



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

**RFP NUMBER: HOAC\_JHB\_0000006822**

**THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT  
SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

**ISSUE DATE** : 07<sup>th</sup> February 2011  
**CLOSING DATE** : 01<sup>st</sup> March 2011  
**OPTION VALIDITY DATE** : 30<sup>th</sup> June 2011  
**CLOSING TIME** : 10H00

**COMPULSORY BRIEFING SESSION:**

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

**Time** : 11H00 To 13H00  
**Date** : 18<sup>th</sup> February 2011  
**Venue** : Unjantshi C Boardroom  
Ground Floor  
Inyanda House 2  
13-15 Girton Road, Parktown  
**Town/City** : Johannesburg

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

Respondent's Signature

1

Date and Company Stamp



**RFP NUMBER: HOAC\_JHB\_0000006822**

**THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT  
SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

**SCHEDULE OF DOCUMENTS**

**Section**

- 1. Notice to Bidders**
- 2. Proposal Form**
- 3. Resolution of Board of Directors (Respondent's Representative)**
- 4. Certificate of Acquaintance with RFP Documents**
- 5. Pricing and Delivery Schedule**
- 6. General Tender Conditions (CSS5 – Goods)**
- 7. Standard Terms and Conditions of Contract (US7 - Goods)**
- 8. Background, Project Objective And Specification (ANNEXURE A)**
- 9. Attendance Certificate**
- 10. Non-Disclosure Agreement**
- 11. Supplier Code of Conduct**
- 12. Supplier Declaration**

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Respondent's Signature

2

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Date and Company Stamp



## SECTION 01

**RFP NUMBER: HOAC\_JHB\_0000006822**

### **THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

#### **NOTICE TO BIDDERS**

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

On or after Monday 07<sup>th</sup> February 2011 the RFP documents may be inspected at, and are obtainable from the office of Transnet Freight Rail, Tender Advice centre Ground Floor, Inyanda No.1 Building, 21 Wellington Road, Parktown, Johannesburg. During office hours 8:00 to 15:00, and a non-refundable tender fee R250.00 is applicable per tender. Payment is to be made to Transnet Freight Rail Standard Bank Account No 203158598 Branch code 004805. The deposit slip must reflect the RFP No and the Company name. Receipt to be presented at collection of the tender document.

**NOTE** 1.1 This amount is not refundable.

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

Name : Tarryn Foster  
Division : Supply Chain Services  
Email : [Tarryn.Foster@transnet.net](mailto:Tarryn.Foster@transnet.net)  
Tel : (011) 584-0602 / 083 458 1040

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

Rfp No	:	HOAC_JHB_0000006822
Description	:	The provision of a rolling stock asset management system/solution to Transnet Freight Rail for a period of two years (24 Months).
Closing Date And Time	:	Tuesday 01 <sup>st</sup> March 2011 @ 10h00
Closing address (refer options paragraph 4 below)		

Respondent's Signature

3

Date and Company Stamp



#### 4. DELIVERY INSTRUCTIONS FOR THIS RFP

- 4.1 **If posted**, the envelope must be addressed to the Chairperson, Transnet Acquisition Council, P.O. Box 4244, Johannesburg 2000 and must be dispatched in time for sorting by the Post Office to reach the Chairperson before the closing time of the RFP. In the event of the late receipt of a Proposal, the Respondent's franking machine impression will not be accepted as proof that the response was posted in time.
- 4.2 **If delivered by hand**, the envelope is to be deposited in the TRANSNET tender box which is located at , Inyanda No 1, Ground Floor , 21 Wellington Road Parktown, and should be addressed as follows:

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

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

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

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

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

5. Please note that this RFP closes punctually at 10:00 on Tuesday 01<sup>st</sup> March 2011.
6. If responses are not posted or delivered as stipulated herein, such responses will not be considered and will be treated as "UNRESPONSIVE."
7. NO EMAIL OR FACSIMILE RESPONSES WILL BE CONSIDERED.
8. The responses to this RFP will be opened as soon as practicable after the expiry of the time advertised for receiving them.
9. Transnet shall not, at the opening of responses, disclose to any other company any confidential details pertaining to the Proposals / information received, i.e. pricing, delivery, etc. The names and location of the Respondents will, however, be divulged to other Respondents upon request.



10. 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.
11. 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.
- 12.

#### **BROAD-BASED BLACK ECONOMIC EMPOWERMENT ("BBBEE")**

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

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

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

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

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

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



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

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

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

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

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

**Turnover:** Indicate your company's most recent annual turnover:

R.....

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

Respondent's Signature

Date and Company Stamp



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.

**DTI BBEE UNIQUE PROFILE NUMBER:**

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.

### 13. SOCIO-ECONOMIC OBLIGATIONS FOR FOREIGN RESPONDENTS

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

### 14. 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.

### 15. 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.

### 16. INSTRUCTIONS FOR COMPLETING THE RFP

Respondent's Signature

7

Date and Company Stamp



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

#### 17. 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.

#### 18. ADDITIONAL NOTES:

- All returnable documents as indicated in the Proposal Form (Section 3) must be returned with the response
- **Respondents are to note that Proposals in which firm prices are quoted for the duration of any resulting contract may receive precedence over prices which are subject to adjustment**
- Changes by the Respondent to its submission will not be considered after the closing date
- The person or persons signing the Proposal must be legally authorised by the Respondent to do so (Refer Section 4). A list of those person(s) authorised to negotiate on your behalf (if not the authorised signatories) must also be submitted along with the Proposal together with their contact details.
- **All prices must be quoted in South African Rands**
- Transnet reserves the right to undertake post-tender negotiations with selected Respondents or any number of short-listed Respondents and may wish to visit the Respondent's place of manufacture (works) during this process.

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

**FAILURE TO OBSERVE ANY OF THE AFOREMENTIONED REQUIREMENTS  
MAY RESULT IN A PROPOSAL BEING REJECTED**

Respondent's Signature

8

Date and Company Stamp





## 19. DISCLAIMERS

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

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

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

## 20. LEGAL REVIEW

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

NAME OF RESPONDENT .....

PHYSICAL ADDRESS .....

Respondent's contact person:

Name.....

Designation.....

Telephone.....

Cell Phone.....

Facsimile.....

Email.....

Website.....

Respondent's Signature

Date and Company Stamp



**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**

“PREVIEW COPY ONLY”

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

10

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



## SECTION 02

**RFP NUMBER: HOAC\_JHB\_0000006822**

### **THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

#### **GENERAL INFORMATION**

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

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

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

#### **1. 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)
.....	.....	.....
.....	.....	.....

(ii) FOREIGN MANUFACTURER(S):

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

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

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



## 2. 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)
.....	.....	.....
.....	.....	.....
.....	.....	.....

(ii) FOREIGN MANUFACTURER(S):

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

## 3. IMPORTED CONTENT

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

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

Respondent's Signature

12

Date and Company Stamp



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

#### 4. NATIONAL RAILWAY SAFETY REGULATOR ACT

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

Accepted:

YES		NO	
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#### 5. SERVICE LEVELS

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

Respondent's Signature

13

Date and Company Stamp



**Accepted:**

YES	
-----	--

NO	
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## 6. CONTINUOUS IMPROVEMENT INITIATIVES AND VALUE ADD

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

**Accepted:**

YES	
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NO	
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If "yes", please specify.

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

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.....
.....

## 7. RISK

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

(i) quality and specification of Goods delivered:

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

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

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



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

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

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

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

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

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

## 8. REFERENCES

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

Name of Company	Contact Person	Telephone number

Respondent's Signature

Date and Company Stamp



## 9. EVALUATION CRITERIA

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

- **Full Compliance to Specifications as mentioned in the scope of the work required**
- **Delivery period offered**
- 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.
- Compliance - Completeness of your responses and content of the Proposal will be considered
- Financial strength
- References in regard to previous performance records.
- Level of resource skills and technical background.
- Skills transfer capability to internal Transnet Freight Rail resources
- Fixed pricing for two years
- BBBEE status of company and/or Social Obligations (CSDP)
- Additional value-added services





## SECTION 03

**RFP NUMBER: HOAC\_JHB\_0000006822**

### **THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

#### **PROPOSAL FORM**

I/We \_\_\_\_\_  
(name of company, close corporation or partnership)

of (full address) \_\_\_\_\_

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

represented by \_\_\_\_\_

in my capacity as \_\_\_\_\_

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

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

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

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

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

17

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



Should Transnet decide that a formal contract should be signed and so inform me/us in the facsimile or letter of acceptance, this Proposal (and, if any, its covering letter and any subsequent exchange of correspondence) together with Transnet's letter of acceptance/intent, shall constitute a binding contract between Transnet and me/us until the formal contract is signed.

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

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

Respondent to indicate *domicillium citandi et executandi* hereunder:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### NOTIFICATION OF AWARD OF RFP

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

#### VALIDITY PERIOD

Transnet desires a validity period of 3 (three) months (from closing date) against this RFP. It should be noted that Respondents may offer an earlier validity period, but that their Proposals may be disregarded for that reason. Should Respondents be unable to comply with this validity period, an alternative validity period must be stated hereunder:

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

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

18

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



### 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 Proposal.

Indicate tax clearance certificate expiry date: \_\_\_\_\_

### BANKING DETAILS

BANK: \_\_\_\_\_

BRANCH NAME / CODE: \_\_\_\_\_

ACCOUNT HOLDER: \_\_\_\_\_

ACCOUNT NUMBER: \_\_\_\_\_

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

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

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

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

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

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

### REGISTRATION CERTIFICATE

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

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

19

\_\_\_\_\_  
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		NO	
-----	--	----	--

### DECLARATION

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

YES		NO	
-----	--	----	--

If YES, please indicate below:

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

ADDRESS

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

Indicate nature of relationship (if any):

.....
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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

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	√
Proposal Form – Section 3	√
Resolution of Board of Directors (Respondent's Representative) – Section 4	√
Certificate of Acquaintance with RFP Documents – Section 5	√
Pricing & Delivery Schedule – 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	√
Certificate of attendance of RFP Briefing – Section 9	√
Non-Disclosure Agreement – Section 11	√
Annexure A – Social Obligations (CSDP)	√

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

Respondent's Signature

21

Date and Company Stamp



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

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

SIGNATURE OF WITNESSES:

ADDRESS OF WITNESSES:

1	_____	1	_____
	_____		_____
2	_____	2	_____
	_____		_____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE:

NAME

DESIGNATION

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

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



## SECTION 04

**RFP NUMBER: HOAC\_JHB\_0000006822**

**THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT  
SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

**SIGNING POWER : RESOLUTION OF BOARD OF DIRECTORS**

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

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

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

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

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

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



## SECTION 05

RFP NUMBER: HOAC\_JHB\_0000006822

**THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT  
SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

### PRICING & DELIVERY SCHEDULE

#### PRICING

The total proposal must include:

R \_\_\_\_\_

**Total Price For Two Years  
Broken down into the cost for all elements adding  
up to the total cost.**





## **SECTION 06**

**RFP NUMBER: HOAC\_JHB\_0000006822**

**THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT  
SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

**GENERAL TENDER CONDITIONS -SERVICES**

**Refer Form CSS5 attached hereto**

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Respondent's Signature

25

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Date and Company Stamp



## SECTION 07

**RFP NUMBER: HOAC\_JHB\_0000006822**

**THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT  
SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

**STANDARD TERMS AND CONDITIONS OF CONTRACT**

**FOR THE SUPPLY OF GOODS TO TRANSNET**

**Refer Form US7 attached hereto.**

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

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

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

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Respondent's Signature

26

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Date and Company Stamp



## SECTION 08

**RFP NUMBER: HOAC\_JHB\_0000006822**

**THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT  
SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

### SPECIFICATION

### ANNEXURE A

**Transnet Freight Rail**

an Operating Division of  
TRANSNET LIMITED

(Registration No. 1990/000900/06)

**REQUEST FOR PROPOSAL (“RFP”)**

**RFP NUMBER: HOAC\_JHB\_0000006822**

**THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT  
SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

#### PROBLEM DESCRIPTION

#### **SUMMARY**

The aim of the intended solution is as follows:

- To provide Transnet Freight Rail with an integrated Asset Management system. The intended solution must manage the lifecycle of key assets including
  - Locomotives
  - Wagons
  - Where applicable motor vehicles being managed by the organisation.
- The intended solution will automate the management of detailed components linked to assets and will include managing the warranty agreements of these assets.
- The solution will also give TFR the capability to implement condition-based monitoring of its assets thereby automating the maintenance schedule processes.
- All relevant master data for Rolling Stock Asset Management will be hosted in the intended asset lifecycle system

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Respondent's Signature

27

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- The solution will be fully integrated into the existing system landscape of the organisation. Integration will be required to the following key operational and financial systems:
  - SAP – Provision of cost management as well as the reporting on capital expenditure
  - SPRINT/IATS – Operational systems used to track the position of rolling stock as it is utilised.
  - Transnet Rail Engineering (TRE) Integration – TRE is responsible for the maintenance of TFR rolling stock and integration is required into the TRE operating systems to gather key information relating to the lifecycle of the asset.
  - Business warehouse – Historical information regarding rolling stock is hosted in the SAP business warehouse and integration will be required for trend analysis and historical reporting.
  - The above list is not exhaustive but can be regarded as the key interfaces where integration is required. Detailed functional specifications will be developed as part of the detailed blueprinting phase of the project.
- The solution will provide TFR with detailed management reports including trend analysis reporting. Root-cause analysis reports will be generated out of the new system.
- The TFR end-user community will use the newly implemented Asset Management system to manage all facets of the lifecycle of the asset.

## BACKGROUND INFORMATION

TFR Rolling Stock Maintenance department currently have no automated processes or systems in place to assist it in the execution of its core function of planning and managing its Rolling Stock fleet.

The department is primarily dependant on the gathering of information from other support departments, in order to do detailed management and planning of the fleet.

A need has been identified to procure a solution that will assist Rolling Stock maintenance in the day-to-day execution of their duties.

The Rolling Stock Maintenance department is based nationally in major regions in South Africa.

The size of the team is around 50 employees geographically dispersed across the country.

The key areas of responsibility for the Rolling Stock Maintenance department include the following:

- Gathering of rolling stock requirements from the different functional business areas within Transnet Freight Rail (TFR).
- Planning the lifecycle of rolling stock including the disposal of the assets once it reaches a termination date.
- Development of maintenance schedules in collaboration with TFR sister company Transnet Rail Engineering (TRE).



- Overseeing the Service level agreement with TRE ensuring that the required maintenance schedules developed are executed according to plan.
- The maintenance team is also responsible for the following areas
  - Purchasing of wagons
  - Provides input for the purchasing of Locomotives
  - Execute projects for upgrades and purchases of core assets
- The Rolling stock maintenance department interface to:
  - Technology Management for upgrades of assets, specification, RSR compliance and configuration
  - Finance department on cost management and reporting on the capital program
  - Network planning department regarding the condition of the rail network
  - Transnet Rail engineering regarding the maintenance, upgrades and purchasing of Rolling Stock

The following sets of tools and processes are primarily used by this department when executing their duties:

- Spreadsheets for planning and management of assets
- Loco utilisation and positioning reports from operational systems
- Existing Asset manuals
- SAP – Trade automation for maintenance related information on work conducted by TRE.
- Information is also sourced from the Configuration office
- TRE reporting on Locomotive positioning, Maintenance costs and Plant Maintenance orders
- Wagon positioning reporting
- Financial reporting provided by the finance department including energy costs

Interfacing to these systems or tools is manually driven and has the following constraints:

- Non integrated view from the various source systems
- Manual consolidation of information
- Access to source systems is not always available as users do not have profiles to access these systems
- No historical view exists within the department and there is a dependency on TRE to provide this type of information
- Gathering of information is time-consuming and laborious and leads to inefficiencies in the system.
- No system capability is in place for trend analysis
- Trend analysis reporting includes
  - Faults per component
  - Asset reliability
  - Root cause analysis of defections



- Asset Availability (Technical and operational)
- Inaccurate information provided from different functional areas

A need exists for the procurement of a solution that will automate the existing processes within the Rolling Stock maintenance department, and that will ensure integration to other operational and supporting systems.

The intended solution will also ensure that critical information is available for effective management reporting and trend analysis.

A key point to highlight as mentioned above is Transnet Freight Rail's relationship with Transnet Rail Engineering (TRE). TRE is largely responsible for the upkeep of TFR assets (locomotives and wagons). Once work on rolling stock has been completed TRE invoices TFR accordingly. This means that TRE currently has more information at their disposal regarding the TFR asset and becomes a key provider of rolling stock information to TFR.

#### SCOPE

#### **SCOPE OF WORK**

The system must provide TFR with the following suite of capabilities in order to support the management of its rolling stock fleet:

1. Condition monitoring of the assets
2. Reporting on trend analysis
  - a. Failure rates of assets
  - b. Reliability of the assets
  - c. Root cause analysis, etc
3. Component Management
  - a. Functionality required linking an asset to its sub-assets. A locomotive will become a primary asset in the system with the components of the locomotive classified as sub-assets.
  - b. The system must not only manage the lifecycle of the core asset but also manage the lifecycle of the components linked to the asset
  - c. All components being replaced must be tracked and reported on.



- d. Components stripped from one locomotive must be flagged as such when placed in another locomotive.
- e. Detailed analysis regarding component fatigue must be reported on.
4. Full integration is required to operational tracking systems.
5. Full integration is also required to the financial reporting system as well as TFR's business warehouse. Cost management reporting will be extracted from the financial system.
6. Detailed management reporting is required as well as the ability to do trend analysis and forecasting.
7. The newly implemented system must give TFR the ability to conduct detailed scenario or simulation planning of its future rolling stock requirements. This will assist the organisation in the development of future fleet plans.
8. Detailed service history reporting must be available in the system. This will require detailed integration with Transnet Rail Engineering to manage and report on service cycles.
9. Once the system has been implemented service intervals will move from time-based intervals to a combination of time and utilisation-based intervals
10. Warranty management must be included as core functionality in the new system. The system will give the end-user the ability to track component warranties and flag when a component has failed during a pre-defined warranty period.
11. Lifecycle planning of the asset will encompass the following dimensions:
  - a. Age analysis reporting
  - b. Kilometre based utilisation reporting
  - c. Component fatigue reporting
  - d. Cost trends per asset indicating cumulative maintenance cost of an asset over a given time period.
  - e. Number of maintenance interventions required for the asset over a given period
  - f. Mean-time to failure reporting
  - g. Component trend analysis reporting



12. The newly acquired system must keep track of energy costs per asset and provide management with detailed reporting regarding energy consumption.
13. A key part of the asset management system is to keep track of TFR's environmental KPI's. These KPI's include tracking oil usage, fuel consumption and carbon emissions
14. The system will also have the capability to develop customised reporting as per the business requirement.
15. The system will have the functionality to do detailed capacity planning of assets providing TFR with the ability to determine whether its assets are able to meet business demand.
16. The system will also provide TFR with the functionality to determine where future investments of assets will take place based on capacity and lifecycle planning.
17. The system will also have the ability to determine the optimal loading capacity of the asset based on commodity mix and infrastructure constraints.
18. Asset fleet distribution will be provided by the new system. The system will intelligently plan the distribution of assets across the TFR network and by means of a real-time interface have visibility of the asset as it moves across the network.
19. Integration will be required into TFR's project management system to keep track of key projects focusing on the replacement or upgrading of key assets.
20. The packaged solution where required will be customised to cater for TFR's business requirement.
21. System document and training material will be developed and provided to TFR on completion of the project.
22. User training and system implementation forms part of the scope of this initiative.





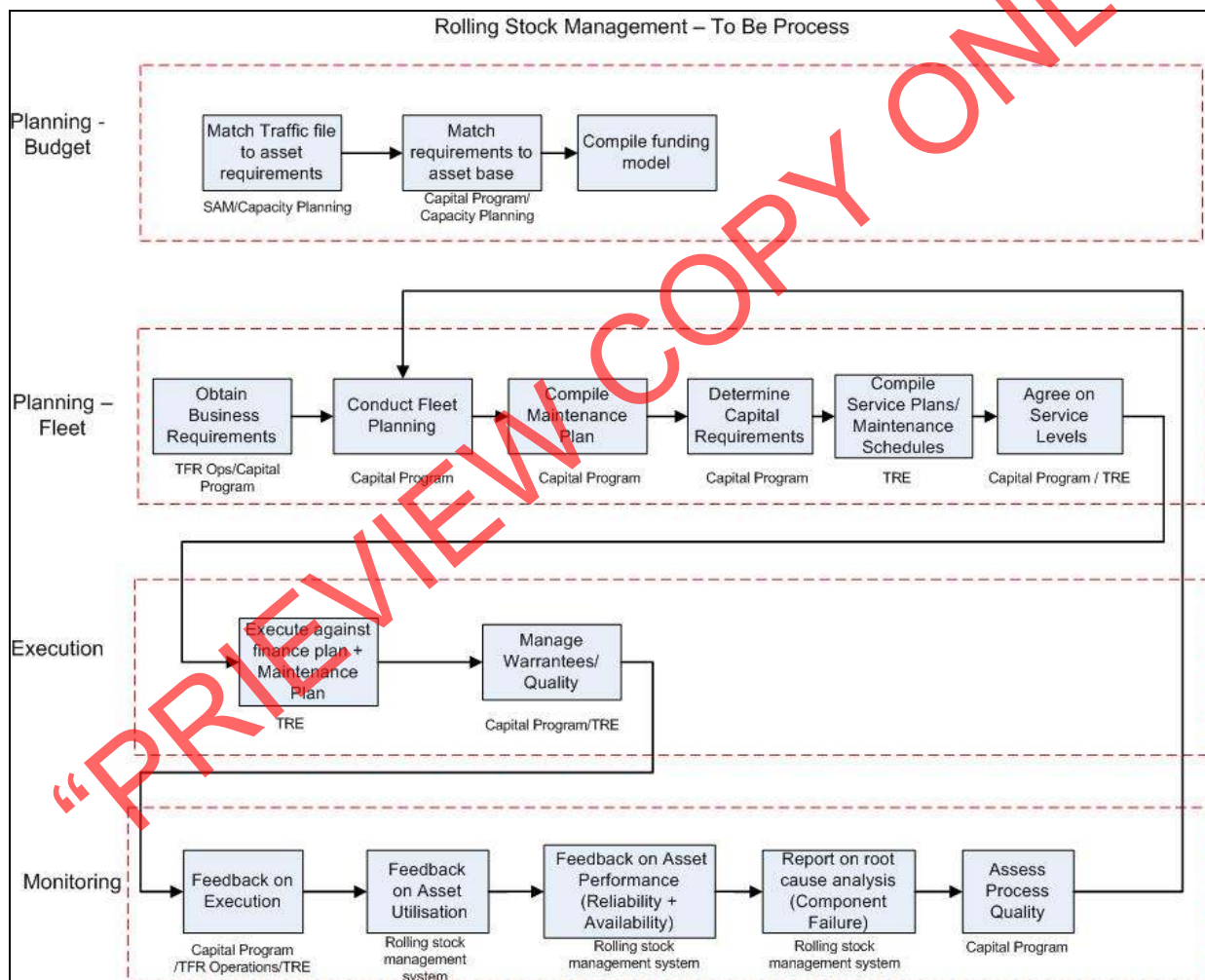
## PROJECT OBJECTIVES

- The aim of the project is to implement a system which will assist the organisation with the management of its assets over the entire lifecycle of the asset.
- The intended system will be configured to meet TFR requirements.
- The system will be fully integrated into the existing IT landscape.
- TFR end-users will be fully trained on the usage of the new system
- A comprehensive set of system documentation will be provided to support the future maintenance agreement of the system
- Herewith is a brief description of the current TFR IT architecture:
  - The TFR development environment of choice is Java on IBM Web Sphere Application Server (V6.0.x).
  - Database is Oracle 10g R2 (minimum 10.2.0.4).
  - Integration platform is Web Methods (V7.1).
  - The workflow engine is Web Methods.
  - Web based Graphical User Interface using HTML, JSP and XML.



## PROCESS VIEW

The following diagram depicts a process view of integration between the Resource Maintenance department and other functional areas within the organisation





## DELIVERABLES of REQUEST FOR PROPOSAL

The provision of information responding to TFR requirements and where necessary providing demonstrations in response to the requirements.

Site visits may be required where similar implementations are in operation.

Further information will also be provided at the detailed briefing session once the tendering period has opened

## EVALUATION AND AWARD PROCESS

TFR will nominate a panel of subject matter experts to assist in the adjudication and awarding process. The subject matter experts will evaluate each tender against a set list of criteria and score each submission against the predefined criteria. Where applicable further site visits may be conducted as part of the adjudication process.

## PROCESS SCHEDULE

A detailed briefing session will be held with potential vendors. This session will take place roughly 3 weeks after submission of the Request for Proposal documentation has been lodged with the tender office of Transnet Freight Rail.

## CONTACTS

Name	Job Title	Area of responsibility	Contact details
Mark Snyders	Business Relationship Manager	Managing relationship with various departments within TFR	Office: (011)583-0531 Cell: 083 308 6550 e-mail Mark.Snyders@Transnet.net
Vilvalingum Nair	Senior Manager: Rolling Stock Maintenance	Responsible for managing the Rolling Stock Maintenance department	Office: (011)583-0600 Cell: 083 501 7092 e-mail: Vilvalingum.Nair@Transnet.net
Matodzi Mutavhatsindi	Senior Business Analyst	Lead Business Analyst supporting the Rolling Stock Maintenance department	Office: (011) 583-0525 Cell: 083 389 3653 e-mail: Matodzi.Mutavhatsindi@Transnet.net

Respondent's Signature

35

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COMPLIANCE TO REQUIREMENT

PART 4

Criteria

No	Criteria	Yes	No	Comments
1	Does the proposed solution meet with TFR's requirements for a rolling stock asset management system able to manage the total lifecycle of the asset and provide TFR with accurate forecasting model on replacement period for key assets			
2	Does the proposed solution provide TFR with the capability to do warranty management? Is the warranty management enabled to function at component warranty level?			
3	Does the asset management system have the ability to monitor condition of assets over its utilisation period?			
4	Can the asset management system provide TFR with Trend analysis reporting?			
5	Can route cause analysis be done on component and Asset Failures			
6	Will the system have the capability to keep track of the asset and the components linked to the asset? If so? Will the system be able to flag when a new component has been linked to the asset?			
7	Will the asset management system have the capability to do detailed scenario planning on TFR's future rolling stock requirements based on the conditioning status of the existing fleet?			
8	Will the asset management system have the ability to track the service history of rolling stock			
9	Will the system have the ability to determine the optimal loading capacity of the asset based on commodity mix and infrastructure constraints?			
10	Can additional management reports specific to TFR's requirements be created by users? → Provide detail of management reports that will be readily available in the system?			
11	Will the system have the ability to integrate fully into TFR's existing system application landscape? Integration will be required to some of the following systems: SAP FI and PM Operational systems to determine positioning and utilisation SAP Business warehouse for historical trends Integration is also required to Transnet Rail Engineering systems			
12	Is the security of the intended solution role-based security? → Please provide a detailed description of the system security model of the intended system.			

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36

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No	Criteria	Yes	No	Comments
13	Are there clear audit trails available in the system? ➔ What kind of events would trigger an audit trail			
14	Is this a services based solution?			
15	Does the intended solution comply with SOA standards?			
16	Has the proposed solution been deployed to other reference sites? ➔ Please specify in detail these sites.			
17	Does the tenderer have a local presence with the necessary support skills? ➔ Provide details			
18	Indicate the compliance level of the architecture of the intended solution to the TFR IT architecture standards. (Full, High degree, Low degree, None) ➔ Please provide a detailed description of the IT architecture of the intended solution, areas of compliance and deviation from the TFR IT architecture.			
19	What is the timeline of the proposed solution?			
20	What kind of system and user support will be available to TFR once the system is deployed?			

Respondent's Signature

Date and Company Stamp



## TRANSNET LIMITED / CONTRACTORS / SUB-CONTRACTORS

### CONTRACTUAL SAFETY CLAUSES WHICH WILL FORM PART OF ANY RESULTING CONTRACT

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

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



- 9) The appointed Safety Co-ordinator must liaise at least once a week with the\* Health and Safety Section / Risk Manager /Occupational Risk Manager of Transnet Limited.
- 10) The contractor shall furnish the\* Health and Safety Section/ Risk Manager/ Occupational Risk Manager of Transnet Limited immediately with full particulars of any sub-contractor which he may involve in the contract in order that the sub-contractor himself can be made aware of all the clauses in this contract pertaining to health and safety.
- 11) The contractor shall stop any subcontractor from executing work which is not in accordance with the Health and Safety Plan or which poses a threat to health and safety of persons.
- 12) The contractor shall ensure that all his employees and visitors undergoes health and safety induction pertaining to the hazards prevalent, proof of such training must be kept on file.
- 13) In the event where the risk assessment reveals the risk relating to working from an elevated position the contractor shall cause the designation of a competent person, responsible for the preparation of a Fall Protection Plan.
- 14) The Fall Protection Plan shall include:
  - 14.1 A risk assessment of all work carried out from an elevated position
  - 14.2 Procedures and methods to address all the identified risks per location
  - 14.3 Evaluation of employees' physical and psychological fitness necessary to work at elevated position.
  - 14.4 The training of employees working from an elevated position.
  - 14.5 Procedure addressing the inspection, testing and maintenance of all fall protection equipment.
- 15) The contractor shall advise the \* Health and Safety Section / Risk Manager/ Occupational Risk Manager of Transnet Limited of any hazardous situations which may arise from work being performed either by the contractor or his sub-contractor.
- 16) Copies of all appointments required by the act must be given to \* Health and Safety Section / Risk Manager / Occupational Risk Manager of Transnet Limited.
- 17) The contractor shall ensure that a Health and Safety File is available which shall include all documentation as required by the Act, copy of his and his subcontractors Risk Assessment and Health and Safety Plan.
- 18) All incidents referred to in Section 24 of the Act involving the contractor and his subcontractor on Transnet Ltd premises, shall be reported as prescribed. Transnet Ltd hereby obtains an interest in the issue of any investigation, formal inquiry conducted in terms of Section 31 and 32 of the Act into any incident involving the contractor, his subcontractor, any person or machinery under his control on Transnet Ltd premises.
- 19) No alcohol or any other intoxicating substance shall be allowed on Transnet Ltd premises. The contractor shall not allow anyone under or suspected to be under the influence of alcohol or any other intoxicating substance on Transnet Ltd premises.



- 20) A letter of good standing in terms of Section 80 (Employer to register with the Compensation Commissioner) of the Compensation for Occupational Injuries and Disease Act 1993 (Act 130 of 1993) must also be furnished.
- 21) All clauses in the contract pertaining health and safety forms an integral part of the contract and if not complied with may be construed as breach of contract.

\*As applicable

“PREVIEW COPY ONLY”

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Respondent's Signature

40

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Date and Company Stamp





## SECTION 09

**RFP NUMBER: HOAC\_JHB\_0000006822**

### **THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

#### **COMPULSORY BRIEFING SESSION:**

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

Time : 11H00 To 13H00  
Date : 18<sup>th</sup> February 2011  
Venue : Umjantshi C Boardroom  
Ground Floor  
Inyanda House 2  
13-15 Girtton Road, Parktown  
Town/City : Johannesburg

#### **1 ATTENDANCE CERTIFICATE**

This is to certify that.....

Representative/s of .....

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

.....

.....

TRANSNET'S REPRESENTATIVE  
REPRESENTATIVE

TENDERER'S

DATE:.....



## **SECTION 10**

**RFP NUMBER: HOAC\_JHB\_0000006822**

**THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT  
SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

**NON-DISCLOSURE AGREEMENT ("NDA")**

**Complete and sign NDA attached hereto**

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Respondent's Signature

42

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## **SECTION 11**

**RFP NUMBER: HOAC\_JHB\_0000006822**

**THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT  
SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).**

**SUPPLIER CODE OF CONDUCT**

“PREVIEW COPY ONLY”

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Respondent's Signature

43

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Date and Company Stamp



delivering on our commitment to you

## Suppliers Code of Conduct

“PREVIEW COPY ONLY”



Respondent's Signature

Date and Company Stamp



## Suppliers Code of Conduct

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

These are:

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

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

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

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

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

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







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

Employees may not receive anything that is calculated to:

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

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

**Transnet is firmly committed to free and competitive enterprise.**

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

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

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





These include, but are not limited to:

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

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

### Conflict of interest

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

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



Show that you support good business practice by logging onto [www.transnet-suppliers.net](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**



## SECTION 12

RFP NUMBER: HOAC\_JHB\_0000006822

### THE PROVISION OF A ROLLING STOCK ASSET MANAGEMENT SYSTEM FOR A PERIOD OF TWO YEARS (24 MONTHS).

#### SUPPLIER DECLARATION

#### 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.

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Respondent's Signature

48

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Date and Company Stamp





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

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

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

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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							
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)							
<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 9 / Unknown)							
How many personnel does the firm employ		Permanent	Part time				
Transnet Contact Person							
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

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)

Section 1: To be completed by the Transnet Requesting / Sourcing Department											
TFR		TRE		TPT		TPL		TNPA		TRN	
Creat		Amen		Block		Unblock		Once-Off / Emergency			
Extend		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	
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c) If your reply to (b) is " <b>NO</b> ", please furnish	
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d) Certification and Approval of proposed Vendor Creation/Unblocking/Other Changes by Transnet Official with Appropriate Delegated Authority :
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Respondent's Signature

Date and Company Stamp



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

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

<b>Tel No:</b>		<b>Fax</b>	
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Section 2: To be completed by the BEE Department (this section is for Confirmation/Determining of									
NARROW BASED (NB)				BROADBASED (BBBEE)					
BEE O/S	BWBE	DPBE	MR	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			

Respondent's Signature

Date and Company Stamp