



**TRANSNET FREIGHT RAIL**  
a Division of  
**TRANSNET SOC LIMITED**  
(Registration No. 1990/000900/30)

**REQUEST FOR QUOTATION ("RFQ")**

**RFQ NUMBER CRAC- EFQ-8563**

**AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT LEASE FOR 12 MONTHS  
AT ISANDO**

**ISSUE DATE : 03 JULY 2012**  
**INFORMATION SESSION : 10 JULY 2012**  
**TIME : 09H00**  
**CLOSING DATE : 17 JULY 2012**  
**CLOSING TIME : 10H00 A.M**  
**OPTION DATE : 30 OCTOBER 2012**  
**FOR DIRECTIONS / SITE CONTACT MFUNDISO (071 860 7908)**

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

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

\_\_\_\_\_  
Respondent's signature

1

\_\_\_\_\_  
Date and company stamp



**RFQ NUMBER CRAC- EFQ-8563**

**AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT  
LEASE FOR 12 MONTHS**

**SCHEDULE OF DOCUMENTS**

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

“PREVIEW COPY ONLY”



## **SECTION 1**

### **RFQ NUMBER CRAC- EFQ-8563**

#### **AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT LEASE FOR 12 MONTHS**

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

On or after 03/07/2012 the RFQ documents may be inspected at, and are obtainable from the office of TRANSNET Freight Rail Tender Advice Centre, Inyanda 1, Ground Floor, 21 Wellington Road, and Parktown.

#### **A COMPULSORY INFORMATION MEETING WILL BE HELD AT THE FOLLOWING VENUE:**

VENUE : 7<sup>TH</sup> FLOOR BOARDROOM, NO. 1 ANVIL ROAD, ISANDO

Time : 09h00

Date : 10 July 2012

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

**PLEASE BRING THE VALID DOCUMENT ON THE DAY OF BRIEFING AND ALSO MAKE SURE THAT YOU BRING YOUR SAFETY SHOES AND REFLECTIVE VEST ON SITE**

**NAME : Gladys Mtambo**  
**Tel (011) 584-0597**  
**Email gladys.mtambo@transnet.net**

A non-refundable tender fee of R100.00 (inclusive of Vat) is applicable per tender (listed below). Payment is to be made to Transnet Freight Rail, Standard Bank Account number 203158598, Branch code 004805. The deposit-slip must reflect the tender number and the Company Name. Receipt/s to be presented prior to collection of the tender/s.

**NOTE:** This amount is not refundable.

Tenders in duplicate must reach the Chairperson, TRANSNET Freight Rail 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:

\_\_\_\_\_  
Respondent's signature

3

\_\_\_\_\_  
Date and company stamp



**Tender No : CRAC- EFQ-8563**  
**Description Supply of Earth Equipment lease for 12 Months.**  
**Closing date and time : 17 July 2012 AT 10H00**  
**Closing address (refer options below)**

**DELIVERY INSTRUCTIONS FOR THIS RFQ:**

**1 If posted,** the envelope must be addressed to the Chairperson, TRANSNET Freight Rail Acquisition Council, P.O. Box 4244, Johannesburg 2000 and must be dispatched in time for sorting by the Post Office to reach the Chairperson before the closing time of the RFQ. In the event of the late receipt of a Proposal, the Respondent's franking machine impression will not be accepted as proof that the response was posted in time.

**2 If delivered by hand,** the envelope is to be deposited in the TRANSNET tender box which is located at the main entrance, Inyanda House, 21 Wellington road, Parktown, Johannesburg and should be addressed as follows:

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

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

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

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

1. Please note that this RFQ closes punctually at 10:00 on Tuesday 17 July 2012
2. If responses are not posted or delivered as stipulated herein, such responses will not be considered and will be treated as "UNRESPONSIVE".
3. NO EMAIL OR FACSIMILE RESPONSES WILL BE CONSIDERED
4. The responses to this RFQ will be opened as soon as practicable after the expiry of the time advertised for receiving them.
5. TRANSNET shall not, at the opening of responses, disclose to any other company any confidential details pertaining to the Quotations received, i.e. pricing, delivery, etc. The names and location of the Respondents will, however, be divulged to other Respondents upon request.
6. Envelopes must not contain documents relating to any RFQ other than that shown on the envelope.

\_\_\_\_\_  
Respondent's signature

4

\_\_\_\_\_  
Date and company stamp



7. No slips are to be attached to the response documents. Any additional conditions must be embodied in an accompanying letter. Alterations, additions or deletions must not be made by the Respondent to the actual RFQ documents.

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

TRANSNET fully endorses and supports the South African Government’s Broad-Based Black Economic Empowerment Programmed 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 BBEE rating, i.e. 110% BBEE 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 BBEE companies must state in their Tenders / Proposals the percentage of the total contract value which would be allocated to such BBEE companies, should they be successful in being awarded any business. A rating certificate in respect of such BBEE 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 BBEE 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 BBEE Certificate and Detailed Scorecard will result in a score of zero being allocated for BBEE evaluation.*

<p><b>Turnover:</b> 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 BBEE 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 BBEE 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' BBEE credentials.

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

<p><b>DTI BBEE UNIQUE PROFILE NUMBER:</b></p> <p>.....</p>
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Failure to submit your BBEE information in terms of the above-mentioned clauses will result in a score of zero being allocated for BBEE evaluation.



## 9. COMMUNICATION

Respondents are warned that a response will be liable to disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer(s) or employee of TRANSNET in respect of an RFQ 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 RFQ to the TRANSNET employee as indicated in (2) above.

## 10. RFQ SCHEDULE

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

### 10.1 INSTRUCTIONS FOR COMPLETING THE RFQ

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

## 11. COMPLIANCE

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

## 12. ADDITIONAL NOTES:

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

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

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

\_\_\_\_\_  
Respondent's signature

7

\_\_\_\_\_  
Date and company stamp



**13.DISCLAIMERS**

Respondents are hereby advised that TRANSNET is not committed to any course of action as a result of its issuance of this RFQ and/or its receipt of a Proposal in response to it. In particular, please note that TRANSNET reserves the right to:

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

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

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

NAME OF RESPONDENT: \_\_\_\_\_

PHYSICAL ADDRESS: \_\_\_\_\_

Respondent’s contact person: Name: \_\_\_\_\_

Designation: \_\_\_\_\_

Telephone: \_\_\_\_\_

Cell phone: \_\_\_\_\_

Facsimile: \_\_\_\_\_

Email: \_\_\_\_\_

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

\_\_\_\_\_  
Respondent’s signature

\_\_\_\_\_  
Date and company stamp





**SECTION 2**

**REQUEST FOR QUOTATION (“RFQ”)  
RFQ NUMBER CRAC- EFQ-8563**

**AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT  
LEASE FOR 12 MONTHS**

**REQUISITION FOR QUOTATION**

**MESSRS:** .....  
.....  
.....  
.....

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

Tel (011)  
Fax (011)

**ISSUE DATE 03/07/2012**

**CLOSING DATE 17/07/2012 (10h00)**

<b>Prices in South African currency, including all costs.</b>			
<b>Direct to consignees</b>			
ITEM NO:	DESCRIPTION		Price
1	Supply Of Earth Moving Equipment for 12 Months		
<b>Total price for the project</b>			
<b>2.Prices must be V.A.T. exclusive</b>			
3. Direct delivered to:	Transnet Freight Rail (Isando)		
4.Contact person:	Mfundiso (071 860 7908)		

**5. COMPULSORY DOCUMENTS**

**NOTE:**

**5.1.Return of tender documents**

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

5.2.The following documents are compulsory, and they must be attached to the tender document

If **Not** your tender will not be considered.

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

\_\_\_\_\_  
Respondent's signature 9

\_\_\_\_\_  
Date and company stamp



## 6. FRAUD HOTLINE

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

Hotline telephone: 0800 003 056

Email: [transnet@tip-offs.com](mailto:transnet@tip-offs.com)

Fax: 0800 007 788

**All information received will be treated with the utmost confidentiality**

## 7. BUSINESS ADJUDICATION CRITERIA:

### 7.1."Order winning criteria"

7.1.1.Total Price for the service/Competitive pricing

7.1.2. References / previous performance record

7.1.3. Financial Capacity

### 7.2."Technical"

7.2.1.Compliance to specification

7.2.2. Technical capacity

7.2.3. Risk and Safety Plan

7.2.4. Delivery Schedule

### 7.3."BBBEE"

7.3.1.Provide BBBEE level Certification

“PREVIEW COPY ONLY”





**SECTION 3**

**RFQ NUMBER CRAC- EFQ-8563**

**AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT  
LEASE FOR 12 MONTHS**

**SCOPE OF WORK  
INFRA MAINTENANCE**

**SPECIFICATION**

**TECHNICAL SUPPORT SPECIFICATION  
ON SUPPLY OF EARTH MOVING EQUIPMENT LEASE FOR  
12 MONTHS**

Author:	Engineering Technician	Mr. Mfundiso Mabungela	.....
Approved:	Technical Support Manager	Mr. Simbonile Sigwili	.....
Recommended:	Depot Engineer	Mr. Livhu Netshilavulu	.....
Authorised:	Chief Engineer	Mr. Mdu Mlaba	.....
		Date:	28 February 2012

Circulation Restricted To: Transnet Freight Rail, Contractor Appointed

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**TRANSNET FREIGHT RAIL  
TENDER NO.**

**SUPPLY OF EARTH MOVING EQUIPMENT LEASE FOR 12-MONTHS AT ISANDO DEPOT  
SPECIAL CONDITIONS OF CONTRACT**

**1. SCOPE OF WORK**

This contract covers the provision, maintenance and operation by the Contractor of various Earth-moving Equipment in a fully operational condition, inclusive of operators where necessary.

The plant is to have the following minimum specifications:-

**Equipment description**

Grader 120  
Grader 140  
Front end loader  
Bobcat/Skid steer  
TLB 426  
TLB 422E  
TLB hammer x 1  
TLB with breaker  
19 Ton Wheel excavator  
20 ton excavator  
20 ton excavator 320  
30 ton excavator  
20 ton excavator with breaker  
30 Ton Excavator with breaker  
Watercart 9000 L  
10 000 L Watercart  
Tipper Truck 6m<sup>3</sup>  
10m<sup>3</sup> Tipper Truck  
15m<sup>3</sup> Tipper Truck  
Rammer  
Pocker Vibrator  
Plate compactor  
2.5 Ton Roller  
10 Ton Roller pad foot  
10 Ton Smooth Drum  
D4 Dozer  
D6 Dozer  
Bomag 35  
Bomag 60  
Bomag 75  
Bomag 90  
30 Ton Dumper  
Concrete mixer  
Logger  
Lowbed triple axle trailer  
Lowbed double axle trailer  
Lowbed single axle trailer  
Trenching and Backfilling



2. **AREA OF OPERATIONS**

The area of operations shall be as follows: -

- Trichardt
- Sybrand
- Nigel
- Ogies
- LUD
- Sentrarand

3. **WORKING HOURS**

The normal working hours for this contract shall be between 07:00 and 17:00, with a half hour break between 12:00 and 12:30 daily.

4. **ESCALATION**

All increases in costs from whatsoever cause shall be at the Contractor's risk and for his account.

5. **VALUE ADDED TAX**

Value Added Tax at the ruling percentage shall be paid as per Contractors invoice.

6. **INSURANCE**

It shall be the responsibility of the Contractor to arrange for any insurance cover or additional insurance cover for his machine, facilities and staff.



Transnet Freight Rail will not consider a claim for loss, death, injury or damage from any cause whatsoever.

7. **ACCOMMODATION**

No accommodation of any description will be provided by Transnet Freight Rail for the Contractor's use. Accommodation and transportation to and from work sites is for the contractors account.

8. **FUEL**

The Contractor will be responsible for refuelling plant in question.

9. **MOVEMENT OF PLANT**

Movement to and from site shall be as directed by Transnet Freight Rail and will be arranged by Transnet Freight Rail.

10. **SERVICING AND MAINTENANCE**

The Contractor shall provide all material, tools and equipment necessary for the servicing and maintenance of his plant and shall carry out the servicing and maintenance at his own expense and in his own time.

11. **DURATION OF CONTRACT**

The contract period will be 12 **months** from the date that the Contractor is notified of the acceptance of his tender

AND



the contract will have a limiting value of **as stated by Transnet** and the contract period will be such that the value is not exceeded.

12. **SITE DOCUMENTATION**

The Contractor shall supply a duplicate carbon copy book with detachable numbered sheets. This logbook must stay with the Contractor's plant at all times. A daily log of hours worked and breakdowns shall be kept, each day on a separate sheet. The Contractor must ensure that the logsheets are signed and date stamped by the Site Supervisor or Engineer before submitting such documentation for payment.

13. **BASIS FOR PROVISION OF PLANT**

The plant shall be provided by the Contractor on an "**as and when required**" basis. Transnet Freight Rail will, wherever possible, endeavour to give at least one days notice of intent. Transnet Freight Rail reserves the right to terminate the activities of the plant, for whatsoever reason, on the understanding that one full days notice be given.

13.1 No subcontracting of plant and equipment.

14. **CANCELLATION OR REMOVAL OF THE PLANT FROM SITE**

If, in the opinion of Transnet Freight Rail, the operator or the output of the plant is unsatisfactory, Transnet Freight Rail reserves the right to:-

- (i) cancel the contract
- (ii) order the removal of the operator
- (iii) order the removal, temporarily or permanently, of the particular item of plant, or its replacement.





15. **MECHANICAL CONDITION**

Transnet Freight Rail reserves the right to inspect all plant offered as well as the maintenance infrastructure offered prior to the awarding of the contract. All plant offered should be either (1) not older than 5 years, or (2) have been reconditioned within the last 5 years.

- \* **Copies of vehicle registration documents are to accompany tender documents (Logbook, COF certificate).**

16. **STANDING TIME**

When the Contractor has been ordered to work, and if the plant is available for work but is not working due to a requirement, act or omission on the part of Transnet Freight Rail or any other Contractor working for Transnet Freight Rail, the Contractor will be paid standing time:

- (i) only for time falling within the hours of duty specified;
- (ii) only when the plant is in full working order.

The time claimed as standing time must be certified by an authorised representative of Transnet Freight Rail.

17. **CERTIFICATE OF ACQUAINTANCE WITH CONTRACT DOCUMENTS**

No tender will be accepted unless the Contractor certifies the Certificate of Acquaintance with Contract Documents.

18. **MEASUREMENT**

The unit of measurement will be the hour or part thereof.



## 19. PAYMENT

- 19.1 Payment will only be made for those items mentioned in the Schedule of Prices, after being certified by the Site Supervisor.
- 19.2 Payment will be made per hour or part thereof that the plant is in the possession of Transnet Freight Rail, provided that the plant is in a fully operational condition.
- 19.3 The rates quoted in the Schedule of Prices shall be inclusive of all costs in the supply and maintenance in a fully operational condition of the plant.
- 19.4 Payment will be strictly 30 days from date of invoice.
- 19.5 Time invoiced will be from commencement of work at the work site until stoppage of work at the work site.

## 20. PENALTY

A penalty of **R350.00** per day (Incident for poor performance or non compliance) will be levied to the contractor.

Should the contractor not be able to respond to Transnet Freight Rail's request or as per this tender document, the contractor will be liable for the difference in cost between the tendered price and the next tenderer's price.

## 21. SECURITY

Security is to be provided by the contractor to safe guard his equipment when attached to Transnet Freight Rail.

## 22. BASIS OF ADJUDICATION OF TENDERS

For the purpose of adjudication of tenders, the estimated percentages for working, standing and standing time due to inclement weather are as follows:-



WORKING TIME .....80%  
STANDING TIME .....10%  
INCLEMENT WEATHER .....10%

The estimated percentages are a guide to renderers, but not claim whatsoever will be entertained for any difference between the estimated and actual percentages.

WITNESSES:

1. ....  
TENDERER  
2. ....  
DATE: .....

“PREVIEW COPY ONLY”







**TRANSNET FREIGHT RAIL  
TENDER NO.**

**EARTH MOVING EQUIPMENT LEASE FOR 12-MONTHS AT ISANDO CENTRAL  
SCHEDULE OF PRICES**

<b>Equipment description</b>	<b>Wet rate /hr</b>	<b>Dry rate /hr</b>	<b>Site establishment within 60km radius of contractor's yard</b>	<b>estab with ra con</b>
Grader 120				
Grader 140				
Front end loader				
Bobcat/Skid steer				
TLB 426				
TLB 422E				
TLB hammer x 1				
TLB with breaker				
19 Ton Wheel excavator				
20 ton excavator				
20 ton excavator 320				
30 ton excavator				
<b>Equipment description</b>	<b>Wet rate /hr</b>	<b>Dry rate /hr</b>	<b>Site establishment within 60km radius of contractor's yard</b>	<b>estab with ra con</b>
20 ton excavator with breaker				
30 Ton Excavator with breaker				
Watercart 9000 L				
10 000 L Watercart				
Tipper Truck 6m <sup>3</sup>				
10m <sup>3</sup> Tipper Truck				
15m <sup>3</sup> Tipper Truck				
Rammer				
Pocker Vibrator				



Plate compactor				
2.5 Ton Roller				
10 Ton Roller pad foot				
10 Ton Smooth Drum				
D4 Dozer				
D6 Dozer				
Bomag 35				
Bomag 60				
Bomag 75				
Bomag 90				
30 Ton Dumper				
<b>Equipment description</b>	<b>Wet rate /hr</b>	<b>Dry rate /hr</b>	<b>Site establishment within 60km radius of contractor's yard</b>	<b>estab with ra con</b>
Concrete mixer				
Logger				
Lowbed triple axle trailer				
Lowbed double axle trailer				
Lowbed single axle trailer				

<b>Equipment description</b>	<b>Rate /Metre</b>	<b>Site establishment within 60km radius of contractor's yard</b>	<b>Site establishment within 120km radius of contractor's yard</b>	<b>Site estab within 180K contract</b>
Concrete mixer				
Logger				

**WITNESSES:**

1. .... TENDERER
2. .... DATE: .....



**SECTION 4**

**REQUEST FOR QUOTATION (“RFQ”)**

**RFQ NUMBER CRAC- EFQ-8563**

**AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT**

**LEASE FOR 12 MONTHS**

**Returnable documents**

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

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





**SECTION 5**

**RFQ NUMBER CRAC- EFQ-8563**

**AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT**

**LEASE FOR 12 MONTHS**

**Information Session**

**8. RFQ SITE MEETING**

**A COMPULSORY INFORMATION MEETING WILL BE HELD AT THE FOLLOWING VENUE:**

Venue : 7<sup>th</sup> Floor Boardroom, No. 1 Anvil Road, Isando Road

Time : 09H00

Date : 10 July 2012

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

Contact people on sites: Mfundiso (071 860 7908)

**8.1. ATTENDANCE CERTIFICATE**

This is to certify that.....

Representative/s of .....

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

.....

TRANSNET'S REPRESENTATIVE      TENDERER'S REPRESENTATIVE

DATE : .....

**VERY IMPORTANT**

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

**SIGNATURE OF TENDERER:** \_\_\_\_\_ **Date:** \_\_\_\_\_



## SECTION 6

### REQUEST FOR QUOTATION ("RFQ")

#### RFQ NUMBER CRAC- EFQ-8563

### AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT LEASE FOR 12 MONTHS

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

**NB:**

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

#### IMPORTANT NOTES:

- a) **If your annual turnover is less than R5 million**, then in terms of the DTI codes, you are classified as an Exempted Micro Enterprise (EME). If your company is classified as an EME, please include in your submission, a signed letter from your Auditor / Accountant confirming your company's most recent annual turnover is less than R5 million and percentage of black ownership and black female ownership in the company AND/OR BBBEE certificate and detailed scorecard from an accredited rating agency (e.g. permanent SANAS Member), should you feel you will be able to attain a better BBBEE score.
- b) **If your annual turnover is between R5 million and R35million**, then in terms of the DTI codes, you are classified as a Qualifying Small Enterprise (QSE) and you claim a specific BBBEE level based on any 4 of the 7 elements of the BBBEE score-card, please include your BEE certificate in your submission as confirmation of your status.



**NB:** BBBEE certificate and detailed scorecard should be obtained from an accredited rating agency (e.g. permanent SANAS Member).

- c) **If your annual turnover is in excess of R35million**, then in terms of the DTI codes, you are classified as a Large Enterprise and you claim a specific BEE level based on all seven elements of the BBBEE generic score-card. Please include your BEE certificate in your submission as confirmation of your status.

**NB:** BBBEE certificate and detailed scorecard should be obtained from an accredited rating agency (permanent SANAS Member).

- d) **To avoid PAYE tax being automatically deducted from any invoices received from you**, you must also contact the Transnet person who lodged this request on your behalf, so as to be correctly classified in terms of Tax legislation.

- e) Unfortunately, **No payments can be made to a vendor** until the vendor has been registered, and no vendor can be registered until the vendor application form, together with its supporting documentation, has been received and processed.

- f) **Please return the completed Supplier Declaration Form (SDF) together with the required supporting documents mentioned above to the Transnet Official who is intending to procure your company's services/products in order that he/she should complete and Internal Transnet Departmental Questionnaire before referring the matter to the appropriate Transnet Vendor Master Office.**

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

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**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 Authorized To Sign For And On Behalf Of Firm / Organization			
Name		Designation	
Signature		Date	

Stamp And Signature Of Commissioner Of Oath			
Name		Date	
Signature		Telephone No.	

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

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**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)**

<b>3.1</b>	<b>Did the firm previously operate under another name? *</b>		
YES	<input type="checkbox"/>	NO	<input type="checkbox"/>

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

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

<b>3.4</b>	<b>List Details of current partners, proprietors and shareholders by name, identity number, citizenship, status and ownership as relevant: *</b>							
SURNAME & INITIALS	IDENTITY NUMBER	CITIZENSHIP	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"/>

<b>3.5</b>	<b>List details of current directors, officers, chairman, secretary etc. of the firm: *</b>					
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"/>



<b>3.6</b>	<b>List details of firms personnel who have an ownership interest in another firm: *</b>				
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	COLOUR ED	INDIAN	OTHER	TOTAL
Permane nt						
Part Time						

**4.1.1 In terms of above kindly provide numbers on women and disabled personnel? \***

	BLACK	WHITE	COLOUR ED	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)?**

<b>YES</b>		<b>NO</b>	
------------	--	-----------	--





<b>4.2.2</b>	<b>Is your company a recipient of Enterprise Development Contributions?*</b>		
<b>YES</b>	<input type="text"/>	<b>NO</b>	<input type="text"/>

<b>4.2.3</b>	<b>May the above mentioned information be shared and included in Transne Database for Future reference? *</b>		
<b>YES</b>	<input type="text"/>	<b>NO</b>	<input type="text"/>

<b>4.2.4</b>	<b>If you are successful in the tender/contract (where applicable) and this is awarded to your company /organization, will this have a positive impact on your employment plans? *</b>		
<b>YES</b>	<input type="text"/>	<b>NO</b>	<input type="text"/>

<b>4.2.5</b>	<b>If yes (above) kindly provide the following information:</b>		
--------------	---	--	--

	<b>BLACK</b>	<b>WHITE</b>	<b>COLOUR ED</b>	<b>INDIAN</b>	<b>OTHER</b>	<b>TOTAL</b>
<b>Permane</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Part Time</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

<b>4.2.6</b>	<b>In terms of above kindly provide numbers on woman and disabled perso</b>					
	<b>BLACK</b>	<b>WHITE</b>	<b>COLOURED</b>	<b>INDIAN</b>	<b>OTHER</b>	<b>TOTAL</b>
<b>Women</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>Disabled</b>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

<b>4.2.7</b>	<b>Are any of your members/shareholders/directors ex employees of Transi</b>		
<b>YES</b>	<input type="text"/>	<b>NO</b>	<input type="text"/>

<b>4.2.8</b>	<b>Are any of your family members employees of Transnet?</b>		
<b>YES</b>	<input type="text"/>	<b>NO</b>	<input type="text"/>

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



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		Unblo		Once-Off / Emergency			
Exte		Delet		Undel							

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 a copy of the letter of award											
--	--	--	--	--	--	--	--	--	--	--	--

**a) What is being procured from the supplier?**

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

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

Yes		No	
-----	--	----	--

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

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

*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*

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

**CHANGES TO BE EFFECTED ON THE VENDOR MASTER**

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

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

NARROW BASED (NB)				BROADBASED (BBBEE)				
BEE O	BWB	DPB	MR	CONTB. LEVEL	EME: <R5m	QSE: >R5m <R35m	LARGE: >R35m	VALIDITY DATE

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



**SECTION 7**

**RFQ NUMBER CRAC- EFQ-8563**

**AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT  
LEASE FOR 12 MONTHS**

**GENERAL TENDER CONDITIONS OF CONTRACT (CSS5 – SERVICES)**

**Refer Document attached hereto**

**“PREVIEW COPY ONLY”**



**SECTION 8**  
**RFQ NUMBER CRAC- EFQ-8563**

**AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT  
LEASE FOR 12 MONTHS**

**STANDARD TERMS AND CONDITIONS OF CONTRACT (US7 – SERVICES)**

**Refer Document attached hereto**

**“PREVIEW COPY ONLY”**



**SECTION 9**

**RFQ NUMBER CRAC- EFQ-8563**

**AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT  
LEASE FOR 12 MONTHS**

**NON DISCLOSURE AGREEMENT.**

**Refer Document attached hereto**

**“PREVIEW COPY ONLY”**



**SECTION 10**

**REQUEST FOR QUOTATION ("RFQ")  
RFQ NUMBER CRAC- EFQ-8563**

**AS AND WHEN SUPPLY OF EARTH MOVING EQUIPMENT  
LEASE FOR 12 MONTHS**

**SUPPLIERS CODE OF CONDUCT**

**Refer Document attached hereto**

**“PREVIEW COPY ONLY”**



# Suppliers Code of Conduct

“PREVIEW COPY ONLY”



## Suppliers Code of Conduct

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

These are:

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

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

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

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

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

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





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](http://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**