



# PHYSICAL COMPULSORY TENDER BRIEFING SESSION

**TNPA/2024/01/0019/53618/RFP:**

**FOR THE PROVISION OF NATIONAL SECURITY SERVICES  
FOR TRANSNET NATIONAL PORTS AUTHORITY (TNPA) FOR  
A PERIOD OF SIXTY (60) MONTHS**

**Date and Time : 29 August 2024, 10:00am**

**Venue : Port of Durban, N Shed Durban Harbour**



## AGENDA

Agenda Item	Presenter
1. Welcome and Introduction	Cwayita Nyeli
2. Safety Briefing and Evacuation Procedure	Philani Mbhele
3. Meeting Rules	Pfarelo Netshiongolwe
4. Background	Gareth Apollis
5. Scope of Services	Gareth Apollis
6. Tender Evaluation Methodology	Alpheus Lekganyane & Pfarelo Netshiongolwe
6.1 Evaluation Steps	Pfarelo Netshiongolwe
6.2 Pricing and Delivery Schedules	Gareth Apollis
6.3 Returnable Documents	Pfarelo Netshiongolwe
6.4 Master Service Agreement, Service Level Agreement and SLA Scorecard	Sihle Mfenyana & Melody Botya
6. Tender Submission	Pfarelo Netshiongolwe
7. Questions & Answers	



# 1. WELCOME AND INTRODUCTION

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## Meeting Purpose and Objective

- 1.1 The purpose of this meeting is to clarify the Request for Proposal: **TNPA/2024/01/0019/53618/RFP** advertised on the on the Transnet and National Treasury e-Tender Portals.
- 1.2 The objective of this meeting is to ensure that Transnet National Ports Authority's objectives related to the service requirement is well understood.
- 1.3 To report any fraud, tip-offs anonymous: **0800 003 056** or **[transnet@tip-offs.com](mailto:transnet@tip-offs.com)**



## 2. MEETING RULES

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- 2.1 Attendees to remain muted during the presentations.
- 2.2 All questions to be raised after the presentation.
- 2.3 Attendees must make raise a hand to be acknowledged if they have a question to raise.
- 2.4 TNPA will endeavor to answer all questions during the session, however all answers to be responded to in writing and issued with briefing session minutes.
- 2.5 Questions to be followed-up by email to **TNPA tenderenquiries1@transnet.net** by no later than close of business, Tuesday, 10 September 2024 at 12:00pm. Use the Tender reference number as subject.
- 2.6 No information will be repeated during the session for the benefit of those who join the session late.



# BACKGROUND AND SCOPE OF SERVICES





### 3. BACKGROUND

- 3.1 As South Africa's primary Ports infrastructure operator, Transnet National Ports Authority supports government initiatives to develop a robust economy. Security services across all of Transnet's various Ports operations are an integral part of ensuring that elevated levels of operational efficiency are sustained, by minimising disruptions that result from incidents of burglary, damage to property, threats of terrorism, threats to employees, a threat to Port users and customers in the Ports, cable theft, theft of property, etc.
- 3.2 Ports present an attractive target for terrorists and developing criminal conspiracies due to their component role in international, national, and local economies. Ports contain important assets and infrastructure, which, if damaged, could lead to significant loss of life, as well as damage to the economy and the environment. In addition, there is a risk of allowing Port access to persons/organisations who wish to carry out non-Port-related business on Port premises which could adversely affect Port operations. The importance of developing comprehensive Port access control systems and protocols cannot be understated.
- 3.3 TNPA's objective is to appoint security service providers who are capable of identifying and mitigating security risks through the deployment of competent Security Officers to maximise the protection of TNPA personnel, contractors, and visitors to TNPA sites, TNPA assets as well as Ports, sites, and facilities.



## 4. SCOPE OF SERVICES

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4.1 TNPA seeks to appoint service providers that hold a valid registration with the Private Security Industry Regulatory Authority (PSIRA). TNPA's requirements in respect of national security services include the following:

4.1.1 Security personnel (Grade A, Grade B, Grade C, Grade C DH4 (Dog Handlers) and (DH5 Dog Handlers).

4.1.2 Level 4 and Level 5 trained dogs.

4.1.3 Vehicles.

4.1.4 Security equipment.



## 4. SCOPE OF SERVICES CONTINUED

4.2 National security services are required across various TNPA ports and identified Lighthouses. The ports are categorised as follows:

- 4.2.1 Category 1: Port of Durban and Lighthouses
- 4.2.2 Category 2: Port of Richards Bay and Lighthouses
- 4.2.3 Category 3: Port of East London and Lighthouses
- 4.2.4 Category 4: Port of Ngqura
- 4.2.5 Category 5: Port of Port Elizabeth and Lighthouses
- 4.2.6 Category 6: Port of Mossel Bay and Lighthouse
- 4.2.7 Category 7: Port of Cape Town and Lighthouse
- 4.2.8 Category 8: Port of Saldanha and Lighthouse
- 4.2.9 Category 9: Port of Port Nolloth and Lighthouse



## 4. SCOPE OF SERVICES CONTINUED

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4.3 TNPA will appoint one (1) qualifying service provider per category for the provision of national security services for a period of sixty (60) months. Prospective bidders may bid for one or more categories and must also take note that bidding for a category includes the Port and all lighthouses associated with the respective Port as detailed in the scope of services. Service providers must indicate the category they are bidding for by completing **Annexure A**: Template indicating the Port category selection.

4.4 Refer to **Annexure B** of the RFP document for the detailed scope of services.

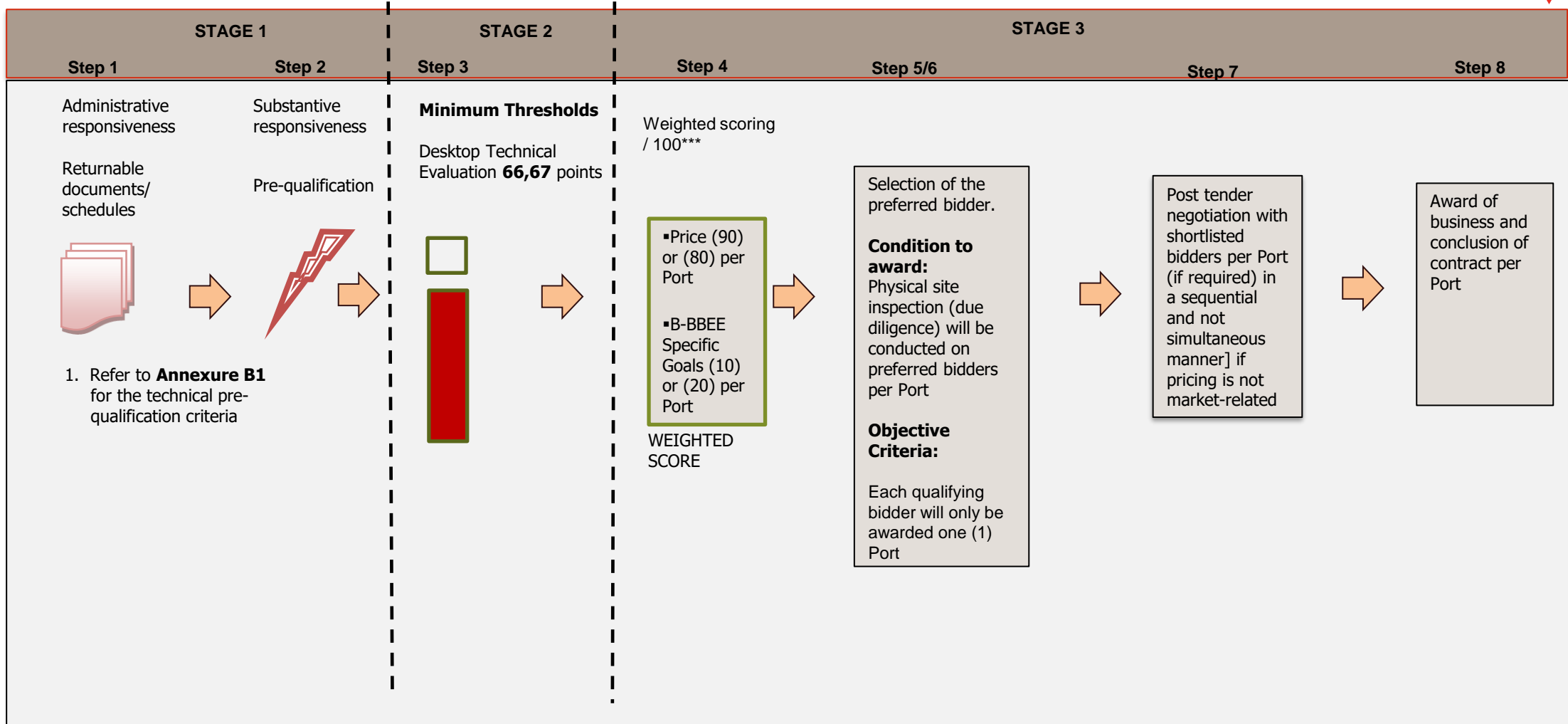


# TENDER EVALUATION METHODOLOGY





# 5. TRANSNET'S EVALUATION METHODOLOGY





## 5.1. EVALUATION STEPS

### 5.1.1. Step One: Test for Administrative Responsiveness

The test for administrative responsiveness will include the following:

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

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



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.2. Step Two: Test for Substantive Responsiveness

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

Check for substantive responsiveness	RFP Reference
Whether any general and legislation qualification criteria set by Transnet, have been met	All sections including Section 2 paragraphs, 2.2, 6, 11.2, General Bid Conditions clause 20
Whether the Bid contains a signed and priced offer for each selected port as prescribed in the pricing and delivery schedules	Section 4
Whether the Bid materially complies with the scope given	All sections
Whether any Technical pre-qualification criteria set by Transnet have been met as follows: <ul style="list-style-type: none"> <li>The technical pre-qualification criteria requirements are attached hereto as <b>Annexure B1</b></li> </ul>	Annexure B1

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



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.3. Step Three: Minimum Threshold 66.67 points for Technical Criteria

Functionality evaluation will be conducted out of 100 points. Bidders will be required to achieve a minimum threshold of 66.67 points in order to proceed to the next stage - i.e. the Preference Point System (Price and B-BBEE Specific goals) evaluation. The functionality evaluation criteria is attached hereto as **Annexure C**.

**NB:** Bidders may submit one (1) bid in response to technical evaluation, however it is important that bidders complete Annexure A: Template indicating the Port Category Selection to indicate the port they are bidding for. It is also important to note that Bidders are still required to submit Annexure E: Pricing and Delivery Schedule for each port they are bidding for.



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.4. Step Four: Evaluation and Final Weighted Scoring

Price and specific goals evaluation will be conducted out of 100 points per Port.

a) Price Criteria (Weighted score 90 Or 80 points):

Evaluation Criteria	RFP Reference
Commercial Offer	Section 4

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

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

OR

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

Where:

Ps = Score for the Bid under consideration

Pt = Price of Bid under consideration

Pmin = Price of lowest acceptable Bid



## 5.1.4 PRICING AND DELIVERY SCHEDULE PER PORT

The pricing schedules are attached hereto as **Annexure E**. Respondents are required to fully complete the pricing and delivery schedule for each Port they are bidding for.

**NB:** Considering that Year 1 will commence in 2025, bidders must utilise the rates as per PSIRA Illustrative Pricing Guide from 01 March 2025.

- a. Bidders should input their company name on the "Green" cells for all tabs of the Pricing Schedule for ports that they are bidding for.
- b. Bidders must fully complete the Pricing and Delivery Schedule, initial each page, sign and submit in pdf copy.
- c. The pricing must be within Private Security Industry Regulatory Authority (PSIRA) sectorial determination rates.
- d. Bidders will be disqualified if they submit bids that are lower than the PSIRA illustrative pricing guidelines.
- e. Bidders must note that Transnet National Ports Authority pays contracted security at the Area 1 PSIRA pay scale irrespective of the magisterial district in which that port falls.
- f. Bidders must note that there will be no yearly contract value increases, the only increase that will be allowed is the PSIRA Sectoral increases if it is higher than the quoted prices.
- g. TNPA will allow price escalation from year 3 in line with the published PSIRA Sectoral Determination price increase for 01 March 2027 to 2029.
- h. The quoted prices must be inclusive of all TNPA' requirements, as per the Main RFP document and annexures. No additional costs will be considered post award.



## 5.1.4 PRICING AND DELIVERY SCHEDULE PER PORT CONTINUED

- i. The quantities for Security Officers provided under Equipment are estimates, and TNPA reserves the right to increase or decrease these quantities due to operational requirements, at any time during the execution of the MSA.
- j. 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.
  - iv. If a market-related price is not agreed with the Respondent scoring the third highest points, Transnet must cancel the RFP.
- k. The cost of the Safety file must be included in the pricing and delivery schedule.
- l. Bidders must ensure that all overhead costs are covered, Transnet will not pay any additional costs post award.
- m. Prices must be quoted in South African Rand inclusive of VAT.
- n. To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with the pricing schedules per respective Port attached hereto as Annexure E and not utilise a different format. Deviation from this pricing schedule could result in a bid being declared non-responsive.
- o. 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.



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.4. Step Four: Evaluation and Final Weighted Scoring

b) Broad-Based Black Economic Empowerment (B-BBEE) Specific Goals per Port (Weighted score 10 or 20 points)

Specific goal points will be awarded to a bidder for attaining the specific goals in accordance with the table indicated below:

Specific Goal	Point Allocation out of 10
B-BBEE Status Level of Contributor 1 or 2	3.00
The promotion of supplier development through subcontracting or Joint Venture (JV) for a minimum of 30% of the value of a contract to South African Companies which are: 30% Black Women owned/51% Black Youth and 51%/ Black people with disabilities/ EMEs and/or QSEs who are 51% black-owned.	7.00
Non-compliant and/or B-BBEE Level 3-8 contributors	0.00



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.4. Step Four: Evaluation and Final Weighted Scoring

b) Broad-Based Black Economic Empowerment (B-BBEE) Specific Goals per Port (Weighted score 10 or 20 points)

Specific goal points will be awarded to a bidder for attaining the specific goals in accordance with the table indicated below:

Specific Goal	Point Allocation out of 20
B-BBEE Status Level of Contributor 1 or 2	6.00
The promotion of supplier development through subcontracting or Joint Venture (JV) for a minimum of 30% of the value of a contract to South African Companies which are: 30% Black Women owned/ 51% Black Youth and 51%/ Black people with disabilities/EMEs and/or QSEs who are 51% black-owned.	14.00
Non-compliant and/or B-BBEE Level 3-8 contributors	0.00



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.4. Step Four: Evaluation and Final Weighted Scoring

#### c) Evidence Required for Claiming Specific Goals

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 Goal	Acceptable Evidence
B-BBEE Status Level of Contributor 1 or 2	<ul style="list-style-type: none"> <li>Valid B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate.</li> <li>In case of JV, a consolidated scorecard will be accepted) as per DTIC guideline.</li> </ul>
The promotion of supplier development through subcontracting or Joint Venture (JV) for a minimum of 30% of the value of a contract to South African Companies which are: 30% Black Women owned/ 51% Black Youth and 51%/Black people with disabilities/EMEs and/or QSEs who are 51% black-owned.	<ul style="list-style-type: none"> <li>Sub-contracting agreements and Declaration / Joint Venture Agreement</li> <li>Valid B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate as per DTIC guideline.</li> <li>Certified copy of ID Documents of the Owners.</li> <li>Certified copies of ID documents of the owners/ Doctors note and /or EEA1 form confirming the disability</li> </ul>



## 5.1. Key Pointers Determining the Validity of a Sworn Affidavit Continued

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorized to depose of an affidavit.
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership and designated group.
- Indicate total revenue for the year under review and whether it is based on audited financial statements or management account.
- Financial year end as per the enterprise's registration documents, which was used to determine the total revenue.
- B-BBEE Status level. An enterprise can only have one status level.
- Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- Date deponent signed and date of Commissioner of Oath must be the same.
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.



## 5.1. Key Pointers Determining the Validity of a Sworn Affidavit Continued

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- Valid B-BBEE certificate from SANAS accredited verification agency, CIPC B-BBEE certificate or BBEE sworn affidavit complying with the following requirements.
- In case of Joint Ventures, a Venture Agreement SANAS approved B-BBEE certificate must be submitted. The individual company sworn Affidavits/certificates will not be considered for JV's.
- Letters from the verification agency stating that the bidder is on the process of being verified will not be acceptable.
- The B-BBEE certificate/affidavit must be submitted on the date and time of closing of tender.

# Valid B-BBEE Sworn Affidavit

**Example:  
VALID  
SWORN  
AFFIDAVIT**

**Name of deponent & ID Number**

SWORN A      [ ] EXEMPTED MICRO ENTERPRISE

I, the undersigned,

Full name & Surname: SUNDHRAN NAIDOO  
 Identity number: 7406165131089

**Enterprise details**

Hereby declare under oath as follows:

- The contents of this statement are to the best of my knowledge a true reflection of the facts.
- I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name: D S W PLANT AND CIVILS CC  
 Trading Name: SK PLANT AND CONSTRUCTION  
 Registration Number: 2006/037956/23  
 Enterprise Address: 32 PARAGON PLACE  
INDUSTRIAL PARK  
PHOENIX  
2004

**Indicate BO & BWO  
Tick or underlined Mngt Acc or AFS**

- I hereby declare under oath that:
  - The enterprise is 100 % black owned;
  - The enterprise is 0 % black woman owned;
  - Based on the management accounts and other information available on the 2016 financial year, the income did not exceed R10,000,000.00 (ten million rands);
  - Please confirm on the table below the B-BBEE level contributor, by ticking the applicable box.

100% black owned	Level One (135% B-BBEE procurement recognition)	<input checked="" type="checkbox"/>
More than 51% black owned	Level Two (120% B-BBEE procurement recognition)	<input type="checkbox"/>
Less than 51% black owned	Level Four (100% B-BBEE procurement recognition)	<input type="checkbox"/>

**Financial Year (dd/mm/yyyy)**

**B-BBEE Status Level based on Black Ownership**

**Commissioner of Oath signature and date**

[Signature]  
 Commissioner of Oaths  
 Signature & stamp

Deponent Signature: [Signature]  
 Date: 16 August 2016

**Deponent signature and date**

SOUTH AFRICAN POLICE SERVICE  
 COMMUNITY SERVICE CENTRE

**Commissioner of Oath Certification Stamp**



# Valid B-BBEE Certificate

COMPANY NAME

**Example:  
VALID CIPC B-BBEE**

dtic logo



CIPC logo



## B-BBEE CERTIFICATE FOR EXEMPTED MICRO ENTERPRISES

Issued by the Companies & Intellectual Property Commission (CIPC) on behalf of the Department of Trade and Industry. Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end, the annual Total Revenue was R10,000,000.00 (Ten Million Rands) or less.

This Certificate serves as an Affidavit in terms of Code Series 000, Section 4.5 of the Amended Codes 2013.

Bar code with tracking number



Bar code with enterprise number

Certificate number

Certificate Number: 9367024328

CIPC Watermark

% of BO, BWO & TWO

Black Ownership Percentage: 100% BLACK OWNERSHIP  
Black Female Percentage: 100% BLACK FEMALE OWNERSHIP  
White Ownership Percentage: 0% WHITE OWNERSHIP

B-BBEE Status & Proc Recog Level

Date of issue & expiry date

B-BBEE Status: B-BBEE LEVEL 1 CONTRIBUTOR: 135% PROCUREMENT RECOGNITION  
Date of Issue: 01-June-2022  
Expiry Date: 31-May-2023

- Unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution: 0%
- Black people who are youth as defined in the National Youth Commission Act of 1996: 100%
- Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act: 0%
- Black people living in rural and under developed areas: 0%
- Black military veterans who qualify to be called a military veteran in terms of the Military Veterans Act 18 of 2011: 0%

Reg. Number & Enterprise Name

ENTERPRISE INFORMATION  
Registration number: 2017 / 267673 / 07  
Enterprise Name: JOEL MARK (PTY) LTD  
Registration Date: 19-June-2017  
Enterprise Type: Private Company  
Enterprise Status: In Business

Physical Address: the dti Campus - Block F 77 Meintjies Street Sunnyside 0001  
Postal Address: Companies P O Box 429 Pretoria 0001  
Docex: 256  
Web: www.cipc.co.za  
Contact Centre: 086 100 2472(CIPC)  
Contact Centre (International): +27 12 394 9500





# Valid B-BBEE Certificate

**Example:  
VALID B-BBEE**

VA Name

**S.A.B.E.E.R.A**

Enterprise Name  
(Cross referenced to Tax Clearance Certificate & Enterprise Registration No.)

**COMPANY NAME**

**AQUA TRANSPORT AND PLANT HIRE (PTY) LTD**

13 LEMANS ROAD, PINETOWN

HAS BEEN INDEPENDENTLY RATED IN TERMS OF BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT NO.53 of 2003 AND AS PER THE CODES OF GOOD PRACTICE NO: 36928

AND IS DEEMED TO BE A

**LEVEL 2 CONTRIBUTOR**

**GENERIC ENTERPRISE**

AND HAS A RECOGNITION LEVEL OF 125%

B-BBEE Status, Generic Codes, & Procurement Recog level

Elements verified

B-BBEE STATUS	POINTS		STATUS
Ownership Equity	20.00	Black Ownership	100%
Management Control	14.27	Black Female Ownership	20%
Skills Development	16.00	ED Beneficiary	No
Supplier & Enterprise Development	42.00	Designated Supplier	No
Socio-Economic Development	05.00	Certificate Number	Gen 001/2017
Priority Elements achieved	Yes	Date issued	06/02/2017
Level discounted	No	Expiry Date	05/02/2018
Final Level	2		

Certificate Number & Validity Period

Technical Signatory

*Pawani*  
TECHNICAL SIGNATORY

SANAS logo & BVA Number





## 5.1. EVALUATION STEPS CONTINUED

### 5.1.5. Summary: Applicable Thresholds and Final Evaluated Weightings

Evaluation Criteria	Minimum Threshold
Technical Evaluation	66.67

Evaluation Criteria	Final Weighted Scores
Price	90 or 80
B-BBEE Specific Goals	10 or 20
<b>Total Score</b>	<b>100</b>



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.6. Step Five: Condition to Award

- 5.1.6.1 Transnet will conduct pre-award physical site inspections (due diligence) on only short-listed bidders that have passed all prior evaluation stages. The bidders must meet all the requirements of the pre-award physical site inspection.
- 5.1.6.2 Transnet reserves the right to conduct the pre-award physical site inspection in order of the highest ranked bidders who have passed all evaluation stages per Port. The requirements for the pre-award physical site inspection (due diligence) are attached hereto as **Annexure D**.
- 5.1.6.3 Bidders will be given a period of fifteen (15) calendar days after receiving a letter of intent to award to ensure preparedness of an office that is operational and functional within a location that is not 100km away from the port where the services will be rendered. A valid proof of lease agreement or ownership of the offices that will be visited must be made available during the site visit. Failure to set up an office that is operational and functional within a location that is not 100km away from the port where the services will be rendered, will result in disqualification.



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.7. Step Six: Objective Criteria

Transnet reserves the right to award the business to the highest scoring bidder/s unless objective criteria justify the award to another bidder. The objective criteria Transnet may apply in this bid process include:

5.1.7.1 All risks identified during a risk assessment exercise/ probity check that would be done to assess all risks, including but not limited to:

- The financial stability of the bidder based on key ratio analysis, which would include, but not be limited to Efficiency, Profitability, Financial Risk, Liquidity, Acid Test, and Solvency;
  - Transnet will a conduct financial risk analysis on the bidders that proceeded to pre-award physical site inspection evaluation.
  - Transnet reserves the right not to make an award to a bidder(s) if its financial risk analysis indicates a high risk.
  - The bidders are required to submit complete sets of audited annual financial statements, for the three (3) most recent financial periods in the name of the bidding entity. The audited financial statements must have a signed audit opinion and signed by the company's directors.
- The identification of conflict of interest; and
- Reputational and Brand risks.



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.7. Step Six: Objective Criteria

5.1.7.2 To mitigate the risk of poor performance/ termination of contracts/ business continuity affecting more than one Port, the award of business will be done per Port to a qualifying bidder (**only one bidder per Port**), with the sequence of award being from the highest Port value to the lowest Port value where the bidder scored the highest points for Preference Point System in more than one Port.

- The **first** sequenced award will be made to the highest scoring bidder for a Port with the highest Port value from the Ports where they achieved the highest points for Preference Point System.
- The **second** sequenced award will be made to the second highest scoring bidder, should the first highest scoring bidder have been awarded a Port with the highest port value. In such an instance the award will be made to the second highest ranked bidder.
- The **third** sequenced award will be made to the highest ranked bidder, subject to the highest ranked bidder not been awarded the first or second sequenced award. In such instances the award will be made to the next ranked bidder that is neither the bidder whom the first or second sequenced award were made.



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.7. Step Six: Objective Criteria

- The **fourth** sequenced award will be made to the highest ranked bidder, subject to the highest ranked bidder not been awarded the first, second or third sequenced award. In such instances the award will be made to the next ranked bidder that is neither the bidder to whom the first, second or third sequenced award were made.
- The **fifth** sequenced award will be made to the highest ranked bidder, subject to the highest ranked bidder not been awarded the first, second, third or fourth sequenced award. In such instances the award will be made to the next ranked bidder that is neither the bidder to whom the first, second, third or fourth sequenced award were made.
- The **sixth** sequenced award will be awarded to the highest ranked bidder, subject to the highest ranked bidder not been awarded the first, second, third, fourth or fifth sequenced award. In such instances the award will be made to the next ranked bidder that is neither the bidder to whom the first, second, third, fourth or fifth sequenced award were made.



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.7. Step Six: Objective Criteria

- The **seventh** sequenced award will be made to the highest ranked bidder, subject to the highest ranked bidder not been awarded the first, second, third, fourth, fifth or sixth sequenced award. In such instances the award will be made to the next ranked bidder that is neither the bidder to whom the first, second, third, fourth, fifth or sixth sequenced award were made.
- The **eighth** sequenced award will be made to the highest ranked bidder, subject to the highest ranked bidder not been awarded the first, second, third, fourth, fifth, sixth or seventh sequenced award. In such instances the award will be made to the next ranked bidder that is neither the bidder to whom the first, second, third, fourth, fifth, sixth or seventh sequenced award were made.
- The **ninth** sequenced award will be made to the highest ranked bidder, subject to the highest ranked bidder not been awarded the first, second, third, fourth, fifth, sixth, seventh or eighth sequenced award. In such instances the award will be made to the next ranked bidder that is neither the bidder to whom the first, second, third, fourth, fifth, sixth, seventh or eighth sequenced award were made.

The above sequencing of award will be applied however, Transnet reserves the right to rearrange the sequencing accordingly.



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.8. Step Seven: Post Tender Negotiations (PTN) (if applicable)

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



## 5.1. EVALUATION STEPS CONTINUED

### 5.1.9. STEP Eight: Award of business to multiple bidders and conclusion of contracts per Port

- Immediately after approval to award the contract has been received, the successful bidders will be informed of the acceptance of his/their Bid by way of a Letters of Award per Port. Thereafter the final contract will be concluded with the successful Respondent.
- A final contract will be concluded and entered into with the successful Bidder per Port at the acceptance of a letter of award by the Respondent.



## 5.3 RETURNABLE DOCUMENTS

### 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:

<b>MANDATORY RETURNABLE DOCUMENTS</b>	<b>SUBMITTED [Yes/No]</b>
Pricing and Delivery Schedule for each Port the bidder is bidding for (Annexure E)	
Technical Pre-qualification Criteria Response (Annexure B1)	
Compulsory Briefing Session Certificate of Attendance (Section 11 of this document)	



### 5.3 RETURNABLE DOCUMENTS CONTINUED

**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:

<b><u>RETURNABLE DOCUMENTS USED FOR SCORING</u></b>	<b>SUBMITTED</b> <b>[Yes or No]</b>
Respondent’s valid proof of evidence to claim points for compliance with Specific Goals’ requirements as stipulated below for each Port the bidder is bidding for: <ul style="list-style-type: none"> <li>• Sub-contracting agreements and Declaration / Joint Venture Agreement.</li> <li>• Valid B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate as per DTIC guideline.</li> <li>• Certified copies of ID Documents of the Owners.</li> <li>• Certified copies of ID documents of the owners/ Doctors note and /or EEA1 form confirming the disability.</li> </ul>	
Bidder’s response to Technical Evaluation Criteria <b>Annexure C</b>	



## 5.3 RETURNABLE DOCUMENTS CONTINUED

### c) Essential Returnable Documents:

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

ESSENTIAL RETURNABLE DOCUMENTS, SCHEDULES ANNEXURES	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	
Three (3) most recent years audited / independently reviewed annual financial statements	
SECTION 1: SBD 1	
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 9: B-BBEE Preference Claim Form	
SECTION 10: Protection of Personal Information	
Bidder's Declaration (Form SBD 4)	
Central Supplier Database (CSD) Report	
SARS Tax Compliance Pin	
Annexure A: Template Indicating the Port Category Selection	
Proof of Insurance Liability Cover	
Green Economy / Carbon Footprint Policy	
Job Creation Schedule for each Port Selected by the Bidder	

# Master Service Agreement, Service Level Agreement and SLA Scorecard

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## 5.4. Master Service Agreement, Service Level Agreement and SLA Scorecard

Refer to **Annexure F** of the RFP Document for the Master Service Agreement and its Annexures.

### 5.4.1 CONTRACTUAL ASPECTS:

The Ports are National Key points therefore requirements are stringent . Bidders are encouraged to read the Contract and understand the terms and conditions of the Contract. If there are terms and conditions that the bidder does not agree with, those MUST be submitted UPFRONT in their proposal for TNPA to consider whether or not would be able to accommodate those deviations.

### 5.4.2 PRICING:

Price adjustment for Services provided in terms of this Agreement shall be subject to review in alignment with the new main collective Agreement by the Department of Employment notice 1530 of 2022 gazetted document. TNPA will allow escalation from year 3 in line with the published PSIRA Sectoral Determination price increase for 01 March 2027 to 2029. **Bidders MUST ensure that they price correctly.**



## 5.4. Master Service Agreement, Service Level Agreement and SLA Scorecard Continued

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### 5.4.3 PENALTIES:

Where the Service Provider fails to provide the Services within the agreed and accepted milestone timelines, the Scope of Work and the Service Level Agreement, and where the cause of the noncompliance was not due to a fault, act or omission of Transnet or any force majeure event, penalties shall be imposed as per the provisions of the Service Level Agreement (See penalty Schedule).

### 5.4.4 CHALLENGES AND CONSEQUENCES:

Late payment and/or Non-Payment of Security officers leading to strikes . TNPA not receiving services as contractually required means BREACH OF CONTRACT therefore TNPA reserves the right to TERMINATE a Contract in such instances.



## 5.4. Master Service Agreement, Service Level Agreement and SLA Scorecard Continued

### 5.4.5 Performance measurements

Transnet National Ports Authority Port of **(insert Name of Port)** will develop a monthly performance measurement tool for specific services provided and this information will be fed to the office of the Transnet National Ports Authority for the compilation of data.

The following performance indicators are relevant:

- Scale of:
- 1 = Significantly failing to meet SLAs,
  - 2 = Failing to meet SLAs,
  - 3 = Meeting SLAs,
  - 4 = Exceeding SLAs,
  - 5 = Significantly exceeding SLAs.



## 5.4. Master Service Agreement, Service Level Agreement and SLA Scorecard Continued

### 5.4.6 Non-Performance

Transnet National Ports Authority Port of **(insert Name of Port)** and the Contractor agrees to remove any cause of non-performance and to take corrective action without delay.

Records of incidents and transgressions across the respective Transnet National Ports Authority Port of **(insert Name of Port)** location must be reported not later than at the end of the shift to the designated Port Security Officer or his appointed delegate at Transnet National Ports Authority Port of **(insert Name of Port)** for capturing in the Transnet National Ports Authority database. Serious incidents or incidents of a criminal nature must be reported to the Transnet National Ports Authority Port of **(insert Name of Port)** Controlling Officer immediately.

Whilst we will commend and record exceptional performances, non- or substandard performances will not be tolerated. Accordingly, the PSO will have the right to request that a specific security official be removed from their post and replaced with a competent employee. A non-conformance notice will be issued by the PSO to the contractor. Furthermore, three or more serious consecutive non-conformances on a specific criterion e.g. Late postings, short postings, double shifting, and or strikes will lead to a review of the contract.

# TENDER SUBMISSION

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## 6. TENDER SUBMISSION

### Proposal submission

Bidders must ensure that bids are uploaded timeously onto the system. As a general rule, if a bid is late, it will not be accepted for consideration.

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

The Turnaround time for when we have received the reference for calls logged is up to 48 hours. This at times is affected by the number of calls logged.

The Turnaround time to resolve technical issues once the call has been logged by a tender administrator is up to 48 hours. This at times is affected by the number of calls logged.



## 6. TENDER SUBMISSION CONTINUED

**Closing date: 13 September 2024**

**Time: 16:00 PM**

### **Proposal submission**

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

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

- Log on to the Transnet eTenders management platform website/ Portal (<https://transnetetenders.azurewebsites.net>) Please use Google Chrome to access Transnet link/site);
- Click on "ADVERTISED TENDERS" to view advertised tenders;
- Click on "SIGN IN/REGISTER – for bidder to register their information (must fill in all mandatory information);
- Click on "SIGN IN/REGISTER" - to sign in if already registered;
- Toggle (click to switch) the "Log an Intent" button to submit a bid;
- Submit bid documents by uploading them into the system against each tender selected.
- No late submissions will be accepted. The bidder guide can be found on the Transnet Portal <https://transnetetenders.azurewebsites.net>
- **Tenderers must ensure the titles of the documents intended for upload does not contain special characters, e.g. #, %, etc. The use of special characters will result in document upload failure.**



## 8. QUESTIONS AND ANSWERS



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THANK YOU

