



TRANSNET FREIGHT RAIL
a Division of
TRANSNET LIMITED
(Registration No. 1990/000900/06)

REQUEST FOR PROPOSAL ("RFP")

RFP NO: CRAC-EFQ-07032

LOADING AND OFFLOADING OF MOTOR CARS FROM TRAINS AT KAALFONTEIN FOR TWO YEAR PERIOD

ISSUE DATE : 24 JANUARY 2011
CLOSING DATE : 15 FEBRUARY 2011
OPTION DATE : 30 MAY 2011
CLOSING TIME : 10H00

COMPULSORY INFORMATION SESSION: 04 FEBRUARY 2011

TIME : 10H00

VENUE : OLD PRETORIA ROAD
KAALFONTEIN CAR
TERMINAL (NEXT TO
ESSELENPARK)

TENDER BOX ALLOCATED AT THE CHAIRPERSON TRANSNET FREIGHT RAIL
ACQUISITION COUNCIL, GROUND FLOOR, INYANDA HOUSE 1, 21
WELLINGTON ROAD, PARKTOWN, JOHANNESBURG.

Please note that late responses and those delivered or posted
to the wrong address will be disqualified.

Respondent's signature _____ 1

_____ Date and company stamp



SCHEDULE OF DOCUMENTS

- 1. Notice to Bidders**
- 2. Requisition for quotation**
- 3. Certificate of Attendance of RFQ Information meeting**
- 4. Scope of Work and General specification**
- 5. Returnable Schedules / Documents**
- 6. Supplier Declaration Form**
- 7. General Tender Conditions (CSS5 – Services)**
- 8. Standard Terms and Conditions of Contract (US7 - Services)**
- 9. Non-Disclosure Agreement**
- 10. Suppliers Code of Conduct**

“PREVIEW COPY ONLY”



SECTION 1

RFP NO: CRAC-EFQ-07032

LOADING AND OFFLOADING OF MOTOR CARS
FROM TRAINS

NOTICE TO BIDDERS

“PREVIEW COPY ONLY”



Quotations are requested from interested Respondents to supply the above-mentioned requirement to TRANSNET FREIGHT RAIL.

On or after 24/01/2011 the RFP documents may be inspected at, and are obtainable from the office of TRANSNET Freight Rail Tender Advice Centre, Ground Floor, Inyanda House 1, 21 Wellington Road, Parktown.

A non-refundable tender fee of R250.00 (inclusive of Vat) is applicable per tender (listed below). Payment is to be made to Transnet Freight Rail, Standard Bank Account number 203158598, Branch code 004805. The deposit slip must reflect the tender number and the Company Name. Receipt/s to be presented prior to collection of the tender/s.

NOTE: This amount is not refundable.

For specific queries, please contact the TFR representative below.

NAME : Gladys Mtambo
E-MAIL : gladys.mtambo@transnet.net

COMPULSORY INFORMATION SESSION: 04 FEBRUARY 2011

TIME : 10H00

VENUE : OLD PRETORIA ROAD
KAALFONTEIN CAR
TERMINAL (NEXT TO ESSELENPARK)

Tenders in duplicate must reach the Chairperson, TRANSNET Freight Rail Acquisition Council, P.O. Box 4244, Johannesburg 2000 before the closing hour on the date shown below, and must be enclosed in a sealed envelope which must have inscribed on the outside:

| | |
|------------------------------|--|
| Tender No | : CRAC-EFQ-07032 |
| Description | : LOADING OF OFFLOADING OF MOTOR CARS FROM TRAINS |
| Closing date and time | : 15 FEBRUARY 2011 10h00 |
| | Closing address (refer options below) |



DELIVERY INSTRUCTIONS FOR THIS RFP:

- 1 If posted**, the envelope must be addressed to the Chairperson, TRANSNET Freight Rail Acquisition Council, P.O. Box 4244, Johannesburg 2000 and must be dispatched in time for sorting by the Post Office to reach the Chairperson before the closing time of the **RFP**. In the event of the late receipt of a Proposal, the Respondent's franking machine impression will not be accepted as proof that the response was posted in time.
- 2 If delivered by hand**, the envelope is to be deposited in the TRANSNET tender box which is located at the main entrance, Inyanda House, 21 Wellington road, Parktown, Johannesburg and should be addressed as follows:

**THE CHAIRPERSON
TRANSNET FREIGHT RAIL ACQUISITION COUNCIL
INYANDA HOUSE
21 WELLINGTON ROAD
PARKTOWN
JOHANNESBURG
2001**

The measurements of the "tender slot" are 500mm wide x 100mm high, and Respondents must please ensure that response documents or files are not larger than the above dimensions. Responses which are too bulky (i.e. more than 100mm thick) must be split into two or more files, and placed in separate envelopes.

It should also be noted that the above tender box is located at the main entrance and is accessible to the public 24 hours per day, 7 days a week.

- 3 If dispatched by courier**, the envelope must be addressed as follows and delivered to the Office of The Chairperson, TRANSNET Freight Rail Acquisition Council and a signature obtained from that Office.

**THE CHAIRPERSON
TRANSNET FREIGHT RAIL ACQUISITION COUNCIL
INYANDA HOUSE
21 WELLINGTON ROAD
PARKTOWN
JOHANNESBURG
2001**

- Please note that this RFP closes punctually at 10:00 on Tuesday 15 February 2011.
- If responses are not posted or delivered as stipulated herein, such responses will not be considered and will be treated as "UNRESPONSIVE".
- NO EMAIL OR FACSIMILE RESPONSES WILL BE CONSIDERED**
- The responses to this RFP will be opened as soon as practicable after the expiry of the time advertised for receiving them.
- TRANSNET shall not, at the opening of responses, disclose to any other company any confidential details pertaining to the Quotations received, i.e. pricing, delivery, etc. The names and location of the Respondents will, however, be divulged to other Respondents upon request.
- Envelopes must not contain documents relating to any RFP other than that shown on the envelope.
- No slips are to be attached to the response documents. Any additional conditions must be embodied in an accompanying letter. Alterations, additions or deletions must not be made by the Respondent to the actual RFQ documents.



8. **BROAD-BASED BLACK ECONOMIC EMPOWERMENT (“BBBEE”)**

TRANSNET fully endorses and supports the South African Government’s Broad-Based Black Economic Empowerment Programme and it is strongly of the opinion that all business enterprises have an equal obligation to redress the imbalances of the past. TRANSNET would therefore prefer to do business with business enterprises who share these same values and who are prepared to contribute to meaningful BBBEE initiatives (including and not limited to enterprise development, subcontracting and Joint Ventures) as part of their tender response.

Transnet would accordingly allow a “preference” in accordance with the 10% preference system, as per the Preferential Procurement Policy Framework Act 5 of 2000 (as amended) to companies who provide a BBBEE accreditation Certificate. All procurement and disposal transactions in excess of R30000 will be evaluated accordingly. All transactions below R 30,000 will as far as possible be earmarked for EME’s.

TRANSNET consequently urges Respondents (Large enterprises and QSE’s – see below) to have themselves duly accredited by any one of the Accreditation Agencies **approved** by SANAS (South African National Accreditation System, under the auspices of the DTI).

In terms of Government Gazette No. 32467, Notice No. 810 dated 31 July 2009, as from 1 February 2010 only BBBEE certificates issued by Accredited Verification Agencies of Verification Agencies that are in possession of a valid pre-assessment letter from South African National Accreditation System will be valid.

However accreditation certificates issued by non-accredited verification agencies before 01 February 2010 and which are still within their one (1) year validity period will still be acceptable, until their expiry date provided that the accreditation was done in accordance with the latest codes (i.e. those promulgated on 9 February 2007).

BBBEE Accreditation Certificates issued after the published date i.e. 01 February 2010, by a Verification Agency not approved by SANAS, will NOT be acceptable as from 01 February 2010.

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

- (a) **Large Enterprises (i.e. annual turnover >R35 million):**
 - Rating level based on all 7 (seven) elements of the BBBEE scorecard
 - Enterprises to provide BBBEE certificate and detailed scorecard (to be renewed annually)
- (b) **Qualifying Small Enterprises – QSE (i.e. annual turnover >R5 million but <R35 million):**
 - Rating based on any 4 (four) of the elements of the BBBEE scorecard
 - Enterprises to provide BBBEE certificate and detailed scorecard (to be renewed annually)
- (c) **Exempted Micro Enterprises – EME (i.e. annual turnover <R5m are exempted from being rated or verified):**
 - Automatic BBBEE Level 4 rating, irrespective of race ownership, i.e. 100% BBBEE recognition
 - Black ownership >50% or Black Women ownership >30% automatically qualify as Level 3 BBBEE rating, i.e. 110% BBBEE recognition



- EME's should provide documentary proof of annual turnover (i.e. audited financials) plus proof of Black ownership if Black ownership >50% or Black Women ownership >30% (to be renewed annually) from their Auditors / Accounting Officers

In addition to the above, Respondents who wish to enter into a Joint Venture (JV) or subcontract portions of the contract to BBBEE companies must state in their Tenders / Proposals the percentage of the total contract value which would be allocated to such BBBEE companies, should they be successful in being awarded any business. A rating certificate in respect of such BBBEE JV-partners and/or sub-contractors, as well as a breakdown of the distribution of the aforementioned percentage allocation must also be furnished with the tender response to enable Transnet to evaluate / adjudicate on all tenders received on a fair basis.

Each Respondent is required to furnish proof of its BBBEE status (Certificate and Detailed Scorecard) and ensure that the documentation is valid at the date of Tender Submission as stipulated above to TRANSNET.

Failure to submit your BBBEE Certificate and Detailed Scorecard will result in a score of zero being allocated for BBBEE evaluation.

| |
|--|
| <p>Turnover: Indicate your company's most recent annual turnover:</p> <p>R.....</p> |
|--|

- If annual turnover <R5m, please attach auditors / accounting officers letter confirming annual turnover and percentage black ownership as well as Black Women ownership
- If annual turnover >R5m please attach BBBEE certificate and detailed scorecard from an accredited rating agency.

The DTI has created an online **B-BBEE Registry** (<http://www.dti.gov.za>) in order to provide a central and standardized source of the B-BBEE status of all entities, and to facilitate the flow of this information amongst entities by providing a Unique Profile Number (UPN) per each listing. Existing and prospective suppliers are therefore urged to list their B-BBEE status on the DTI Registry. Hence, entities verified by DTI, will receive the following benefits:

- Their BBBEE status will be verified and confirmed by the DTI, before listing on the Registry
- Listing on the Registry will provide suppliers the option to market themselves on the DTI B-BBEE Opportunities Network. This is a search engine that is designed to help businesses find B-BBEE compliant entities who match specific requirements in terms of the nature of services/goods provided, region, B-BBEE status or other search criteria.

Transnet supports this DTI initiative and will use the DTI Registry to verify prospective and existing suppliers' BBBEE credentials.

Kindly provide Transnet with your DTI B-BBEE UNIQUE PROFILE NUMBER with all tender submissions.

| |
|---|
| <p>DTI BBBEE UNIQUE PROFILE NUMBER:</p> <p>.....</p> |
|---|

Failure to submit your BBBEE information in terms of the above-mentioned clauses will result in a score of zero being allocated for BBBEE evaluation.

9. COMMUNICATION



Respondents are warned that a response will be liable to disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer(s) or employee of TRANSNET in respect of an **RFP** between the closing date and the date of the award of the business.

A respondent may, however, **BEFORE THE CLOSING DATE AND TIME**, direct any enquiries relating to the **RFP** to the TRANSNET employee as indicated in (2) above.

10. RFQ SCHEDULE

Respondents will be contacted as soon as practicable with a status update. At this time short-listed Respondents may be asked to meet with TRANSNET representatives. Respondents are to provide a list of persons who are mandated to negotiate on behalf of their company, together with their contact details.

10.1 INSTRUCTIONS FOR COMPLETING THE RFP

- (i) Sign one set of documents (sign and date the bottom of each page). This set will serve as the legal and binding copy. A duplicate set of documents is required. This second set can be a copy of the original signed Proposal.
- (ii) Both sets of documents to be submitted to the address specified above.
- (iii) The following returnable documents must accompany all Proposals:
 - the Respondent's latest audited financial statements;
 - the Respondent's valid Tax Clearance Certificate.
 - a CD copy where applicable

11. COMPLIANCE

The Respondent shall be in full and complete compliance with any and all applicable State and Local Laws and Regulations.

12. ADDITIONAL NOTES:

- All returnable documents as indicated in the Proposal Form (Section 3) must be returned with the response
- Changes by the Respondent to its submission will not be considered after the closing date
- The person or persons signing the Proposal must be legally authorised by the Respondent to do so (Refer Section 4). A list of those person(s) authorised to negotiate on your behalf must be submitted along with the Proposal
- All prices must be quoted in South African Rands
- TRANSNET reserves the right to undertake post-tender negotiations with the preferred Respondent or any number of short-listed Respondents

NB: Unless otherwise expressly stated, all Proposals furnished pursuant to this Request shall be deemed to be offers. Any exceptions to this statement must be clearly and specifically indicated. TRANSNET reserves the right to reject any or all offers.

**FAILURE TO OBSERVE ANY OF THE ABOVE-MENTIONED REQUIREMENTS
MAY RESULT IN THE PROPOSAL BEING REJECTED.**



13. 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 a Proposal in response to it. In particular, please note that TRANSNET reserves the right to:

- modify the RFP's Goods or Services and request Respondents to re-bid on any changes
- reject any Proposal which does not conform to instructions and specifications which are detailed herein
- disqualify Proposals submitted after the stated submission deadline
- not necessarily accept the lowest priced Proposal
- reject all Proposals, if it so decides
- award a contract in connection with this Proposal at any time after the RFP's closing date
- award only a portion of the proposed Goods or Services which are reflected in the scope of this RFP
- split the award of the contract between more than one Supplier
- make no award of a contract

Kindly note that TRANSNET will not reimburse any Respondent for any preparation costs or other work performed in connection with this Proposal, whether or not the Respondent is awarded a contract.

14. Any PROPOSAL submitted by a Respondent is subject to negotiation and review of the proposed contract by TRANSNET's Legal Counsel.

NAME OF RESPONDENT :

PHYSICAL ADDRESS:

| | | |
|------------------------------|--------------|-------|
| Respondent's contact person: | Name: | _____ |
| | Designation: | _____ |
| | Telephone: | _____ |
| | Cellphone: | _____ |
| | Facsimile: | _____ |
| | Email: | _____ |

**TRANSNET urges its clients and suppliers to report
any fraud or corruption
on the part of TRANSNET's employees to
TIP-OFFS ANONYMOUS : 0800 003 056**



SECTION 2

RFP NO: CRAC-EFQ-07032

**LOADING AND OFFLOADING OF MOTOR CARS
FROM TRAINS**

REQUISITION FOR QUOTATION

“PREVIEW COPY ONLY”



REQUISITION FOR QUOTATION

| | |
|-----------------------|---------------|
| SUPPLY CHAIN SERVICES | |
| Contact: | Gladys Mtambo |
| Tel: | 011 584 0597 |

MESSRS:

.....

.....

.....

Tel (011)

Fax (011)

ISSUE DATE 25-01-2011

CLOSING DATE 15-02-2011 (10h00)

| | | | |
|---|--|--|--------------|
| Prices in South African currency, including all costs. | | | |
| Direct to consignees | | | |
| ITEM NO: | DESCRIPTION : | | Price |
| 1. | LOADING AND OFFLOADING OF MOTOR CARS FROM TRAINS AT KAALFONTEIN FOR TWO YEAR PERIOD | | |
| | | | |
| | | | |
| Total price for two year for the project | | | |
| 2.Prices must be V.A.T. exclusive | | | |
| 3. Direct delivered to: | Transnet Freight Rail (Kaalfontein) | | |
| 4.Contact person: | Matlatso Mankgela 083 270 8648/(011) 929-1623 | | |

5. COMPULSORY DOCUMENTS

NOTE:

5.1.Return of tender documents

The tender documents must be submitted on the closing date in **duplicate** and failure to do so will automatically disqualify your offer.

5.2.The following documents are compulsory, and they must be attached to the tender document If **Not** your tender will not be considered.

- a) Tax Clearance Certificate
- b) Supplier Declaration Form
- c) Current Vat Registration No.
- d) BBBEE level certification and Score Card

SIGNATURE OF TENDERER: _____ **Date:** _____



6. FRAUD HOTLINE

Transnet strives to be fair, equitable and just in all its dealings with tenderers. As such we encourage all tenderers to report any practice, activity or information that they are aware of or become aware of which may result in any perception of or actual fraud being committed against or in the name of Transnet. The hotline details are:-

Hotline telephone: 0800 003 056

Email: transnet@tip-offs.com

Fax: 0800 007 788

All information received will be treated with the utmost confidentiality

7. BUSINESS ADJUDICATION CRITERIA :

7.1."Order winning criteria"

- 7.1.1.Competitive Pricing
- 7.1.2. Payment Conditions
- 7.1.3. Total Cost Of Ownership
- 7.1.4. Financial Capacity
- 7.1.5.References/previous performance

7.2."Technical"

- 7.2.1.Compliance to Spec
- 7.2.2. Fit for purpose
- 7.2.3. Risk/Safety plan
- 7.2.4. Technical Capacity
- 7.2.5.Delivery Schedule

7.3."BBBEE"

- 7.3.1.Provide BBBEE level Certification

SIGNATURE OF TENDERER: _____

Date: _____



REFERENCES

COMPANY INFORMATION

9. STATEMENT OF WORK (S) SUCCESSFULLY CARRIED OUT BY THE TENDERER:

Tenderers are to advise which other companies have they successfully provided or are currently providing similar services.

| Service Description | For whom done | Period | Contact person and Telephone or Cell number |
|----------------------------|----------------------|---------------|--|
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SIGNATURE OF TENDERER: _____ **Date:** _____



SECTION 3

RFP NO: CRAC-EFQ-07032

LOADING AND OFFLOADING OF MOTOR CARS FROM TRAINS

Certificate of Attendance

Refer Document attached hereto

“PREVIEW COPY ONLY”



8. RFP INFORMATION SESSION:

A **COMPULSORY** information meeting will be held at the following venue:

Venue : Old Pretoria Road
 Kaalfontein car terminal (next to Esselenpark)

Time : 10h00

Date : 04 February 2011

The site meeting is compulsory and companies not attending **will be overlooked** during the tender awarding process.

8.1. **ATTENDANCE CERTIFICATE**

This is to certify that.....

Representative/s of

Has/have today attended the Tender briefing in respect of the proposed:

.....

TRANSNET'S REPRESENTATIVE

TENDERER'S REPRESENTATIVE

DATE :.....

VERY IMPORTANT

ANY TENDERER NOT ATTENDING THE INFORMATION MEETING WILL AUTOMATICALLY BE EXCLUDED FROM THE BUSINESS AWARDING PROCESS



SECTION 4

RFP NO: CRAC-EFQ-07032

LOADING AND OFFLOADING OF MOTOR CARS
FROM TRAINS

SCOPE OF WORK

REFER TO DOCUMENT ATTACHED

“PREVIEW COPY ONLY”



ANNEXURE A

PRICING SCHEDULE

1. The Service Provider unconditionally guarantees all work performed against failure due to defective material or workmanship. TFR reserves the right to utilize some (not all) of the services as listed below and pricing must be done accordingly. Should any reference be made to services requiring documentation, such documentation will be the property of TFR. The pricing rates must be read in conjunction with the requirements in this agreement. Various services will be on an Ad-Hoc Basis as and when required by TFR. The Kaalfontein Car Terminal areas include all areas operated by TFR including, but not limited to, the various stages.
2. The services as listed below will not necessarily all be used and pricing must take this into account.
3. TFR will call for services based on the Pricing Schedule on an as and when required basis.

| DESCRIPTION | COST PER UNIT in Rands and cents |
|--|---|
| Open/close wagon doors, | |
| Unlash/lash (Untie/tie car wheels with correct tool) cars | |
| Drop down/lift up bridge plates between wagons | |
| Drive car out of rail wagon to inspection bay(With sponge when opening doors to avoid scratches) | |
| Drive car on to rail wagon from inspection bay(With sponge when opening doors to avoid scratches) | |



SECTION 5

RFP NO: CRAC-EFQ-07032

LOADING AND OFFLOADING OF MOTOR CARS
FROM TRAINS

RETURNABLE DOCUMENTS

“PREVIEW COPY ONLY”



C.1.Returnable Schedules / Documents required for tender evaluation purposes (By e.g.

| | Returnable Schedules / Documents | YES/NO/N/A | |
|----|--|-------------------|--|
| 1 | Certificate Of Authority For Joint Ventures (Where Applicable | x | |
| 2 | Schedule of the Tenderers Experience | x | |
| 3 | Certificate of Attendance at Clarification Meeting | x | |
| 4 | Labour Payment Schedule | x | |
| 5 | Supplier Declaration form (version2) | x | |
| 6 | Letter of Good Standing with the Compensation Commissioner | x | |
| 7 | Original / Certified BBBEE Rating Certificate With Detailed Scorecard | x | |
| 8 | Statement Of Compliance With Requirements Of The Scope Of Work | x | |
| 9 | Certified Copy of Financial Statements (for the past 3 years) including Balance sheets where BBBEE not provided. | x | |
| 10 | Certified Copy of Share Certificates CK1 & CK2 | x | |
| 11 | Certified Copy Of Certificate Of Incorporation and CM29 and CM9 | x | |
| 12 | Certified Copy of Identity Documents of Shareholders/Directors/Members (Where Applicable) | x | |
| 13 | Cancelled Cheque | x | |
| 14 | Original current Tax Clearance Certificate | x | |
| 15 | Original Vat Registration Certificate | x | |
| 16 | Copy of BEE Policy/BEE Plan/Employment Policy/Procurement Policy | x | |

SIGNATURE OF TENDERER:

Date: _____



SECTION 6

RFP NO: CRAC-EFQ-07032

LOADING AND OFFLOADING OF MOTOR CARS
FROM TRAINS

SUPPLIER DECLARATION FORM

Refer Document attached hereto

“PREVIEW COPY ONLY”



Transnet Supplier Declaration/Application

The Financial Director or Company Secretary

Transnet Vendor Management has received a request to load your company on to the Transnet vendor database. Please furnish us with the following to enable us to process this request:

1. Complete the "Supplier Declaration Form" (**SDF**) on page 2 of this letter
2. **Original** cancelled cheque **OR** letter from the bank verifying banking details (**with bank stamp**)
3. **Certified** copy of Identity document of Shareholders/Directors/Members (where applicable)
4. **Certified** copy of certificate of incorporation, CM29 / CM9 (name change)
5. **Certified** copy of share Certificates of Shareholders, CK1 / CK2 (if CC)
6. A letter with the company's letterhead confirming physical and postal addresses
7. **Original or certified** copy of SARS Tax Clearance certificate and Vat registration certificate
8. A signed letter from the Auditor / Accountant confirming most recent annual turnover and percentage black ownership in the company **AND/OR** BBBEE certificate and detailed scorecard from an accredited rating agency (SANAS member).

NB:

- **Failure to submit the above documentation will delay the vendor creation process.**
- *Where applicable, the respective Transnet business unit processing your application may request further information from you. E.g. proof of an existence of a Service/Business contract between your business and the respective Transnet business unit etc.*

IMPORTANT NOTES:

- a) **If your annual turnover is less than R5 million,** then in terms of the DTI codes, you are classified as an Exempted Micro Enterprise (EME). If your company is classified as an EME, please include in your submission, a signed letter from your Auditor / Accountant confirming your company's most recent annual turnover is less than R5 million and percentage of black ownership and black female ownership in the company **AND/OR** BBBEE certificate and detailed scorecard from an accredited rating agency (e.g. permanent SANAS Member), should you feel you will be able to attain a better BBBEE score.
- b) **If your annual turnover is between R5 million and R35million,** then in terms of the DTI codes, you are classified as a Qualifying Small Enterprise (QSE) and you claim a specific BBBEE level based on any 4 of the 7 elements of the BBBEE score-card, please include your BEE certificate in your submission as confirmation of your status.
NB: BBBEE certificate and detailed scorecard should be obtained from an accredited rating agency (e.g. permanent SANAS Member).
- c) **If your annual turnover is in excess of R35million,** then in terms of the DTI codes, you are classified as a Large Enterprise and you claim a specific BEE level based on all seven elements of the BBBEE generic score-card. Please include your BEE certificate in your submission as confirmation of your status.
NB: BBBEE certificate and detailed scorecard should be obtained from an accredited rating agency (permanent SANAS Member).
- d) **To avoid PAYE tax being automatically deducted from any invoices received from you,** you must also contact the Transnet person who lodged this request on your behalf, so as to be correctly classified in terms of Tax legislation.
- e) Unfortunately, **No payments can be made to a vendor** until the vendor has been registered, and no vendor can be registered until the vendor application form, together with its supporting documentation, has been received and processed.
- f) **Please return the completed Supplier Declaration Form (SDF) together with the required supporting documents mentioned above to the Transnet Official who is intending to procure your company's services/products in order that he/she should complete and Internal Transnet Departmental Questionnaire before referring the matter to the appropriate Transnet Vendor Master Office.**



Regards,
 Transnet Vendor/Supplier Management *[please substitute this with your relevant Transnet department before sending this document out]*

Supplier Declaration Form

| | | | | | | | |
|--|--------------|-------|---------------|---------------------|---------------|-----------------|--|
| Company Trading Name | | | | | | | |
| Company Registered Name | | | | | | | |
| Company Registration Number Or ID Number If A Sole Proprietor | | | | | | | |
| Form of entity | CC | Trust | Pty Ltd | Limited | Partnership | Sole Proprietor | |
| VAT number (if registered) | | | | | | | |
| Company Telephone Number | | | | | | | |
| Company Fax Number | | | | | | | |
| Company E-Mail Address | | | | | | | |
| Company Website Address | | | | | | | |
| Bank Name | | | | Bank Account Number | | | |
| Postal Address | | | | | | Code | |
| Physical Address | | | | | | Code | |
| Contact Person | | | | | | | |
| Designation | | | | | | | |
| Telephone | | | | | | | |
| Email | | | | | | | |
| Annual Turnover Range (Last Financial Year) | < R5 Million | | R5-35 million | | > R35 million | | |
| Does Your Company Provide | Products | | Services | | Both | | |
| Area Of Delivery | National | | Provincial | | Local | | |
| Is Your Company A Public Or Private Entity | Public | | | Private | | | |
| Does Your Company Have A Tax Directive Or IRP30 Certificate | Yes | | | No | | | |
| Main Product Or Service Supplied (E.G.: Stationery/Consulting) | | | | | | | |

| | | | | | |
|--|--|-------------------------|-----------|-------------------------------|--|
| BEE Ownership Details | | | | | |
| % Black Ownership | | % Black women ownership | | % Disabled person/s ownership | |
| Does your company have a BEE certificate | | | Yes | No | |
| What is your broad based BEE status (Level 1 to 9 / Unknown) | | | | | |
| How many personnel does the firm employ | | | Permanent | Part time | |

| | | | | | |
|-----------------------------|--|--|--|--|--|
| Transnet Contact Person | | | | | |
| Contact number | | | | | |
| Transnet operating division | | | | | |

| | | | | |
|---|--|--|-------------|--|
| Duly Authorised To Sign For And On Behalf Of Firm / Organisation | | | | |
| Name | | | Designation | |
| Signature | | | Date | |

| | | | | |
|--|--|--|------|--|
| Stamp And Signature Of Commissioner Of Oath | | | | |
| Name | | | Date | |



| | | | |
|-----------|--|---------------|--|
| Signature | | Telephone No. | |
|-----------|--|---------------|--|

NB: Please return the completed Supplier Declaration Form (SDF) together with the required supporting documents mentioned above to the Transnet Official who is intending to procure your company's services/products.

2. VENDOR TYPE OF BUSINESS

(Please tick as applicable)

(* - Minimum requirements)

2.1 Indicate the business sector in which your company is involved/operating:

| | | | |
|---|--|--|--|
| Agriculture | | Mining and Quarrying | |
| Manufacturing | | Construction | |
| Electricity, Gas and Water | | Finance and Business Services | |
| Retail, Motor Trade and Repair Services | | Wholesale Trade, Commercial Agents and Allied Services | |
| Catering, accommodation and Other Trade | | Transport, Storage and Communications | |
| Community, Social and Personal Services | | Other (Specify) | |
| Principal Business Activity * | | | |
| Types of Services Provided | | | |
| Since when has the firm been in business? | | | |

2.2 What is your company's annual turnover (excluding VAT)? *

| <R20k | >R20k <R0.3m | >R0.3m <R1m | >R1m <R5m | >R6m <R10m | >R11m <R15m | >R16m <R25m | >R26m <R30m | >R31m <R34m | >R35m |
|-------|-----------------|----------------|--------------|---------------|----------------|----------------|----------------|----------------|-------|
| | | | | | | | | | |

2.3 Where are your operating/distribution centres situated? *

| | | |
|--|--|--|
| | | |
| | | |
| | | |
| | | |

3. VENDOR OWNERSHIP DETAIL

(Please tick as applicable)

(* - Minimum requirements)

3.1 Did the firm previously operate under another name? *

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

3.2 If Yes state its previous name:*

| | |
|-----------------|--|
| Registered Name | |
| Trading Name | |



| 3.3 Who were its previous owners / partners / directors?* | |
|---|------------|
| SURNAME & INITIALS | ID NUMBERS |
| | |
| | |
| | |
| | |
| | |

| 3.4 List Details of current partners, proprietors and shareholders by name, identity number, citizenship, status and ownership as relevant: * | | | | | | | | |
|---|-----------------|--------------|-----|-------------|--------|-------------------|---------|----------|
| SURNAME & INITIALS | IDENTITY NUMBER | CITI-ZENSHIP | HDI | DIS - ABLED | GENDER | DATE OF OWNERSHIP | % OWNED | % VOTING |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

| 3.5 List details of current directors, officers, chairman, secretary etc. of the firm: * | | | | | | |
|--|-----------------|-------|-------------|--------|-------------------------------|----------------|
| SURNAME & INITIALS | IDENTITY NUMBER | TITLE | DIS - ABLED | GENDER | % OF TIME DEVOTED TO THE FIRM | CONTACT NUMBER |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| 3.6 List details of firms personnel who have an ownership interest in another firm: * | | | | | |
|---|-----------------|------------------------------|---------------------|---------|--------------------------------|
| SURNAME & INITIALS | IDENTITY NUMBER | NAME & ADDRESS OF OTHER FIRM | TITLE IN OTHER FIRM | % OWNED | TYPE OF BUSINESS OF OTHER FIRM |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

4. VENDOR DETAIL
 (Please tick as applicable) (* - Minimum requirements)

| 4.1 How many personnel does the firm employ? * | | | | | | |
|--|-------|-------|----------|--------|-------|-------|
| | BLACK | WHITE | COLOURED | INDIAN | OTHER | TOTAL |
| Permanent | | | | | | |
| Part Time | | | | | | |



| | | | | | | |
|--------------|---|--------------|-----------------|---------------|--------------|--------------|
| 4.1.1 | In terms of above kindly provide numbers on women and disabled personnel? * | | | | | |
| | BLACK | WHITE | COLOURED | INDIAN | OTHER | TOTAL |
| Women | | | | | | |
| Disabled | | | | | | |

| | | | | |
|------------|---|-----------------|--------------------|----------------------|
| 4.2 | Provide Details of Contact Person/s Responsible for Broad Based Black Economic Empowerment (BBBEE) in the Company * | | | |
| | SURNAME | INITIALS | DESIGNATION | TELEPHONE NO. |
| | | | | |
| | | | | |

| | | | |
|--------------|---|----|--|
| 4.2.1 | Is your company a value adding supplier (i.e. registered as a vendor under the VAT Act of 1991, where NPAT + total labour cost > 25% of total revenue)? | | |
| YES | | NO | |

| | | | |
|--------------|---|----|--|
| 4.2.2 | Is your company a recipient of Enterprise Development Contributions?* | | |
| YES | | NO | |

| | | | |
|--------------|--|----|--|
| 4.2.3 | May the above mentioned information be shared and included in Transnet Supplier Database for future reference? * | | |
| YES | | NO | |

| | | | |
|--------------|--|----|--|
| 4.2.4 | If you are successful in the tender/contract (where applicable) and this is awarded to your company / organisation, will this have a positive impact on your employment plans? * | | |
| YES | | NO | |

| | | | | | | |
|--------------|--|--------------|-----------------|---------------|--------------|--------------|
| 4.2.5 | If yes (above) kindly provide the following information: | | | | | |
| | BLACK | WHITE | COLOURED | INDIAN | OTHER | TOTAL |
| Permanent | | | | | | |
| Part Time | | | | | | |

| | | | | | | |
|--------------|---|--------------|-----------------|---------------|--------------|--------------|
| 4.2.6 | In terms of above kindly provide numbers on woman and disabled personnel: | | | | | |
| | BLACK | WHITE | COLOURED | INDIAN | OTHER | TOTAL |
| Women | | | | | | |
| Disabled | | | | | | |

| | | | |
|--------------|--|----|--|
| 4.2.7 | Are any of your members/shareholders/directors ex employees of Transnet? | | |
| YES | | NO | |

| | | | |
|--------------|---|----|--|
| 4.2.8 | Are any of your family members employees of Transnet? | | |
| YES | | NO | |

| | | | | | |
|-------------------------------|--|---|----------------------------|----------------|---------------------------------------|
| 4.2.9 | If Yes to points 4.2.7 & 4.2.8, list details of employees/ex-employees | | | | |
| SURNAME & INITIALS | IDENTITY NUMBER | NAME & ADDRESS OF OTHER FIRM | TITLE IN OTHER FIRM | % OWNED | TYPE OF BUSINESS OF OTHER FIRM |
| | | | | | |
| | | | | | |
| | | | | | |



Internal Transnet Departmental Questionnaire (for office use only)

Section 1: To be completed by the Transnet Requesting / Sourcing Department

| | | | | | | | | | | | |
|--------|--|--------|--|--------|--|---------|--|----------------------|--|-----|--|
| TFR | | TRE | | TPT | | TPL | | TNPA | | TRN | |
| Create | | Amend | | Block | | Unblock | | Once-Off / Emergency | | | |
| Extend | | Delete | | Undele | | | | | | | |

| | | | | | | | | | | | |
|--|-----|--|----|--|--|--|--|--|--|--|--|
| Supplier's trading name | | | | | | | | | | | |
| Supplier's registered name | | | | | | | | | | | |
| Please indicate if the Supplier has a contract with sourcing Transnet OD | Yes | | No | | | | | | | | |
| If yes please submit a copy of the letter of award | | | | | | | | | | | |

a) What is being procured from the supplier?

| | | | | |
|----------------------------------|-----|--|----|--|
| i. Products only | Yes | | No | |
| ii. Services only | Yes | | No | |
| iii. Labour only | Yes | | No | |
| iv. Mix of services and products | Yes | | No | |
| v. Mix of services and labour | Yes | | No | |

b) If your answer is **YES** to questions II, III, IV or V in paragraph a) above, please indicate whether the relevant **PAYE questionnaires** have been forwarded to the appropriate **Transnet Operational Divisions'** decision making bodies / **Strategic Supply Management** team for a directive /decision on tax withholding from payments to this supplier.

| | | | |
|-----|--|----|--|
| Yes | | No | |
|-----|--|----|--|

c) If your reply to (b) is **"NO"**, please furnish reasons :

d) Certification and Approval of proposed Vendor Creation/Unblocking/Other Changes by Transnet Official with Appropriate Delegated Authority :

I HEREBY CERTIFY THAT THE TRANSNET DETAILED PROCUREMENT PROCESS (DPP) / PROCUREMENT MECHANISM HAS IN ALL RESPECTS BEEN ADHERED TO AND I THEREFORE APPROVE THE PROPOSED VENDOR CREATION/APPROVAL/OTHER CHANGES TO BE EFFECTED ON THE VENDOR MASTER

| Name | Grade | Date | | | | | | | | Signature |
|------|-------|------|---|---|---|---|---|---|---|-----------|
| | | Y | Y | Y | Y | M | M | D | D | |

| | | | |
|---------|--|-----|--|
| Tel No: | | Fax | |
|---------|--|-----|--|

Section 2: To be completed by the BEE Department (this section is for Confirmation/Determining of BEE Status)

| NARROW BASED (NB) | | | | BROADBASED (BBBEE) | | | | |
|-------------------|------|------|----|--------------------|-----------|-----------------|--------------|---------------|
| BEE O/S | BWBE | DPBE | MR | CONTR. LEVEL | EME: <R5m | QSE: >R5m <R35m | LARGE: >R35m | VALIDITY DATE |
| | | | | | | | | |

| Name | Grade | Date | | | | | | | | Signature |
|------|-------|------|---|---|---|---|---|---|---|-----------|
| | | Y | Y | Y | Y | M | M | D | D | |
| | | Y | Y | Y | Y | M | M | D | D | |



SECTION 7

RFP NO: CRAC-EFQ-07032

LOADING AND OFFLOADING OF MOTOR CARS FROM TRAINS

GENERAL TENDER CONDITIONS OF CONTRACT (CSS5 – SERVICES)

Refer Document attached hereto

“PREVIEW COPY ONLY”



SECTION 8

RFP NO: CRAC-EFQ-07032

**LOADING AND OFFLOADING OF MOTOR CARS
FROM TRAINS**

STANDARD TERMS AND CONDITIONS OF CONTRACT (US7 – SERVICES)

Refer Document attached hereto

“PREVIEW COPY ONLY”



SECTION 9

RFP NO: CRAC-EFQ-07032

LOADING AND OFFLOADING OF MOTOR CARS
FROM TRAINS

NON DISCLOSURE AGREEMENT

Refer Document attached hereto

“PREVIEW COPY ONLY”



SECTION 10

RFP NO: CRAC-EFQ-07032

**LOADING AND OFFLOADING OF MOTOR CARS
FROM TRAINS**

SUPPLIER CODE OF CONDUCT

Refer Document attached hereto

“PREVIEW COPY ONLY”

TRANSNET



delivering on our commitment to you

Suppliers Code of Conduct

“PREVIEW COPY ONLY”



Suppliers Code of Conduct

Transnet aims to achieve the best value for money when buying or selling goods and obtaining services. This, however, must be done in an open and fair manner that supports and drives a competitive economy. Underpinning our process are several acts and policies that any supplier dealing with Transnet must understand and support.

These are:

- » Transnet Procurement Policy- A guide for tenderers;
- » Section 217 of the Constitution- the five pillars of Public PSCM (Procurement and Supply Chain Management): fair, equitable, transparent, competitive and cost effective;
- » The Public Finance Management Act (PFMA);
- » The Broad Based Black Economic Empowerment Act (BBBEE); and
- » The Anti-Corruption Act.

This code of conduct has been compiled to formally apprise Transnet Suppliers of Transnet's expectations regarding behaviour and conduct of its Suppliers.

Prohibition of Bribes, Kickbacks, Unlawful Payments, and Other Corrupt Practices

Transnet is in the process of transforming itself into a self-sustaining State Owned Enterprise, actively competing in the logistics industry. Our aim is to become a world class, profitable, logistics organisation. As such, our transformation is focused on adopting a performance culture and to adopt behaviours that will enable this transformation.

Transnet will not participate in corrupt practices. Therefore, it expects its suppliers to act in a similar manner.

- » Transnet and its employees will follow the laws of this country and keep accurate business records that reflect actual transactions with, and payments to, our suppliers.





- >> Employees must not accept or request money or anything of value, directly or indirectly, from suppliers.

Employees may not receive anything that is calculated to:

- Illegally influence their judgement or conduct or to influence the outcome of a sourcing activity;
- Win or retain business or to influence any act or decision of any person involved in sourcing decisions; gain an improper advantage.

- >> There may be times when a supplier is confronted with fraudulent or corrupt behaviour of Transnet employees. We expect our suppliers to use our "Tip-offs Anonymous" Hotline to report these acts - 0800 003 056.

Transnet is firmly committed to free and competitive enterprise.

- >> Suppliers are expected to comply with all applicable laws and regulations regarding fair competition and antitrust practices
- >> Transnet does not engage non-value adding agents or representatives solely for the purpose of increasing BBBEE spend (fronting).

Transnet's relationship with suppliers requires us to clearly define requirements, to exchange information and share mutual benefits.

- >> Generally, suppliers have their own business standards and regulations. Although Transnet cannot control the actions of our suppliers, we will not tolerate any illegal activities.



"PREVIEW COPY ONLY"

These include, but are not limited to:

- Misrepresentation of their product (origin of manufacture, specifications, intellectual property rights, etc);
- Collusion;
- Failure to disclose accurate information required during the sourcing activity (ownership financial situation, BBBEE status, etc.);
- Corrupt activities listed above; and harassment, intimidation or other aggressive actions towards Transnet employees.

- >> Suppliers must be evaluated and approved before any materials, components, products or services are purchased from them. Rigorous due diligence must be conducted and the supplier is expected to participate in an honest and straight forward manner.
- >> Suppliers must record and report facts accurately, honestly and objectively. Financial records must be accurate in all material respects.

Conflict of Interest

A conflict of interest arises when personal interests or activities influence (or appear to influence) the ability to act in the best interests of Transnet. Examples are:

- >> Doing business with family members.
- >> Having a financial interest in another company in our industry.



Show that you support good business practice by logging onto www.transnet-suppliers.net and completing the form.

This will allow us to confirm that you have received, and agree to, the terms and conditions set out in our Suppliers Code of Conduct.

**TIP-OFFS ANONYMOUS HOTLINE
0800 003 056**