



TRANSNET FREIGHT RAIL
An Operating Division of TRANSNET SOC LTD.
(Registration No. 1990/000900/06)

RFI: HOAC-HO-8237
REQUEST FOR INFORMATION FOR
QUICK HOT MEALS NATIONALLY

“PREVIEW COPY ONLY”

Issue Date: 23 January 2012

Compulsory Briefing Session: 02 February 2012

Closing Date: 07 February 2012

Option Date: 30 April 2012



1. NOTICE TO BIDDERS:

On or after 23 January 2012 the RFI documents may be inspected at, and are obtainable from the office of Transnet Freight Rail Tender Advice Centre, Ground Floor, Inyanda 1, 21 Wellington Road, Parktown.

A free-issue tender document will be supply to the tenderers till the 01 February 2012 at 15H00.

2. ABBREVIATION AND TERMINOLOGY

Transnet

- is the largest and most crucial part of the freight logistics chain that delivers goods to every South African

Transnet Freight Rail (TFR)

- is the largest division of Transnet. It is a world class heavy haul freight rail company that specialises in the transportation of freight

3. INTRODUCTION

Transnet freight rail is a 24/7 organisation with operational personnel that work around the clock. The organisation has embarked on numerous lifestyle programmes to help improve the employee's standard of living.

4. PURPOSE OF REQUEST FOR INFORMATION

The objective of this Request for Information (RFI) is to:

- a) Identify entities who can provide us with quick hot meals which are easy to prepare in under 10 minutes

PRODUCT DESCRIPTION

These meals need to

- a) have different South African flavours
- b) be SABS approved
- c) have been Lab tested and certified
- d) be Nutritional
- e) be appropriate for diabetics
- f) preferably have hallal option
- g) cater for vegetarians

PRODUCT SUPPLY



The supplier has to be able to supply the meals nationally and; as and when there is a demand.

5. STORAGE LOCATION

- a) The meals shelf life must be at least up to 9 months
- b) The meals will be stored in rooms with a room temperature.

6. PROPOSED PROCESS OVERVIEW

This RFI is quick hot meals.

Activity	Date	Parties
RFI to market	23 January 2012	Transnet
Compulsory Briefing Session	02 February 2012	Suppliers
Closing date for submissions	07 February 2012	Suppliers

- Transnet reserves the right to accelerate or retard the above time line schedule according to prevailing circumstances and the operational environment within Transnet.
- TRANSNET will not consider submissions received after the due date and timelines stipulated herein and submissions delivered to any address or deposited in any box other than specified herein will be regarded as late submission/s and will be disqualified.
- Any additional information or clarifications prior to the closing of the RFI should be submitted in writing and will be responded to in writing and may be faxed or e-mailed to all participants.

7. COMMUNICATIONS

Suppliers are to direct all enquiries regarding this RFI to the **RFI administrator** of the RFI, at the following e-mail address: willem.maritz@transnet.net All enquiries will be responded to electronically and information shared with all contenders. Enquiries will be accepted until close of business on January 2012 after which no enquiries will be entertained.

8. COMPULSORY BRIEFING SESSION.

A **COMPULSORY** information session will be held in the form of a "Questions and Answers" discussion session, at which time any queries will be attended to and responses provided to participating contenders.



Information session details:

Date: 02 February 2012
Time: 09H00
Venue: Transnet Freight Rail
Umjantshi C Boardroom
Inyanda House 2
13-15 Girtin Road
Parktown
Johannesburg

This RFI document is to be presented at the briefing session and the attached Attendance Certificate MUST be signed by the RFI administrator and such signed certificate must accompany your submission. Submissions from contenders that did not attend the briefing session will not be considered and will be disqualified.

9. RFI SUBMISSION

Offers should be submitted in triplicate.

Responses must reach the Chairperson, Transnet Acquisition Council on or before the closing time and date shown above and must be enclosed in a sealed envelope which must have inscribed on the outside:

“RFI Quick Hot Meals, Closing time and date: 10H00 on 07 February 2012.”

If posted, the envelope must be addressed to the Chairperson, Transnet Acquisition Council, P O Box 4244, Johannesburg, 2000 and must be dispatched in time for sorting by the Post Office into P O Box 4244, before the closing time. If a tender is received late, the Tenderer's franking machine impression will not be accepted as proof that the tender was posted in time.

If delivered by hand, the tender is to be delivered to the Chairperson, Transnet Acquisition Council, Inyanda House, 21 Wellington Road, Parktown, Johannesburg, 2001 with the inscription detailed above, appearing on the exterior of a **sealed envelope**.

It should be noted that the above-mentioned tender box is in the foyer of Inyanda House and is accessible to the Public 24 hours a day, 7 days a week.

Please note that this request closes punctually at 10H00 on 07 February 2012.

The envelope must NOT contain documents relating to any other RFI / tender, other than that shown on the envelope.

NO E-MAIL OR FACSIMILE SUBMISSIONS WILL BE CONSIDERED.



10. RFI SCHEDULE

The schedule of this RFI is as follows:

Date of Issue: 23 January 2012
Briefing Session: 02 February 2012
RFI Submission Date: 07 February 2012
Option / Validity date: 30 April 2012

It should be noted that suppliers may offer an earlier validity period, but that such submissions may be disregarded for this reason. The above dates are subject to change by Transnet at any time. Transnet will use notify Suppliers of any changes to these dates.

Suppliers are to provide the name and contact details of a duly mandated person with whom Transnet may communicate on behalf of their company.

Name: _____
Tel: _____
Fax: _____
E-mail: _____

11. INSTRUCTIONS FOR COMPLETION OF THIS RFI:

- Please ensure that all documents are read and understood
- Create 3 hardcopies of RFI document
- Sign all three sets of documents, sign and date the bottom of each page. All three sets of documents to be submitted to the address specified above.
- The format and layout of this document is not to be altered at all. Any change to this layout and/or format will result in the offer being disqualified.

12. DOCUMENTS TO ACCOMPANY SUBMISSION:

- US 7 ~ Standard Terms and Conditions of Contract.
- CSS 5 ~ General Tender Conditions

NOTE: Unless otherwise expressly stated herein, all Submissions furnished pursuant to this request shall be deemed to be offers. Any exceptions to this RFI must be clearly and specifically noted. TRANSNET reserves the right to reject any or all offers for any reason.

FAILURE TO OBSERVE THE STIPULATED REQUIREMENTS MAY RESULT IN THE RFI BEING DISQUALIFIED.



13. UNDERTAKING OF BIDDERS/ SUPPLIERS

I/WE _____ (name)

Of _____ (company)

offer QUICK HOT MEALS in accordance with the specification requirements and terms and conditions as set out in this document.

- For any resulting contract, bidders agree to be legally bound by those conditions in TRANSNET LTD:
 - Standard Terms and Conditions of Contract, Form US 7
 - General Tender Conditions, Form CSS 5
 - Any other Terms and Conditions mentioned and embodied in the RFI documents.
- Agree that this RFI (read with any accompanying correspondence) constitutes an offer of such nature that only acceptance thereof by TRANSNET LTD in writing will bring into existence a Contract, or Purchase order, the terms and conditions of which are set out in this RFI, such accompanying correspondence, the annexure hereto, the standard terms and conditions as mentioned above.
- Agree that if after notification of acceptance of this RFI, I/we fail to enter into a contract when requested to do so, within the stipulated period in the conditions of this RFI or within such extended period as TRANSNET LTD may allow, I/we will be held liable for any additional expenses which TRANSNET LTD may incur in having to reissue RFI's afresh and/or having to accept any less favourable offers to complete the whole or remaining portion of the contract.

14. PROPRIETY ARTICLES USED AS SAMPLES:

When a patented article is used as a sample or when the name of a manufacturer or of a certain trade mark or brand is quoted, it shall only be to indicate the type or quality of the article required and not to limit competition to that article.

15. SIGNING OF RFI / SUBMISSION DOCUMENTS:

By signing the RFI/bid document, I/we acknowledge that I/we have acquainted myself/ourselves with the terms and conditions governing this RFI, including those contained in any printed form to form part thereof and TRANSNET LTD will recognize no claim for relief based on an allegation that the proposer overlooked any such condition or failed to properly take into account for the purpose of calculating my/our RFI/offer prices or otherwise.

16. GENERAL INFORMATION

16.1 Overview



TRANSNET LTD. is a large organization in the transportation industry with its headquarter in Johannesburg, Gauteng. Its primary business is providing rail freight and Ports operations. Operations are conducted throughout South Africa.

16.2

The purpose of this RFI is to gather information in order to finalise a specification to ultimately select a supplier(s) for the acquisition of QUICK HOT MEALS for TRANSNET. (refer also to pages 2 & 3 above)

The supplier/s shall be fully responsible to TRANSNET for the acts and omissions of persons directly or indirectly employed by them.

The supplier must provide the identified information requested and comply with the requirements stated in the Request for Information (RFI).

Disclaimers: You are hereby advised that TRANSNET is not committed to any course of action as a result of its issuance of this RFI and/or its receipt of a Submission from you or other firms in response to it. In particular, you should note that TRANSNET:

- May reject any Submission which does not conform to instructions and specifications which are issued herein
- Will not accept Submission/s after the stated submission deadline
- May not necessarily accept the lowest priced submission / offer
- May reject all Submissions, if it so decides
- May negotiate with one or more firms
- May award a contract in connection with this RFI at any time
- May award only a portion of the contract
- May make no award of a contract.

You are also advised that TRANSNET will not reimburse your firm for any Submission preparation costs or other work performed in connection with this RFI, whether or not your firm is awarded a contract.

17. ADJUDICATION CRITERIA

TRANSNET will utilize the following criteria (not necessarily in this order) in choosing a Supplier(s):

- Comprehensiveness of bid
- Practicality of solution offered
- Feasibility of solution offered
- References (proof of solution success)

18. ADMINISTRATIVE INFORMATION

18.1 Confidentiality of TRANSNET Information

This RFI, and all information provided to the Supplier in connection herewith, is confidential and proprietary information. The Supplier may not disclose this RFI, or any information that TRANSNET may provide the Supplier to assist the Supplier in developing a Submission, to any other person or entity without the prior written approval of TRANSNET. The Supplier may use such information solely



for the purpose of responding to this RFI. In the Absence of TRANSNET's prior written consent, the Supplier may not disclose to any third party or person that it has received this RFI, the substance of this RFI, or any TRANSNET decision with respect to the Supplier's Submission. The Supplier may not make copies of this RFI, nor other documents provided to the Supplier in connection herewith, without TRANSNET's prior written consent.

The Supplier will maintain accurate records of the names of persons who have seen this RFI (or other documents provided in connection herewith) and, upon TRANSNET's request, will identify all such persons to TRANSNET.

18.2 Confidentiality of RFI

The Supplier's Submission shall become the sole and exclusive property of TRANSNET. TRANSNET reserves the right to modify, reject or use without limitation any or all of the ideas from the RFI's. TRANSNET will not disclose Supplier's confidential information in the Submission clearly marked as such, i.e., that which is not otherwise publicly available, to any party other than its attorneys, representatives, regulators or consultants in connection with the preparation of this Submission and the evaluation of received Submission/s. In the event any information supplied to TRANSNET is confidential, please note such confidentiality in a separate letter. TRANSNET is willing to execute a nondisclosure agreement acceptable to TRANSNET's legal counsel if requested by the Supplier in connection with the submission of its Offer or further negotiations.

18.3 News Releases

Suppliers who are submitting an Offer are not at liberty to discuss this RFI outside the TRANSNET Team. If a Supplier is awarded a contract, they are not to release the details, either orally or in writing, of this RFI without prior written consent of TRANSNET. TRANSNET shall review and approve any written news releases prior to release.

18.4 No Contractual Relationship

Nothing contained in this RFI creates, nor shall be construed to create, any contractual relationship between TRANSNET and any Supplier. TRANSNET makes no commitment in or by virtue of this RFI to purchase any services or supplies from any Supplier. Nor does receipt of any Supplier's RFI place TRANSNET under obligation to enter an agreement to purchase supplies/services ("Agreement") with that or any other Supplier. Such Agreement shall be in a form acceptable to TRANSNET's legal counsel and shall be signed by both parties. The Supplier agrees, however, to incorporate its representations set forth in its response to this RFI concerning performance into the Agreement. Each Submission shall constitute an offer, which remains valid until 30th April 2012. Any Offer submitted by a Supplier is subject to review by TRANSNET's Legal Counsel and negotiation of the offer.

18.5 RFI Costs and Liability

Expenses incurred in preparing and presenting the Offer to TRANSNET is the sole responsibility of the Supplier and may not be charged to TRANSNET in any way. The Supplier specifically agrees that TRANSNET shall have no legal liability of any kind for its actions in releasing this RFI, or considering and choosing among the Submission/s. Nor shall TRANSNET accept any liability or responsibility for the Supplier's actions vis-à-vis TRANSNET or any third party in receiving and responding to this RFI.

18.6 Amendments to the RFI



TRANSNET reserves the right to amend, modify, withdraw, cancel or terminate this RFI at any time. If the RFI is amended or modified, it will be in writing from TRANSNET. Suppliers are required to acknowledge all amendments in writing.

18.7 Exceptions to the RFI

Any exception to the RFI by the Supplier must be explained in detail in writing. An exception is defined as the Supplier's inability to satisfy a requirement in the manner specified in the RFI. If the Supplier provides an alternative solution, the costs and the benefits of the alternative solution must be completely explained as well as any assumption made in proposing such solution. TRANSNET shall not be bound to consider such alternative solutions, but may do so at will.

18.8 Governing Law

The laws of the Republic of South Africa shall govern any agreement between Supplier and TRANSNET.

18.9 Compliance

Supplier shall be in full and complete compliance with any and all applicable state and local laws and regulations, including, without limitation, all Equal Employment Opportunity Commission regulations and requirements.

18.10 Right to Audit

TRANSNET shall have the right to audit Supplier's books and records, upon reasonable advance notice, related to its performance under any agreement entered into between the parties.

18.11 Arbitration

Supplier will be required to agree to TRANSNET's standard arbitration policy

19. TRANSNET'S MINIMUM REQUIREMENTS

19.1 INCO Terms

The accepted terms for delivery are: **direct to destination / consignee.**

19.2

Although the goods called for are to be strictly in accordance with TRANSNET's specifications, alternative offers of equivalent quality may be considered by TRANSNET. In addition to Solutions which in the first instance comply with the specification requirements, suppliers may offer as alternatives, variations that they consider might be advantageous to Transnet. In all instances where alternatives are offered the following information shall be furnished. Firstly, the same extent of information applicable to the alternatives as applicable to the basic offer. Secondly, reasons for offering alternatives. Thirdly, implications of alternatives in respect of budget price and component performance.



Failure to furnish all or correct information may lead to the disqualification of a Submission/Offer.

20. BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE)

Transnet fully endorses and supports the Government's Broad-Based Black Economic Empowerment Programme and it is strongly of the opinion that all South African business enterprises have an equal obligation to redress the imbalances of the past.

Transnet would therefore prefer to do business with local business enterprises who share these same values and who are prepared to contribute to meaningful B-BBEE initiatives (including, but not limited to subcontracting and Joint Ventures) as part of their RFP responses. Transnet will accordingly allow a "preference" in accordance with the 10% (ten percent) preference system, as per the Preferential Procurement Policy Framework Act 5 of 2000 (as amended), to companies who provide a B-BBEE Accreditation Certificate. All procurement and disposal transactions will be evaluated accordingly.

Consequently, when Transnet invites prospective suppliers to submit Proposals in response to an RFP, it requires Respondents (Large Enterprises and QSE's - see below) to have themselves accredited by any one of the various Accreditation Agencies approved by SANAS (the South African National Accreditation Systems, under the auspices of the Department of Trade and Industry).

In terms of Government Gazette No 32467, Notice No. 810, dated 31 July 2009, as from 1 February 2010 only B-BBEE Accreditation Certificates issued by SANAS approved Verification Agencies in accordance with the latest Codes (i.e. those promulgated on 9 February 2007) will be considered valid.

No certificate issued by a Verification Agency which has not been approved by SANAS will be acceptable.

Enterprises will be rated by such Agencies based on the following:

Large Enterprises (i.e. annual turnover greater than R35 million):

- Rating level based on all seven elements of the B-BBEE scorecard

Qualifying Small Enterprises – QSE (i.e annual turnover between R5 million and R35 million):

- Rating based on any four of the elements of the B-BBEE scorecard

Exempted Micro Enterprises – EME (i.e. annual turnover less than R5 million):

- EMEs are exempted from B-BBEE accreditation



- Automatic rating of Level 4 B-BBEE irrespective of race or ownership, i.e. 100% B-BBEE recognition
- Black ownership greater than 50% or Black Women ownership greater than 30% automatically qualify as Level 3 B-BBEE, i.e. 110% B-BBEE recognition
- EME's should only provide documentary proof of annual turnover (i.e. audited financials) plus proof of Black ownership if Black ownership is greater than 50% or Black Women ownership is greater than 30%

In addition to the above, Respondents who wish to enter into a Joint Venture or subcontract portions of the contract to B-BBEE companies must state in their RFPs, the percentage of the total contract value that will be allocated to such B-BBEE companies, should they be successful in being awarded any business. A rating certificate in respect of such B-BBEE JV-partners and/or subcontractor(s), as well as a breakdown of the distribution of the aforementioned percentage must also be furnished with the Proposal to enable Transnet to evaluate / adjudicate all RFPs received on a fair basis.

Respondents will be required to furnish proof of the above to Transnet. (i.e. a detailed scorecard as stipulated above in respect of Large Enterprises and QSEs, or proof of turnover in respect of EMEs). N.B. Failure to do so will result in a score of zero being allocated for B-BBEE.

Turnover: Kindly indicate your company's annual turnover for the past year

R _____

If annual turnover is less than R5m, please attach audited financials.

If annual turnover is greater than R5m please attach an Accreditation Certificate issued by an Accreditation Agency, together with all the relevant score sheets pertaining thereto.

In addition to the Accreditation Certificate, Transnet would recommend that Respondents register their B-BBEE compliance and supporting documentation on the Department of Trade and Industry's (DTI) National B-BBEE IT Portal and Opportunities Network and provide Transnet with proof of registration in the form of an official B-BBEE Profile issued by the DTI (optional).

Transnet wishes to use the DTI B-BBEE IT Portal as a data source for its B-BBEE supplier selection criteria and procurement improvement programme by tracking compliance, understanding spend and by sourcing future procurement opportunities.



Instructions for registration and obtaining a DTI B-BBEE Profile

1. Go to <http://bee.thedti.gov.za>
2. Click on B-BBEERegistry
3. Click on Register or Login
4. Click on Click Here to Register
5. Complete the registration page
6. Once registered, click on List on Registry
7. Follow all 'on-screen' and e-mailed instructions to submit your documentation and obtain your Profile

21. DOCUMENTATION.

This RFI consists of the following documentation:

- This RFI document
- Standard Terms and Conditions of Contract, Form US7.
- General Tender Conditions, Form CSS5

Date: _____

Signature: _____



COMBINED DECLARATION REGARDING THE USE OF ELECTRONIC COPIES OF THIS RFI DOCUMENTATION AND CONFIRMATION OF ATTENDANCE AT THE INFORMATION SESSION.

I, _____ (name), a duly authorised representative of
_____ (company name),

hereby note and agree to the following conditions regarding the use of electronic copies of this tender document.

- Under no circumstances will the layout nor format be altered in any way.
- Under no circumstances will any information in the tender document, nor any accompanying specifications and / or annexures be altered in any way.
- No changes will be made to any detail nor requirements, in the accompanying tender documentation.

Furthermore I, the undersigned, UNDERSTAND AND ACCEPT, that should it at any stage be discovered, that the original electronic versions of the RFI documentation, specification/s and / or annexures were changed, it will lead to the immediate disqualification of the tender offer submitted. The disqualification will be enforced at any stage of the RFI process, even if the changes are discovered after the business has been awarded. Transnet will not be held liable and is indemnified against any and all claims, for any costs incurred by such defaulting supplier.

It is furthermore certified that the above named person, representing the above named company, has today:

- Attended the information session
- Is conversant with the requirements of the RFI
- Have received a complete set of the RFI documents

Tender Administrator

Company Representative

Date