



Transnet Freight Rail
an Operating Division of
TRANSNET LIMITED
(Registration No. 1990/000900/06)
REQUEST FOR PROPOSAL (“RFP”)

RFP NUMBER: HOAC_HO_0000007258

**THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A
PERIOD OF ONE YEAR (12 MONTHS).**

ISSUE DATE : 07th March 2011
CLOSING DATE : 29th March 2011
OPTION VALIDITY DATE : 31st July 2011
CLOSING TIME : 10H00

COMPULSORY BRIEFING SESSION:

A compulsory briefing session will be held at the following venue:

Time : 11H30 To 13H30
Date : 17th March 2011
Venue : Umjantshi C Boardroom
Ground Floor
Inyanda House 2
13-15 Girton Road, Parktown
Town/City : Johannesburg

**PLEASE NOTE THAT LATE RESPONSES AND THOSE DELIVERED OR POSTED
TO THE INCORRECT ADDRESS WILL BE DISQUALIFIED.**

Respondent's Signature

1

Date and Company Stamp



RFP NUMBER: HOAC_HO_0000007258

**THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A
PERIOD OF ONE YEAR (12 MONTHS).**

SCHEDULE OF DOCUMENTS

Section

- 1. Notice to Bidders**
- 2. Scope of requirements**
- 3. Proposal Form**
- 4. Resolution of Board of Directors (Respondent's Representative)**
- 5. Pricing Schedule**
- 6. General Tender Conditions, Form CSS5**
- 7. Standard Terms and Conditions of Contract, Form US7**
- 8. Specifications- (Annexure A)**
- 9. Certificate of attendance of RFP Briefing**
- 10. (NDA) Non Disclosure Agreement**
- 11. Supplier Code of Conduct**
- 12. (SDF) Supplier Declaration Form**
- 13. Contractual Safety Clause**

Respondent's Signature

2

Date and Company Stamp



SECTION 01
RFP NUMBER: HOAC_HO_000007258
THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A
PERIOD OF ONE YEAR (12 MONTHS).

NOTICE TO BIDDERS

Proposals are requested from interested persons, companies, close corporations or enterprises (herein after referred to as the "**Respondent(s)**") to supply the above-mentioned requirement(s) to Transnet.

On or after Monday 07th March 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 Building, 21 Wellington Road, Parktown, Johannesburg. During office hours 8:00 to 15:00, and a non-refundable tender fee R1000.00 is applicable per tender. Payment is to be made to Transnet Freight Rail Standard Bank Account No 203158598 Branch code 004805. The deposit slip must reflect the RFP No and the Company name. Receipt to be presented at collection of the tender document. Tender documents will be available from Monday 07th March 2011 until 16th March 2011.

NOTE 1.1 This amount is not refundable.

For specific queries before the closing of the RFP, the following Transnet employee(s) may be contacted:

Name : Suellen Du Plessis
Division : Transnet Freight Rail - Supply Chain Services
Email : Suellen.Duplessis@transnet.net
Tel : (011) 584-0608 / 083 254 7619

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Time : 11H30 To 13H30
Date : 17th March 2011
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Inyanda House 2
13-15 Girton Road, Parktown
Town/City : Johannesburg

Kindly note, your valid tender document must be present at the briefing session, failing which you will not be permitted to attend.

1. Proposals **in Duplicate plus a CD copy** must reach the Chairperson, Transnet Acquisition Council before the closing hour on the date shown below, and must be enclosed in a sealed envelope which must have inscribed on the outside:



RFP No	: HOAC_HO_0000007258
Description	: The supply of copper magnesium contact wire a period of one year (12 months)
Closing Date and Time	: Tuesday 29th March 2011 @ 10h00
Closing address (refer options paragraph 4 below)	

4. DELIVERY INSTRUCTIONS FOR THIS RFP

- 4.1 **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 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.
- 4.2 **If delivered by hand**, the envelope is to be deposited in the TRANSNET tender box which is located at , Inyanda No 1, Ground Floor , 21 Wellington Road Parktown, and should be addressed as follows:

**THE CHAIRPERSON
TRANSNET FREIGHT RAIL ACQUISITION COUNCIL
GROUND FLOOR
TENDER BOX
Inyanda No 1
21 Wellington Road
Parktown**

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.

- 4.3 **If dispatched by courier**, the envelope must be addressed as follows and delivered to the Office of The Secretary, Transnet Acquisition Council and a signature obtained from that Office.

**THE CHAIRPERSON
TRANSNET FREIGHT RAIL ACQUISITION COUNCIL
GROUND FLOOR
21 WELLINGTON ROAD
PARKTOWN**

- Please note that this RFP closes punctually at 10:00 on Tuesday 29th March 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 Proposals / information 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. All envelopes must reflect the return address of the Respondent on the reverse side.
- No slips are to be attached to the response documents. Any additional conditions must be embodied in an accompanying letter. Subject only to clause 22 (*Alterations made by the Respondent to Tendered Prices*) of the General Tender Conditions, alterations, additions or deletions must not be made by the Respondent to the actual RFP documents.

• **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.

DTI BBBEE UNIQUE PROFILE NUMBER:
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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.

- **SOCIO-ECONOMIC OBLIGATIONS FOR FOREIGN RESPONDENTS**

Foreign Respondents' socio-economic obligations under this procurement programme will fall under the associated Government initiative, namely, the Competitive Supplier Development Programme ("CSDP") as developed by the Department of Public Enterprises, details of which are appended hereto at Annexure A.

- **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 this 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 clause 2 above, and may also at any time after the closing date of the RFP, communicate with the Secretary of the Transnet Acquisition Council, at telephone number 011 544-9486 or fax no. 011 774-9760 on any matter relating to its RFP response.

- **RFP 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 at a location to be agreed.



• **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:
 - **Respondent's latest audited financial statements;**
 - **Respondent's valid Tax Clearance Certificate.**
 - **Respondents' valid BBBEE certificate or letter from auditor.**
 - **A CD copy of your RFP Proposal.**

• **COMPLIANCE**

The successful Respondent (hereinafter referred to as the "Supplier") shall be in full and complete compliance with any and all applicable State and Local Laws and Regulations.

• **ADDITIONAL NOTES:**

- All returnable documents as indicated in the Proposal Form (Section 3) must be returned with the response
- **Respondents are to note that Proposals in which firm prices are quoted for the duration of any resulting contract may receive precedence over prices which are subject to adjustment**
- 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 (if not the authorised signatories) must also be submitted along with the Proposal together with their contact details.
- **All prices must be quoted in South African Rands**
- Transnet reserves the right to undertake post-tender negotiations with selected Respondents or any number of short-listed Respondents and may wish to visit the Respondent's place of manufacture (works) during this process.

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 AFOREMENTIONED REQUIREMENTS
MAY RESULT IN A PROPOSAL BEING REJECTED**

Respondent's Signature

8

Date and Company Stamp



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 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 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 preparatory costs or other work performed in connection with this Proposal, whether or not the Respondent is awarded a contract.

LEGAL REVIEW

Any Proposal submitted by a Respondent is subject to review and negotiation of the proposed contract by Transnet's Legal Counsel. Respondents to complete this section:

NAME OF RESPONDENT

PHYSICAL ADDRESS

.....

Respondent's contact person: Name.....

Designation.....

Telephone.....

Cell Phone.....

Facsimile.....

Email.....

Website.....

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



SECTION 02

RFP NUMBER: HOAC_HO_0000007258

THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A PERIOD OF ONE YEAR (12 MONTHS).

Scope of requirements

The Supply of Copper Magnesium Contact Wire for a period of one year.

Due to the significant increase in the theft of copper cable, Transnet Freight Rail is exploring the option of utilizing Copper Magnesium Contact Wire as an alternative material to reduce or prevent theft of copper cable and for the durability of copper magnesium.

The purpose of the contract will be to test the product and determine whether copper magnesium will be an effective material against theft and if it will be more feasible to use this product.

1. GENERAL INFORMATION

It is required that all Transnet operating divisions will be included in the scope of this Proposal.

The service provider(s) shall be fully responsible to Transnet for the acts and omissions of persons directly or indirectly employed by them.

The service provider(s) must provide the identified information requested and comply with the requirements stated in the RFP.

2. RESPONDENT'S SAMPLES

Only in cases when the Respondent submits a sample(s) of the Goods/products/material tendered for by it, the sample(s) must be forwarded on or before the deadline date to the addressee hereunder:

Mr. Willie Schoeman
Office 704
138 Eloff Street
Braamfontein
Gauteng
Tel. 011 773 2667
Willie.Schoeman@Transnet.net



The sample(s) must be clearly marked with the reference number of this RFP and the names and addresses of both the Respondent and the manufacturer.

FAILURE TO SUBMIT THE SAMPLE(S) IN DUE TIME MAY RESULT IN A PROPOSAL BEING REJECTED. PROPOSALS MUST UNDER NO CIRCUMSTANCES BE INCLUDED IN THE PACKAGE CONTAINING A SAMPLE(S).

The Respondents must state the following:

- (i) Has/have a sample(s) been submitted?

.....

- (ii) How and to whom forwarded?

.....

- (ii) Date of dispatch

.....

3. MANUFACTURERS

Note: If the number of manufacturers exceeds the space provided, please prepare an Annexure with the list of manufacturers per item.

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

i. LOCAL MANUFACTURER(S):

RFP ITEM NO.	NAME	ADDRESS (IN FULL)
.....
.....

(ii) FOREIGN MANUFACTURER(S):

RFP ITEM NO.	NAME	ADDRESS (IN FULL)
.....
.....



4 SUPPLIERS

Note: If the number of manufacturers exceeds the space provided, please prepare an Annexure with the list of manufacturers per item.

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

(i) LOCAL MANUFACTURER(S):

RFP ITEM NO.	NAME	ADDRESS (IN FULL)
.....
.....
.....

(ii) FOREIGN MANUFACTURER(S):

RFP ITEM NO.	NAME	ADDRESS (IN FULL)
.....
.....
.....

5 IMPORTED CONTENT

Note: If the number of imported content exceeds the space provided, please prepare an Annexure with the list of imported content per item.

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

RFP ITEM NO.	PORTION OF THE PRICE	COUNTRY REPRESENTING THE IMPORTED CONTENT
.....
.....
.....
.....
.....
.....

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



6 NATIONAL RAILWAY SAFETY REGULATOR ACT

In compliance with the **National Railway Safety Regulator Act, 16 of 2002**, the successful Respondent (the “Supplier”) shall ensure that the Goods to be supplied to Transnet, under the terms and conditions of a contract between the parties, comply fully with the specifications as set forth in Section 10 (*Specifications and Drawings*) of this RFP, and shall thereby adhere to railway safety requirements and/or regulations. Permission for the engagement of a subcontractor by the Supplier, as applicable, both initially and during the course of a contract, shall be subject to a review of the capability of the proposed subcontractor to comply with the specified railway safety requirements and/or regulations. The Supplier and/or its subcontractor shall grant Transnet access, during the term of the contract, to review any safety-related activities, including the coordination of such activities across all parts of the organization.

Accepted:

YES	
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NO	
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7 SERVICE LEVELS

- Experienced national account representative/s to work with Transnet’s sourcing/procurement department (no sales representatives are needed for individual department/locations). Additionally, there shall be a minimal number of people, fully informed and accountable for this agreement.
- Transnet will have quarterly reviews with the Supplier’s account representative on an ongoing basis.
- Transnet reserves the right to request that any member of the Supplier’s team involved on the Transnet account be replaced if deemed not to be adding value for Transnet.
- Supplier guarantees that it will achieve a 95% service level on the following measures. If the Supplier does not achieve this level as an average over each quarter, Transnet will receive a 1.5% rebate on quarterly sales payable in the next quarter:
 - Pick perfect rate/quantity/specifications
 - On-time delivery
- Supplier must provide a toll-free number or alternative number for customer service calls.
- Supplier will pay all costs for returns (shipping, restocking, etc.) as long as materials are in resalable condition. Time limitation on returns will be 14 (fourteen) working days from date of delivery unless the product needs to be shipped back to original manufacturer either for repair or replacement, and then another future reasonable date shall be determined.
- Failure of the Supplier to comply with stated service level requirements will give Transnet the right to cancel the contract in whole, without penalty, giving 30 (thirty) days’ notice to the Supplier.

Accepted:

YES	
-----	--

NO	
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8 CONTINUOUS IMPROVEMENT INITIATIVES AND VALUE ADD

Respondents shall indicate whether they are committed to participate in the continuous improvement initiatives of Transnet to reduce the overall cost of transportation within South Africa during the duration of the contract.

Accepted:

YES	
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NO	
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If “yes”, please specify.

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

.....

9 RISK

Respondents must elaborate on the control measures put in place by their company, which mitigate the risk to Transnet, pertaining to potential non-performance by a Supplier in relation to -

(i) quality and specification of Goods delivered:

.....

(ii) continuity of supply (refer clause 10.1(c) of Form US7):

.....

Respondent’s Signature

Date and Company Stamp



(iii) Compliance with the Occupational Health and Safety Act, 85 of 1993 (refer clause 7.1(f) of Form US7)

.....

(iv) Compliance with the National Railway Safety Regulator Act, 16 of 2002 (refer clause 12 above)

.....

10 REFERENCES

Please indicate below the company names and contact details of existing customers whom Transnet may contact to seek third party evaluations of your current service levels:

Name of Company	Contact Person	Telephone number

 Respondent's Signature

 Date and Company Stamp



11 EVALUATION CRITERIA

Transnet will utilize the following criteria in choosing a Supplier:

I. TECHNICAL CRITERIA WILL BE EVALUATED FIRST.

II. SUPPLIERS WHO QUALIFY WITH A SCORE OF $\geq 70\%$ ON TECHNICAL CRITERIA WILL THEN MOVE ON TO BE EVALUATED ON COMMERCIAL AND B-BBEE

- **Technical:**
Compliance to Specification
*Manufacturer Evaluation
- **Commercial:**
Competitive Pricing
- **B-BBEE**
B-BBEE Certificate and Detailed Scorecard

III. AS PART OF THE TECHNICAL EVALUATION CRITERIA, SUPPLIERS WILL BE REQUIRED TO PROVIDE TRANSNET FREIGHT RAIL WITH A TEST SAMPLE OF 1.5m OF COPPER MAGNESIUM CONTACT WIRE.

IV. NEW INTERNATIONALLY SOURCED PRODUCTS MUST BE SUPPORTED BY TEST CERTIFICATES FROM INDEPENDENT ACCREDITED TEST AUTHORITIES.

V. DOCUMENTARY PROOF OF ISO 9000 RATING

VI. IF NOT ISO 9000 RATED:

- a. Documentary proof of evidence of compliance to elements of ISO 9000 must be submitted.
- b. Documentary proof of Quality Assurance System in place.

***NOTE ON MANUFACTURER EVALUATION: IF DOUBT EXISTS OR A NEW OEM/SUPPLIER IS CONTEMPLATED, TRANSNET FREIGHT RAIL TECHNOLOGY MANAGEMENT WILL HAVE THE RIGHT TO PERFORM A FACTORY EVALUATION**

12. DISQUALIFYING CRITERIA:

- Suppliers that do not score $\geq 70\%$ on Technical Compliance will be disqualified
- Non-Compliance to Technical Specifications
- Not providing required documentation as per technical evaluation criteria.



SECTION 03

RFP NUMBER: HOAC_HO_0000007258

THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A PERIOD OF ONE YEAR (12 MONTHS).

PROPOSAL FORM

I/We _____

(name of company, close corporation or partnership)

of (full address) _____

carrying on business under style or title of (trading as)

represented by _____

in my capacity as _____

being duly authorised thereto by a Resolution of the Board of Directors or Members or Certificate of Partners, as the case may be, dated _____ a certified copy of which is annexed hereto, hereby offer to supply the above-mentioned Goods at the prices quoted in the schedule of prices in accordance with the terms set forth in the accompanying letter(s) reference _____ and dated _____ (if any) and the documents listed in the accompanying schedule of RFP documents.

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

- (i) Standard Terms and Conditions of Contract, Form No. US7 - Goods;
- (ii) General Tender Conditions, Form CSS5 – Goods; and
- (iii) any other standard or special conditions mentioned and/or embodied in the Request for Proposal form; and;-

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

Should Transnet decide that a formal contract should be signed and so inform me/us in the facsimile or letter of acceptance, this Proposal (and, if any, its covering letter and any subsequent exchange of correspondence) together

Respondent's Signature

17

Date and Company Stamp



with Transnet's letter of acceptance/intent, shall constitute a binding contract between Transnet and me/us until the formal contract is signed.

I/We further agree that if, after I/we have been notified of the acceptance of my/our Proposal, I/we fail to enter into a formal contract if called upon to do so, or fail to commence the supply of Goods within 4 (four) weeks, Transnet may, without prejudice to any other legal remedy which it may have, recover from me/us any expense to which it may have been put in calling for Proposals afresh and/or having to accept any less favourable Proposal.

I/We accept that any contract resulting from this offer will be for a period ofonly; and agree to a penalty clause to be negotiated with Transnet, which will allow Transnet to invoke a penalty (details to be negotiated) against us should the delivery of the Goods be delayed due to non-performance by us.

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

Respondent to indicate *domicillium citandi et executandi* hereunder:

NOTIFICATION OF AWARD OF RFP

As soon as possible after approval to award the contract/s, the successful Respondent (the Supplier) will be informed of the acceptance of its Proposal. Unsuccessful Respondents will be advised in writing of the name of the successful Supplier and the reason as to why their Proposals have been unsuccessful, for example, in the category of price, delivery period, quality, BBBEE status or for any other reason.

VALIDITY PERIOD

Transnet desires a validity period of 4 (four) months (from closing date) against this RFP. It should be noted that Respondents may offer an earlier validity period, but that their Proposals may be disregarded for that reason. Should Respondents be unable to comply with this validity period, an alternative validity period must be stated hereunder:

This RFP is valid until _____ (State alternative validity period/date).

TAX (VAT) REGISTRATION NUMBER

The Respondent must state hereunder the tax registration number which is applicable to Value-Added Tax:

Respondent's Signature

Date and Company Stamp



TAX CLEARANCE CERTIFICATE

Respondents are required to forward a valid copy of their company’s Tax Clearance Certificate with their Proposal.

Indicate tax clearance certificate expiry date: _____

BANKING DETAILS

BANK: _____

BRANCH NAME / CODE: _____

ACCOUNT HOLDER: _____

ACCOUNT NUMBER: _____

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

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

(i) Registration number of company / C.C.

(ii) Registered name of company / C.C.

(iii) Full name(s) of director/member(s) Address/Addresses ID Number/s

Full name(s) of director/member(s)	Address/Addresses	ID Number/s
.....
.....
.....
.....
.....

REGISTRATION CERTIFICATE

Respondents must submit a certified copy of their company’s Registration Certificate with their Proposal.

NAME AND ADDRESS OF ACCREDITED AGENT

Provide hereunder, if applicable, details of the accredited agent in the Republic of South Africa appointed as local representative by foreign Respondents and whose address shall be regarded as the Respondent’s domicilium citandi et executandi in terms of the Standard Terms and Conditions of Contract, US7 – Goods.

Name

Respondent’s Signature

Date and Company Stamp



Address
.....

CONFIDENTIALITY

All information related to a subsequent contract, both during and after completion, is to be treated with strict confidence. Should the need however arise to divulge any information gleaned from provision of the Goods, which is either directly or indirectly related to Transnet’s business, written approval to divulge such information will have to be obtained from Transnet.

DISCLOSURE OF PRICES TENDERED

Respondents must indicate here **whether Transnet may disclose** their tendered prices and conditions to other Respondents:

YES	
-----	--

NO	
----	--

DECLARATION

Respondents to declare hereunder whether any family and/or direct relationship exists between any of the owners / members / directors / partners / shareholders (unlisted companies) of the responding company and any employee or board member of the Transnet Group:

YES	
-----	--

NO	
----	--

If YES, please indicate below:

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

ADDRESS

Indicate nature of relationship (if any):

(Failure to furnish complete and accurate information in this regard may lead to the disqualification of a response and may preclude a Respondent from future business with Transnet)

PRICE REVIEW

Transnet will be benchmarking this price offering(s) against the lowest price received as per the benchmarking exercise. If the Respondent’s price(s) is/are found to be higher than the benchmarked price(s), then the Respondent shall match or better

Respondent’s Signature

Date and Company Stamp



such price(s) within 30 days - failing which the Contract may be terminated at Transnet's discretion or the particular item(s) or service(s) purchased outside the contract.

RETURNABLE DOCUMENTS

Respondents are required to submit the following returnable documents with their responses (see tick):

Notice to Bidders – Section 1	√
Scope of requirements- Section 2	√
Proposal Form – Section 3	√
Resolution of Board of Directors (Respondent's Representative) – Section 4	√
Pricing Schedule – Section 5	√
General Tender Conditions, Form CSS5 – Section 6	√
Standard Terms and Conditions of Contract, Form US7 – Section 7	√
Specifications – Section 8 (Annexure A)	√
Certificate of attendance of RFP Briefing – Section 9	√
Non-Disclosure Agreement – Section 10	√
(NDA) Non Disclosure Agreement Section 11	√
(SDF) Supplier Declaration Form – Section 12	√
Supplier Code of Conduct – Section 13	
<u>ANNEXURES TO BE SUBMITTED</u>	
Latest Annual Audited Financial Statement to be provided as an Annexure	√
Valid Tax Clearance Certificate To be provided	√
VAT Registration Certificate To be provided	√
BBBEE Accreditation Certificate and detailed scorecard or letter from auditor to be provided	√
Cost driver breakdown in terms of fixed and variable costs including the transport component which must be stated in R/km.	√
Suppliers will also be required to indicate the foreign and local portion on material items where applicable as an Annexure.	√
Suppliers will have to indicate whether they are manufacturers or agents. Agents must indicate the manufacturers of the material that they propose supplying.	√
A CD copy of your RFP Proposal.	√
If in the event of new internationally sourced products, test certificates from independent accredited test authorities must be provided.	√
Documentary proof of ISO 9000 rating	√
If not iso 9000 rated: Documentary proof of evidence of compliance to elements of ISO 9000 must be submitted. Documentary proof of quality assurance system in place.	√

NOTE: Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, as indicated in the footer of each page, must be signed and dated by the Respondent.

 Respondent's Signature

 Date and Company Stamp



By signing the RFP documents, the Respondent is deemed to acknowledge that he / she has made himself / herself thoroughly familiar with all the conditions governing this RFP, including those contained in any printed form stated to form part hereof and Transnet Limited will recognise no claim for relief based on an allegation that the Respondent overlooked any such condition or failed properly to take it into account for the purpose of calculating tendered prices or otherwise.

SIGNED at _____ on this _____ day of _____ 2011.

SIGNATURE OF WITNESSES:

ADDRESS OF WITNESSES:

1 _____

1 _____

2 _____

2 _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE:

NAME

DESIGNATION

“PREVIEW COPY ONLY”

Respondent's Signature

Date and Company Stamp



SECTION 04

RFP NUMBER: HOAC_HO_0000007258

THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A PERIOD OF ONE YEAR (12 MONTHS).

SIGNING POWER : RESOLUTION OF BOARD OF DIRECTORS

NAME OF COMPANY: _____

It was resolved at a meeting of the Board of Directors held on _____ that

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

in his/her capacity as indicated above is/are hereby authorised to enter into, sign, execute and complete any documents relating to Tenders, Proposals and/or Contracts for the supply of Goods.

FULL NAME _____
SIGNATURE CHAIRMAN

FULL NAME _____
SIGNATURE SECRETARY



SECTION 05

RFP NUMBER: HOAC_HO_0000007258

THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A PERIOD OF ONE YEAR (12 MONTHS).

PRICING SCHEDULE

- In response to the tender, suppliers will be required to submit a cost driver breakdown in terms of fixed and variable costs including the transport component which must be stated in R/km.
- This will be crucial for determining future price adjustments for contractual purposes.
- Suppliers will also be required to indicate the foreign and local portion on material items where applicable.
- Suppliers will have to indicate whether they are manufacturers or agents. Agents must indicate the manufacturers of the material that they propose supplying.
- Pilot sites will be identified by Transnet Freight Rail for the testing of the Copper Magnesium Contact Wire.

RFP Item Number	Material Number	Short Description	Full Description	Estimated Quantities	Price
1.	54034135	WIRE ELCT; CONTACT, 107 MM2, 25-50 KVAC	WIRE, ELECTRICAL TYPE CONTACT CONDUCTOR SIZE 107 MM2 VOLTAGE RATING 25-50 KVAC DIMENSIONS LG 1620 M CONDUCTOR MATERIAL COPPER MAGNESIUM 0.2 CONDUCTOR FINISH MARKING THREE IDENTIFICATION GROOVES ON UPPER LOBE INSULATION COLOR NONE PACKAGE TYPE DRUM WOOD MATERIAL NUMBER 54034135, EQUIPMENT USED ON OHTE SPECIFICATION: BBD 7267 10.12.2009	16200	R..... Per Kilogram

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24

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2.	54034147	WIRE ELCT;CONTACT, 161 MM2,3 KVDC	WIRE, ELECTRICAL TYPE CONTACT CONDUCTOR SIZE 161 MM2 VOLTAGE RATING 3 KVDC DIMENSIONS LG 1830 M CONDUCTOR MATERIAL COPPER MAGNESIUM 0.2 CONDUCTOR FINISH MARKING THREE IDENTIFICATION GROOVES ON THE UPPER LOBE INSULATION COLOR NONE COLOR PACKAGE TYPE WOOD DRUM SPECIFICATION: BBD 7267 10.12.2009	18300	R..... Per Meter
----	----------	---	---	-------	---------------------

“PREVIEW COPY ONLY”



SECTION 06

RFP NUMBER: HOAC_HO_0000007258

**THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A
PERIOD OF ONE YEAR (12 MONTHS).**

GENERAL TENDER CONDITIONS -GOODS

Refer Form CSS5 attached hereto

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Respondent's Signature

26

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SECTION 07

RFP NUMBER: HOAC_HO_0000007258

**THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A
PERIOD OF ONE YEAR (12 MONTHS).**

STANDARD TERMS AND CONDITIONS OF CONTRACT

FOR THE SUPPLY OF GOODS TO TRANSNET

Refer Form US7 attached hereto.

**Respondents should note the obligations as set out in
Clause 24 of the General Tender Conditions (Section 7) which reads as follows:**

"The Supplier shall adhere to the Standard Terms and Conditions of Contract as set out in Form US7 – Goods, a copy of which is attached hereto.

Should the Respondent find any conditions unacceptable, it should indicate which conditions are unacceptable and offer an alternative. Please note that any alternative offered shall be compared with acceptance of the Form US7 conditions or alternatives offered by other Respondents, except penalties for late deliveries, the exclusion of which may disqualify the RFP, save where indicated otherwise by Transnet."

Respondent's Signature

27

Date and Company Stamp



SECTION 08

RFP NUMBER: HOAC_HO_0000007258

THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A
PERIOD OF ONE YEAR (12 MONTHS).

SPECIFICATION

REFER TO TECHNICAL SPECIFICATION DOCUMENT ATTACHED

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Respondent's Signature

28

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SECTION 09

RFP NUMBER: HOAC_HO_0000007258

THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A PERIOD OF ONE YEAR (12 MONTHS).

COMPULSORY BRIEFING SESSION:

A compulsory briefing session will be held at the following venue:

Time : 11H30 To 13H30
Date : 17th March 2011
Venue : Umjantshi C Boardroom
Ground Floor
Inyanda House 2
13-15 Girton Road, Parktown
Town/City : Johannesburg

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
REPRESENTATIVE

TENDERER'S

DATE:.....



SECTION 10

RFP NUMBER: HOAC_HO_0000007258

**THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A
PERIOD OF ONE YEAR (12 MONTHS).**

NON-DISCLOSURE AGREEMENT (“NDA”)

Complete and sign NDA attached hereto

Respondent's Signature

30

Date and Company Stamp



SECTION 11

RFP NUMBER: HOAC_HO_0000007258

**THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A
PERIOD OF ONE YEAR (12 MONTHS).**

SUPPLIER CODE OF CONDUCT

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Respondent's Signature

31

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delivering on our commitment to you

Suppliers Code of Conduct

“PREVIEW COPY ONLY”



Respondent's Signature

32

Date and Company Stamp

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.





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**



SECTION 12

RFP NUMBER: HOAC_HO_0000007258

THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A PERIOD OF ONE YEAR (12 MONTHS).

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).

Respondent's Signature

36

Date and Company Stamp



- 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							

Respondent's Signature

Date and Company Stamp



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	<input type="checkbox"/>	NO	<input type="checkbox"/>

3.2	If Yes state its previous name:*		
Registered Name	<input type="text"/>		
Trading Name	<input type="text"/>		

3.3	Who were its previous owners / partners / directors?*	
SURNAME & INITIALS		ID NUMBERS
<input type="text"/>		<input type="text"/>

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
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>



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
Creat	Amen	Block	Unbloc	Once-Off / Emergency	
Exten	Delete	Undel			

Supplier's trading name	
Supplier's registered name	
Please indicate if the Supplier has a contract with sourcing Transnet OD	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes please submit a copy of the letter of award	

a) What is being procured from the supplier?

i. Products only	Yes <input type="checkbox"/>	No <input type="checkbox"/>
ii. Services only	Yes <input type="checkbox"/>	No <input type="checkbox"/>
iii. Labour only	Yes <input type="checkbox"/>	No <input type="checkbox"/>
iv. Mix of services and	Yes <input type="checkbox"/>	No <input type="checkbox"/>
v. Mix of services and labour	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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 <input type="checkbox"/>	No <input type="checkbox"/>
------------------------------	-----------------------------

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

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

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						

Respondent's Signature

Date and Company Stamp



SECTION 13

RFP NUMBER: HOAC_HO_0000007258

THE SUPPLY OF COPPER MAGNESIUM CONTACT WIRE FOR A PERIOD OF ONE YEAR (12 MONTHS).

TRANSNET LIMITED / CONTRACTORS / SUB-CONTRACTORS

CONTRACTUAL SAFETY CLAUSES WHICH WILL FORM PART OF ANY RESULTING CONTRACT

The parties agree on the following arrangements according to section 37 (2) of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) to ensure compliance by the mandatory with provisions of the Act.

- 1) That the contractor is an “employer” in his own right as defined in section 1 of Act 85 of 1993 and that he must fulfill all his obligations as an employer in terms of the Act.
- 2) The contractor shall comply with the requirements of Act 85 of 1993 in its entirety.
- 3) Where special permits are required, such as electrical switching, hot work permits, etc. the contractor shall obtain them from a person designated by Transnet Limited for this purpose, and all requirements of the contractor must rigidly comply with the permit.
- 4) The contractor shall conduct a risk assessment of the work to be performed by a competent person prior to the commencement of work, to identify risks and hazards that persons may be exposed to, analyse and evaluate identified hazards.
- 5) The contractor shall have a documented Health and Safety Plan based on the risks and hazards identified before commencement of work.
- 6) The Health and Safety Plan shall include the following:
 - 6.1 The safety management structure to be instituted with all appointments in terms of the Act and Regulations
 - 6.2 The safe working methods and procedures to be implemented to ensure work is performed in compliance to the Act.
 - 6.3 The safety equipment, devices and clothing to be made available by the contractor to his employees.
 - 6.4 The site access control measures pertaining to health and safety to be implemented.
 - 6.5 Control measures for ensuring that the Health and Safety Plan is maintained and monitored for the duration of the contract.



- 7) The contractor shall ensure that all work is performed under the close supervision of a person trained to understand the hazards associated with the work performed and who has authority to ensure that the necessary precautionary measures are implemented.
- 8) The contractor must appoint a Health and Safety Co-ordinator to liaise with Transnet Limited on matters pertaining to occupational health and safety.
- 9) The appointed Safety Co-ordinator must liaise at least once a week with the* Health and Safety Section / Risk Manager /Occupational Risk Manager of Transnet Limited.
- 10) The contractor shall furnish the* Health and Safety Section/ Risk Manager/ Occupational Risk Manager of Transnet Limited immediately with full particulars of any sub-contractor which he may involve in the contract in order that the sub-contractor himself can be made aware of all the clauses in this contract pertaining to health and safety.
- 11) The contractor shall stop any subcontractor from executing work which is not in accordance with the Health and Safety Plan or which poses a threat to health and safety of persons.
- 12) The contractor shall ensure that all his employees and visitors undergoes health and safety induction pertaining to the hazards prevalent, proof of such training must be kept on file.
- 13) In the event where the risk assessment reveals the risk relating to working from an elevated position the contractor shall cause the designation of a competent person, responsible for the preparation of a Fall Protection Plan.
- 14) The Fall Protection Plan shall include:
 - 14.1 A risk assessment of all work carried out from an elevated position
 - 14.2 Procedures and methods to address all the identified risks per location
 - 14.3 Evaluation of employees' physical and psychological fitness necessary to work at elevated position.
 - 14.4 The training of employees working from an elevated position.
 - 14.5 Procedure addressing the inspection, testing and maintenance of all fall protection equipment.
- 15) The contractor shall advise the * Health and Safety Section / Risk Manager/ Occupational Risk Manager of Transnet Limited of any hazardous situations which may arise from work being performed either by the contractor or his sub-contractor.
- 16) Copies of all appointments required by the act must be given to * Health and Safety Section / Risk Manager / Occupational Risk Manager of Transnet Limited.
- 17) The contractor shall ensure that a Health and Safety File is available which shall include all documentation as required by the Act, copy of his and his subcontractors Risk Assessment and Health and Safety Plan.
- 18) All incidents referred to in Section 24 of the Act involving the contractor and his subcontractor on Transnet Ltd premises, shall be reported as prescribed. Transnet Ltd hereby obtains an interest in the issue of any investigation, formal inquiry conducted in terms of Section 31 and 32 of the Act into



any incident involving the contractor, his subcontractor, any person or machinery under his control on Transnet Ltd premises.

- 19) No alcohol or any other intoxicating substance shall be allowed on Transnet Ltd premises. The contractor shall not allow anyone under or suspected to be under the influence of alcohol or any other intoxicating substance on Transnet Ltd premises.
- 20) A letter of good standing in terms of Section 80 (Employer to register with the Compensation Commissioner) of the Compensation for Occupational Injuries and Disease Act 1993 (Act 130 of 1993) must also be furnished.
- 21) All clauses in the contract pertaining health and safety forms an integral part of the contract and if not complied with may be construed as breach of contract.

*As applicable

“PREVIEW COPY ONLY”

Respondent's Signature

46

Date and Company Stamp