities</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Entities that are at least 51% Black Owned</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Local Content and Production <ul style="list-style-type: none"> Electrical cables designated at 90% Two-way radio terminals and Associated Equipment designated at 60%. </td> <td style="text-align: center; vertical-align: top;">2</td> </tr> <tr> <td colspan="2"> <p>Fully completed duly declared and signed LC Annexures C, D and E will score bidder full 2 points Incomplete, submitted blank or not submitted LC Annexures C D and E score zero points.</p> <p>In case the suppliers do not meet required LC Thresholds DTIC Exemption letter will be required in support for scoring purposes</p> </td> </tr> <tr> <td>Non-Compliant and/or B-BBEE Level 3-8 contributors</td> <td style="text-align: center;">0</td> </tr> </tbody> </table>			Selected Specific Goal	Number of points allocated (10)	B-BBEE Level of contributor (1 or 2)	3	30% Black women Owned entities	2	Entities that are at least 51% Black Owned	3	Local Content and Production <ul style="list-style-type: none"> Electrical cables designated at 90% Two-way radio terminals and Associated Equipment designated at 60%. 	2	<p>Fully completed duly declared and signed LC Annexures C, D and E will score bidder full 2 points Incomplete, submitted blank or not submitted LC Annexures C D and E score zero points.</p> <p>In case the suppliers do not meet required LC Thresholds DTIC Exemption letter will be required in support for scoring purposes</p>		Non-Compliant and/or B-BBEE Level 3-8 contributors	0
Selected Specific Goal	Number of points allocated (10)															
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Non-Compliant and/or B-BBEE Level 3-8 contributors	0															
<p>Total points for Price and Specific Goals must not exceed</p>		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 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 or 90/10

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

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

Delete what is not applicable]

Selected Specific Goal	Number of points allocated (80/20)
B-BBEE Level of contributor (1 or 2)	10
30% Black women Owned entities	4
Entities that are at least 51% black owned	4
Local Content and Production	2

<ul style="list-style-type: none"> • Electrical cables designated at 90% • Two-way radio terminals and Associated Equipment designated at 60% <p>Fully completed duly declared and signed LC Annexures C, D and E will score bidder full 2 points Incomplete, submitted blank or not submitted LC Annexures C D and E score zero points.</p> <p>In case the suppliers do not meet required LC Thresholds DTIC Exemption letter will be required in support for scoring purposes</p>	
Non-Compliant and/or B-BBEE Level 3-8 contributors	0

Selected Specific Goal	Number of points allocated (90/10)
B-BBEE Level of contributor (1 or 2)	3
30% Black women Owned entities	2
Entities that are at least 51% black owned	3
<p>Local Content and Production</p> <ul style="list-style-type: none"> • Electrical cables designated at 90% • Two-way radio terminals and Associated Equipment designated at 60% <p>Fully completed duly declared and signed LC Annexures C, D and E will score bidder full 2 points Incomplete, submitted blank or not submitted LC Annexures C D and E score zero points.</p> <p>In case the suppliers do not meet required LC Thresholds DTIC Exemption letter will be required in support for scoring purposes</p>	2
Non-Compliant and/or B-BBEE Level 3-8 contributors	0

4. EVIDENCE REQUIRED FOR CLAIMING SPECIFIC GOALS

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

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

Respondent’s Signature

Date & Company Stamp

>50% Black Youth Owned Entities	Certified copy of ID Documents of the Owners and B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline
Entities Owned by People with Disability (PWD)	Certified copy of ID Documents of the Owners / Doctor's note and /or EEA1 form confirming the disability
Entities/Black People living in rural areas	Entity `s Municipal/ESKOM bill or letter from Induna/chief confirming residential address not older than 3 months.
South African Enterprises	CIPC Certificate
EME or QSE 51% Black Owned	B-BBEE Certificate / Sworn-Affidavit / CIPC Certificate
Entities that are 51 % Black Owned	CI B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline
Local Content and Production Possible sectors : (Electrical cables designated at 90%) (Two-way radio terminals and Associated Equipment designated at 60%)	Fully completed duly declared and signed Local Content Annexures C, D and E for all applicable sectors will score full points. Incomplete, not declared, submitted blank or not submitted Local Content Annexures C, D and E scores zero points.
Creation of new jobs and labour intensification	Section 11: Job Creation Schedule Returnable documents (Of the RFP)
The promotion of supplier development through sub-contracting or JV for a minimum of 30% of the value of a contract to South African Companies which are: I. 30% Black Women owned, 51% Black Youth and 51% Black people with disabilities. II. Entities with a specified minimum B-BBEE level (1 and 2) III. EMEs and/or QSEs black-owned	Sub-contracting agreements and Declaration / Joint Venture Agreement and CIPC – B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate as per DTIC guideline.
Promoting exports Orientated for Job creation	Section 11: Job Creation Schedule Returnable documents
NIPP	NIPP Returnable documents
The promotion of enterprises located in a specific province/region/municipal area for work to be done or services to be rendered in that province/region/municipal area	CIPC – B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines and Proof Registered address of entity

Respondent's Signature

Date & Company Stamp

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 Supplier/Service provider
 - Other Suppliers/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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>

<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p> <p>ADDRESS.....</p>
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SECTION 10: CERTIFICATE OF ATTENDANCE OF COMPULSORY RFP BRIEFING

It is hereby certified that –

1. _____

2. _____

Representative(s) of _____ *[name of entity]*
attended the RFP briefing in respect of the proposed Goods/Services to be rendered in terms of this RFP on
_____20____

TRANSNET’S REPRESENTATIVE

RESPONDENT’S REPRESENTATIVE

DATE _____

DATE _____

EMAIL _____

NOTE:

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

SECTION 11: PROTECTION OF PERSONAL INFORMATION (For normal contract)

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

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

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

SECTION 12: T2.2-06C EXEMPTION PROCESS_ 2021

The exemption process that **the dtic** follows is that if there is a particular designated product and the minimum threshold for local content cannot be met for various reasons, bidders must apply for exemption (when the tender is still open, before closing date). After checking with the industry, **the dtic** will then decide whether or not to grant an exemption. This is per tender.

The exemption request must be on **the bidding company's signed letter-head** and cover the following:

- The procuring entity/government department/state owned company,
- Tender/bid number,
- Closing date,
- Item(s) for which the exemption is being requested for,
- Description of the goods, services or works for which the requested exemption item will be used for and the local content that can be met,
- Reason(s) for the request.
- Attach specification issued by the procuring entity
- Supporting letters from local manufacturers/sub-suppliers (if applicable)

Please note that it takes 3-5 working days for **the dtic** to process exemption letters and no requests for exemptions will be considered after the tender has closed.

The request should be addressed to the attention of:

Dr. Tebogo Makube

Chief Director: Industrial Procurement Unit

The Department of Trade and Industry

Private Bag X84,

Pretoria,

Gauteng,

0001

The request should be forwarded through email to Dr Makube on TMakube@thedtic.gov.za and copy Ms Matidza (CMatidza@thedtic.gov.za).