



Supply Chain Services  
an Operating Division of  
TRANSNET LIMITED  
(Registration No. 1990/000900/06)

**REQUEST FOR PROPOSAL  
RFP NUMBER VAR 5950**

**CONDUCT DRUG TESTING AND PROVIDE EDUCATION AND TRAINING ON DRUGS  
ABUSE TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS**

**ISSUE DATE : 25 January 2010**  
**CLOSING DATE : 16 February 2010**  
**CLOSING TIME : 10h00**

**CLARIFICATION MEETING DATE : 28 January 2010**  
**VENUE : Transnet Freight Rail,  
Inyanda House 2, Barongwa Boardroom  
Transnet Freight Rail  
15 Girton Road, Parktown, JHB**  
**TIME : 10H00**

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

\_\_\_\_\_  
Respondent's Signature

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Date and Company Stamp

**RFP HOAC/VAR/5950**



**RFP NUMBER VAR 5950  
SCHEDULE OF DOCUMENTS**

**Section**

- 1. Notice to Bidders**
- 2. Background, Overview and Scope of Requirements**
- 3. Proposal Form**
- 4. Resolution of Board of Directors (Respondent's Representative)**
- 5. Certificate of Acquaintance with RFP Documents**
- 6. Specification and Pricing**
- 7. Standard Terms and Conditions of Contract (US7 - Service)**
- 8. General Tender Conditions (CSS5 – Service)**
- 9. Returnable Documents**
- 10. Non Disclosure documents**
- 11. Supplier Code of Conduct**

**PREVIEW COPY ONLY**

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Respondent's Signature

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Date and Company Stamp



## SECTION 1

### RFP NUMBER VAR 5950 CONDUCT DRUG TESTING AND PROVIDE EDUCATION AND TRAINING ON DRUGS ABUSE TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS

#### NOTICE TO BIDDERS

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

On or after 18 January 2010 documents may be inspected at, and are obtainable from the office of TRANSNET FREIGHT RAIL, TENDER ADVICE CENTRE, LEVEL 100, CARLTON CENTRE, 150 COMMISSIONER STREET, JOHANNESBURG.

A non-refundable tender fee of R250.00 (Inclusive of VAT) is applicable per tender. Payment is to be made to Transnet Freight Rail, Standard Bank Account number 203158598, Branch code 004805. The deposit slip must reflect **RFP: HOAC/VAR/5950** and the Company Name. Receipt/s to be presented prior to collection of the tender/s

NOTE 1.1 This amount is not refundable. RFP documents will only be available until 12H00 on 15 February 2010.

2. Documents in triplicate must reach the Secretary, 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	RFP VAR 5950
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Description : CONDUCT DRUG TESTING AND PROVIDE EDUCATION AND TRAINING ON DRUGS ABUSE TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS

Closing date and time	: 16 February 2010 at 10h00
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Closing address (refer options paragraph 3 below)	
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Respondent's Signature

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Date and Company Stamp



**3. DELIVERY INSTRUCTIONS FOR THIS RFP**

- 3.1 If posted**, the envelope must be addressed to the Secretary, Transnet Acquisition Council, P.O. Box 4244, Johannesburg 2000 and must be dispatched in time for sorting by the Post Office to reach the Secretary before the closing time of the RFP. In the event of the late receipt of a Quotation, the Respondent's franking machine impression will not be accepted as proof that the response was posted in time.
- 3.2 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 SECRETARY  
TRANSNET ACQUISITION COUNCIL  
GROUND FLOOR  
21 WELLINGTON ROAD  
PARKTOWN  
JOHANNESBURG**

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.**

- 3.3 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 SECRETARY  
TRANSNET ACQUISITION COUNCIL  
TABLE 1/110  
1<sup>ST</sup> FLOOR  
INYANDA HOUSE  
21 WELLINGTON ROAD  
PARKTOWN  
JOHANNESBURG**

- 4. Please note that this RFP closes punctually at 10:00 on Tuesday 16 February 2010.
- 5. If responses are not posted or delivered as stipulated herein, such responses will not be considered and will be treated as "UNRESPONSIVE."
- 6. NO EMAIL OR FACSIMILE RESPONSES WILL BE CONSIDERED.
- 7. The responses to this RFP will be opened as soon as practicable after the expiry of the time advertised for receiving them.

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



8. Transnet shall not, at the opening of responses, disclose to any other company any confidential details pertaining to the Quotations / information received, i.e. pricing, delivery, etc. The names and location of the Respondents will, however, be divulged to other Respondents upon request.
9. 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.
10. 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.

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

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

Transnet would therefore prefer to do business with local business enterprises who share these same values and who are prepared to contribute to meaningful BBBEE initiatives (including, but not limited to subcontracting and Joint Ventures) as part of their RFP responses. Transnet will accordingly allow a “preference” in accordance with the 10% 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 R30 000 (thirty thousand S.A. Rand) will be evaluated accordingly. All transactions below this threshold will, as far as possible, be set aside for Exempted Micro Enterprises (EMEs).

Consequently, when Transnet invites prospective suppliers to submit Quotations for its goods and services, it urges Respondents (Large Enterprises and QSE’s - see below) to have themselves accredited by any one of the various Accreditation Agencies available who do their BBBEE ratings in accordance with the **latest Codes (i.e. those promulgated on 9 February 2007)**.

Although no agencies have, as yet, been accredited by SANAS (South African National Accreditation System), Transnet will, in the interim, accept rating certificates of Respondents who have been verified by agencies who do their BBBEE ratings in accordance with the latest Codes as promulgated on 9 February 2007. This will be an interim arrangement only until such time as the SANAS List has been approved by the DTI. (Certificates are valid for a period of one year only).

11.1 Enterprises will be rated by such agency based on the following:

- (a) **Large Enterprises (i.e. annual turnover >R35 million):**
  - Rating level based on all seven elements of the BBBEE scorecard
- (b) **Qualifying Small Enterprises – QSE (i.e. annual turnover >R5 million but <R35 million):**
  - Rating based on any four of the elements of the BBBEE scorecard
- (c) **Exempted Micro Enterprises – EME (i.e. annual turnover <R5 million):**
  - EMEs are exempted from BBBEE accreditation

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Respondent’s Signature

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Date and Company Stamp



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

11.2 In addition to the above, Respondents who wish to enter into a Joint Venture or subcontract portions of the contract to BBBEE companies, must state in their RFPs the percentage, of the total contract value that will 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-contractor(s), as well as a breakdown of the distribution of the aforementioned percentage must also be furnished with the RFP response to enable Transnet to evaluate / adjudicate all RFPs received on a fair basis.

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

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

- If annual turnover <R5m, please attach audited financials.
- If annual turnover >R5m please attach an accreditation certificate issued by an Accreditation Agency, together with all the relevant score sheets pertaining thereto.

## 12. 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.

## 13. 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.

## 14. 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 Quotation.
- (ii) Both sets of documents to be submitted to the address specified above.
- (iii) The following returnable documents must accompany all Quotations:
  - Respondent's latest audited financial statements;
  - Respondent's valid Tax Clearance Certificate.

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Respondent's Signature

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Date and Company Stamp



## 15. 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.

## 16. ADDITIONAL NOTES:

- All returnable documents as indicated in the Quotation Form (Section 3) must be returned with the response
- Respondents are to note that Quotations 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 Quotation 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 Quotation 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 Quotations 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 QUOTATION BEING REJECTED**

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Respondent’s Signature

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Date and Company Stamp



## 17. 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 Quotation 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 Quotation which does not conform to instructions and specifications which are detailed herein
- disqualify Quotations submitted after the stated submission deadline
- not necessarily accept the lowest priced Quotation
- reject all Quotations, if it so decides
- award a contract in connection with this Quotation 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 Quotation, whether or not the Respondent is awarded a contract.

## 18. LEGAL REVIEW

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

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Respondent's Signature

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Date and Company Stamp





Respondents to complete this section:

NAME OF RESPONDENT .....

PHYSICAL ADDRESS .....

.....

Respondent's contact person:

Name.....

Designation.....

Telephone.....

Cell Phone.....

Facsimile.....

Email.....

Website.....

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**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**

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Respondent's Signature

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Date and Company Stamp



## SECTION 2

### CONDUCT DRUG TESTING AND PROVIDE EDUCATION AND TRAINING ON DRUGS ABUSE TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS

#### BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS

##### 1. BACKGROUND

##### 2. EXECUTIVE OVERVIEW

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

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

- Transnet must receive reduced cost of acquisition and improved service benefits resulting from the Supplier's economies of scale and streamlined service processes.
- Transnet must achieve appropriate availability that meets user needs while reducing costs for both Transnet and the chosen Supplier(s).
- Transnet must receive proactive improvements from the Supplier with respect to supply of Goods and related processes.
- Transnet's overall competitive advantage must be strengthened by the chosen Supplier's leading edge technology and service delivery systems.
- Transnet end users must be able to rely on the chosen Supplier's personnel for service enquiries, recommendations and substitutions.
- Transnet must reduce costs by streamlining its acquisition of services, including managed service processes on a Group basis.

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Respondent's Signature

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Date and Company Stamp



### 3. SCOPE OF REQUIREMENTS

#### **REQUEST FOR PROPOSAL: CONDUCT DRUG TESTING AND PROVIDE EDUCATION AND TRAINING ON DRUGS ABUSE TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS**

Transnet Freight Rail has a statutory obligation to ensure that no person who is or appears to be under the influence of intoxicating substances remains at work or on Transnet Freight Rail premises. Currently, employees are only tested for alcohol but not for drugs which has been identified as a risk in safe railway operations. Transnet Freight Rail has therefore taken a decision to implement random drug testing within the company. A minimum of 150 employees will be tested on a monthly basis nationally.

You are hereby invited to submit a formal proposal to Transnet Freight Rail on the following:

1. Your company profile and the applicable legally/socially required status e.g. BEE Status, Safety Record, Local or International Co., etc.;
2. Your experience in conducting drug testing in the transport industry specifically as well as in other industries in general;
3. Methodology, protocols, techniques and equipment that will be used for the drug testing (include screening and confirmatory tests);
4. Describe the drugs to be tested and their effects on safety and health of the employees;
5. Describe sensitivity, specificity and reliability levels of your methodologies, techniques and equipment used for each drug tested;
6. Describe the calibration requirements and Certification for your equipment;
7. Describe the chain of custody from the collection of sample of affected employees including the roles and responsibilities of TFR and your company's resources;
8. Outline the assessment tool(s) to be used for evaluating the success of the project;
9. TFR resources and personnel that will be required for drug testing;
10. Details of team members and resources (skills, qualifications and expertise) that will be allocated to this process;
11. Detailed report format that will be delivered to Transnet Freight Rail;
12. What type of education and training that can be offered for employees on drug use;
13. References of drug testing services offered for other clients;

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Respondent's Signature

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Date and Company Stamp



14. Timeline and action intervals for the full completion of a drug test;
15. Detail of the cost breakdown for a drug test per consultant per day (A day will be equivalent 8 hours), cost per drug test (separate screening and confirmatory test costs), sample collection costs, report costs, training costs, and any other additional costs that may be incurred.

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Respondent's Signature

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Respondent's Signature

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Date and Company Stamp



**3.1**

**TECHNICAL SELECTION CRITERIA**

Your experience in conducting workplace drug testing	State the number of years
Methodology, protocols, techniques and equipment that will be used for the drug testing (include screening and confirmatory tests)	<ul style="list-style-type: none"> <li>State the type of test (surface testing to be excluded).</li> <li>Number and the types of drugs that can be tested using your tools.</li> </ul>
Education and training on drugs to be tested and their effects on safety and health of the employees	How training is conducted and if subcontracted provide details of subcontractor
Describe sensitivity, specificity and reliability levels of your methodologies, techniques and equipment used for each drug tested	<ol style="list-style-type: none"> <li>Sensitivity-the least quantity of drug that the tool can detect.</li> <li>Accuracy-the level of reliability of the tool in terms of percentage</li> </ol>
Turn-around time for confirmatory results	Duration of return of result
Outline the assessment tool(s) to be used for evaluating the success of the service provided	Defined scientific assessment tools outlining roles and responsibilities and expected outcomes
Details of team members and resources (skills, qualifications and expertise) that will be allocated to this project	Allocation of team members and resources to the project and attached CV's
Detailed report format that will be delivered to Transnet Freight Rail	Detailed report structure that will be utilised for Transnet Freight Rail
Service level agreement between the service provider and the accredited laboratory to do confirmation of screening results	Provide the service level agreement with the accredited laboratory to be utilised for confirmatory results analysis
Timeline and action intervals for the full completion of a drug test	Detailed project plan time lines inclusive of pre and post testing/implementation activities

Respondent's Signature

Date and Company Stamp

<b>COMMERCIAL SELECTION</b>
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Detail of the cost breakdown for the project.	Provide a break down of all the cost related to the project. NB. Travelling and Accomodation to form part of consultation fee.
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Respondent's Signature

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Date and Company Stamp



**4. GENERAL INFORMATION**

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.

**5. AS AND WHEN CONTRACTS**

Purchase orders will be placed on the successful Respondents from time to time as and when supplies are required.

Transnet reserves the right to place purchase orders until the last day of the contract for deliveries to be effected within the delivery period/lead time specified beyond the expiry date of the contract under the same terms and conditions as agreed upon.

The Respondents must indicate hereunder the combined manufacturing and delivery lead time for delivery of the Goods /products/material to end destination in the Republic of South Africa, calculated as from the 7<sup>th</sup> (seventh) day after the date of the relevant purchase order:

RFP ITEM NUMBER	MANUFACTURING & DELIVERY LEAD TIME
1. ....	(weeks/months)
2. ....	(weeks/months)
3. ....	(weeks/months)

(i) Delivery requirements may be stipulated in purchase orders and scheduled deliveries may be called for. However, delivery periods and maximum monthly rates of delivery offered by the respondents will be used as guidelines in establishing lead times and monthly delivery requirements with the Supplier.

(ii) Where scheduled deliveries are required, the delivery period(s) specified must be strictly complied with, unless otherwise requested by TRANSNET. Material supplied earlier than specified may not be paid for or may be returned with the Supplier being held liable for all expenses incurred, eg. railage charges, handling charges, etc., both ways.

If the delivery period(s) offered by the Respondents is/are subject to a maximum monthly production capacity, full particulars must be indicated hereunder:

RFP ITEM NUMBER	MAXIMUM MONTHLY PRODUCTION CAPACITY
1. ....	(weeks/months)
2. ....	(weeks/months)
3. ....	(weeks/months)

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp





(If there is insufficient space above to accommodate all the items concerned, a separate statement containing the details must be submitted).

The Respondents must state hereunder the annual holiday closedown period and whether this period has been included in the delivery lead time offered

.....

The Respondent is to furnish the following information:

What action does the Respondent propose to take to ensure continuity of supply during non-working days or holidays and periods occupied in stocktaking or in effecting repairs to plant or in overhaul of plant which would ordinarily occur within the stated delivery period:

.....

6. PRE-PRODUCTION SAMPLES/PROTOTYPES

Only in cases when a pre-production sample(s) / prototype(s) is/are called for, the Respondent should state here the date required to deliver the necessary pre-production samples(s)/prototype(s) calculated as from the date of notification of acceptance of the Quotation by Transnet:

.....

NB : Purchase Orders will be placed on the Supplier(s) only after the date of approval of the pre-production sample(s).

State the number of days/weeks/months after which delivery would commence subject to Transnet's approval of the pre-production sample(s)/prototype(s), calculated as from the date of such approval:

.....

7. MANUFACTURERS

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)
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Respondent's Signature

Date and Company Stamp



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.....	.....	.....
.....	.....	.....

**(d) SUPPLIERS**

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)
.....	.....	.....
.....	.....	.....
.....	.....	.....

**(e) 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
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

**(f) EVALUATION CRITERIA**

Transnet will utilise the following criteria (not necessarily in this order) in choosing a Supplier, if so required:

- Pricing - Whilst not the sole factor for consideration, competitive pricing and overall level of discounts will be critical in indicating how much you value Transnet's business

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Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



- Compliance - Completeness of your responses and content of the Quotation will be considered
- Financial strength
- References
- Fixed pricing for one year
- BBBEE status of company and/or Social Obligations (CSDP)

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Respondent's Signature

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Date and Company Stamp



**SECTION 3**

**RFP NUMBER VAR 5950**

**CONDUCT DRUG TESTING AND PROVIDE EDUCATION AND TRAINING ON DRUGS ABUSE TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS**

**PROPOSAL FORM**

PREVIEW COPY ONLY

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 Quotation form; and;-

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



I/We accept that unless Transnet should otherwise decide and so inform me/us in the facsimile or letter of acceptance, this Quotation (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 Quotation (and, if any, its covering letter and any subsequent exchange of correspondence) together 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 Quotation, 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 Quotations afresh and/or having to accept any less favourable Quotation.

I/We accept that any contract resulting from this offer will be for a period of ..... only; 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 Quotation being accepted and to act on their behalf in all matters relating to the contract.

Respondent to indicate *domicillium citandi et executandi* hereunder:

Four horizontal lines for signature.

**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 Quotation. Unsuccessful Respondents will be advised in writing of the name of the successful Supplier and the reason as to why their Quotations 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 3 (three) months (from closing date) against this RFP. It should be noted that Respondents may offer an earlier validity period, but that their Quotations may be disregarded for that reason. Should Respondents be unable to comply with this validity period, an alternative validity period must be stated hereunder:

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



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:

\_\_\_\_\_

**TAX CLEARANCE CERTIFICATE**

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

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 Quotation.

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



**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	.....
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	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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

If YES, please indicate below:

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

ADDRESS

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Indicate nature of relationship (if any):

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\_\_\_\_\_  
Respondent’s Signature

\_\_\_\_\_  
Date and Company Stamp



(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

The successful Respondent(s) will be obliged to submit to an annual 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 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	√
Background overview – Section 2	√
Quotation Form – Section 3	√
Resolution of Board of Directors (Respondent's Representative) – Section 4	√
Certificate of Acquaintance with RFP Documents – Section 5	√
Specification & Pricing – Section 6	√
General Tender Conditions, Form CSS5 – Section 7	√
Conditions of Contract, Form US7 – Section 8	√
Audited Financials for previous year	√
Valid Tax Clearance Certificate	√
VAT Registration Certificate	√
BBBEE Accreditation Certificate	√
Non-Disclosure Agreement -- Section 9	√
Supplier Declaration Form – Section 10	√
Suppliers Code of Conduct – Section 11	√

**NOTE:** Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and as indicated in the footer of each page, must be signed and dated by the Respondent.

\_\_\_\_\_  
Respondent's Signature

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\_\_\_\_\_  
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 \_\_\_\_\_ 2009.

SIGNATURE OF WITNESSES:

ADDRESS OF WITNESSES:

1 \_\_\_\_\_ 1 \_\_\_\_\_

2 \_\_\_\_\_ 2 \_\_\_\_\_

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE:

NAME

DESIGNATION

PRIEVIEW COPY ONLY

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



**SECTION 4**

**RFP NUMBER VAR 5950**

**CONDUCT DRUG TESTING AND PROVIDE EDUCATION AND TRAINING ON DRUGS ABUSE TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS**

**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, Quotations and/or Contracts for the supply of Goods.

FULL NAME \_\_\_\_\_  
SIGNATURE CHAIRMAN

FULL NAME \_\_\_\_\_  
SIGNATURE SECRETARY

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



## SECTION 5

RFP NUMBER VAR 5950

### CONDUCT DRUG TESTING TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS

#### CERTIFICATE OF ACQUAINTANCE WITH RFP DOCUMENTS

NAME OF COMPANY: \_\_\_\_\_

I/We \_\_\_\_\_ do

hereby certify that I/we acquainted myself/ourselves with all the documentation comprising this RFP and all conditions contained therein, as laid down by Transnet Limited for the carrying out of the proposed supply/service/works for which I/we submitted my/our response.

I/We furthermore agree that Transnet Limited shall recognise no claim from me/us for relief based on an allegation that I/we overlooked any RFP/contract condition or failed to take it into account for the purpose of calculating my/our offered prices or otherwise.

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 2009

WITNESS : \_\_\_\_\_

\_\_\_\_\_  
Respondent's Signature

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\_\_\_\_\_  
Date and Company Stamp





## **SECTION 7**

**RFP NUMBER VAR 5950**

**CONDUCT DRUG TESTING AND PROVIDE EDUCATION AND TRAINING ON DRUGS  
ABUSE TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS**

### **GENERAL TENDER CONDITIONS - SERVICE**

**Refer Form US7 attached hereto**

**PREVIEW COPY ONLY**

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Respondent's Signature

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Date and Company Stamp

**RFP HOAC/VAR/5950**



## SECTION 8

RFP NUMBER VAR 5950

**CONDUCT DRUG TESTING AND PROVIDE EDUCATION AND TRAINING ON DRUGS ABUSE TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS**

**GENERAL TENDER CONDITIONS – (CSS5 – SERVICE)**

Refer Form CSS5- attached hereto

**PREVIEW COPY ONLY**

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Respondent's Signature

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Date and Company Stamp



## SECTION 9

### RFP NUMBER VAR 5950 CONDUCT DRUG TESTING AND PROVIDE EDUCATION AND TRAINING ON DRUGS ABUSE TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD OF TWO YEARS

#### SUPPLIER DECLARATION FORM

#### 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. Copy of 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 (ABVA 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 ABVA 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 ABVA 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.

Respondent's Signature

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Date and Company Stamp



**NB:** BBBEE certificate and detailed scorecard should be obtained from an accredited rating agency (permanent ABVA 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]*

**PREVIEW COPY ONLY**

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Respondent's Signature

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Date and Company Stamp





## 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							
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)							
<b>BEE Ownership Details</b>							
% 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 8 / Unknown)							
How many personnel does the firm employ		Permanent		Part time			
Name of person procuring your services/products							
Contact number							
Transnet operating division							
<b>Duly Authorised To Sign For And On Behalf Of Firm / Organisation</b>							
Name				Designation			
Signature				Date			

Respondent's Signature

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Date and Company Stamp



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.

## Internal Transnet Departmental Questionnaire (for office use only)

**NB:** "Once-off vendor" will only be created for extraordinary circumstances, i.e. derailments and other emergency situations. Note that only one (1) purchase order must be created against a "once-off vendor". Should the need arise to use a "once-off vendor" again, then an updated SDF together with the required documentation, is required for a "trade vendor" to be created

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

Vendor Name													
										Vendor Number			
TFR		TRE		TPT		TPL		TNPA		TCP		TRN	
Create		Unblock		Amend		Extend		Once-Off / Emergency					
Supplier's trading name													
Supplier's registered													
Please indicate if the Supplier has a contract with sourcing Transnet OD										Yes		No	
If yes please submit / furnish details of such a contract (together with the SDF)													

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

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Respondent's Signature

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Date and Company Stamp



**d)** Advise on the Detailed Procurement Process (DPP) / Procurement Mechanism that was followed (Please also take into consideration the revised P2P value/strategy as set out in the Weekly News Bulletin dated 6 October 2008 on the Intranet)

Name	Grade	Date								Signature
		Y	Y	Y	Y	M	M	D	D	

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

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

  

Name	Grade	Date								Signature
		Y	Y	Y	Y	M	M	D	D	
		Y	Y	Y	Y	M	M	D	D	

**Section 3: To be completed by Supplier Management**

I hereby approve  disapprove  this application

Name	Grade	Date								Signature
		Y	Y	Y	Y	M	M	D	D	

  

Vendor Number	Date captured on SAP	Recon Account

PREVIEW COPY ONLY

Respondent's Signature

Date and Company Stamp



**SECTION 10**  
**RFP NUMBER VAR 5950**  
**CONDUCT DRUG TESTING TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD**  
**OF TWO YEARS**  
**NON DISCLOSURE DOCUMENT**

**PREVIEW COPY ONLY**

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Respondent's Signature

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Date and Company Stamp



**SECTION 10**  
**RFP NUMBER VAR 5950**  
**CONDUCT DRUG TESTING TO TRANSNET FREIGHT RAIL EMPLOYEES FOR A PERIOD**  
**OF TWO YEARS**  
**SUPPLIERS CODE OF CONDUCT**

**PREVIEW COPY ONLY**

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Respondent's Signature

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Date and Company Stamp