

## **FREIGHT RAIL**

An Operating Division of **TRANSNET SOC LTD**

[Registration No. 1990/000900/30]

## **REQUEST FOR PROPOSAL [RFP]**

**FOR THE PROVISION OF WASTE BINS AND THE REMOVAL OF WASTE AT VARIOUS DEPOTS IN POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOTONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**RFP NUMBER** ERACEM 3817-2-771  
**ISSUE DATE:** 24 AUGUST 2016  
**CLOSING DATE:** 6 SEPTEMBER 2016  
**CLOSING TIME:** 10:00  
**BID VALIDITY PERIOD:** 31 DECEMBER 2016

**PLEASE BRING A VALID TENDER DOCUMENT ON THE DAY OF THE BRIEFING SESSION OTHERWISE RESPONDENTS WILL NOT BE ALLOWED TO BID**

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Respondent's Signature

Date & Company Stamp

Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

**RFP ANNEXURES:**

- ANNEXURE A BBB-EE IMPROVEMENT PLAN
- ANNEXURE B TENDERER SHE MANAGEMENT QUESTIONNAIRE

**PREVIEW COPY**

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

\_\_\_\_\_  
Date & Company Stamp

Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

**RFP FOR THE PROVISION OF WASTE BINS AND THE REMOVAL OF WASTE AT VARIOUS DEPOTS IN POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**Section 1: NOTICE TO BIDDERS**

**1 INVITATION TO BID**

Responses to this RFP [hereinafter referred to as a **Bid** or a **Proposal**] are requested from persons companies, close corporations or enterprises [hereinafter referred to as an **entity, Respondent** or **Bidder**].

<b>DESCRIPTION</b>	For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.
<b>BID FEE</b>	<b>This RFP is issued free of charge.</b>
<b>INSPECT / COLLECT DOCUMENTS FROM</b>	<p>This bid may be downloaded directly from the National Treasury e-Tender Publication Portal at <a href="http://www.etenders.gov.za">www.etenders.gov.za</a> free of charge.</p> <p>Alternatively, this RFP may be collected free of charge per set for those Bidders that require a copy from Transnet rather than downloading from the website. If a copy of the tender document is required, prior arrangements must be made one (1) day in advance and the tender document may be collected between <b>09:00</b> and <b>15:00</b> from <b>24 August 2016</b> until <b>30 August 2016</b></p> <p>This RFP may be collected from the following address:  <b>THE OFFICE OF TRANSNET FREIGHT RAIL ADVICE CENTRE, GROUND FLOOR, NZASM BUILDING, ROOM G16, CORNER OF PAUL KRUGER AND MINNAAR STREET, PRETORIA, 0001</b></p>
<b>ISSUE DATE AND COLLECTION DATE DEADLINE</b>	<p><b>Date Published: 24 August 2016</b></p> <p><b>Tender documents available until: 30 August 2016</b>  <i>[Note the bid will only be visible on the Portal on the date indicated here, and no tenders will be issued after this deadline.]</i></p>
<b>COMPULSORY BRIEFING SESSION</b>	<p>Yes</p> <p>Refer to paragraph 2 for details.</p>
<b>CLOSING DATE</b>	<p><b>10:00 on Tuesday 6 September 2016</b></p> <p>This tender shall close punctually at the following address:  <b>The Chairperson, Transnet Freight Rail Acquisition Council, Inyanda House 1, 21 Wellington Rd, Parktown, JOHANNESBURG, 2001.</b></p> <p>As a general rule, if a bid is late or delivered to the incorrect address, it will not be accepted for consideration.</p>
<b>VALIDITY PERIOD</b>	<p><b>31 December 2016</b></p> <p>Bidders are to note that they may be requested to extend the validity period of their bid, on the same terms and conditions, if the internal evaluation process has not been finalised within the validity period.</p>

Respondent's Signature

Date & Company Stamp

<p><b>SPECIAL CONDITIONS</b></p>	<p>Bidders are to note that this bid may also be downloaded directly from the National Treasury eTender Publication Portal free of charge. If Bidders intend to download the bid off the Portal, they are required to indicate their intention to respond to this bid by <b>15:00 30 August 2016</b>, by sending an email with their contact details to the following address: <b>Morris.Mhlongo@transnet.net</b>. This is to ensure that any required communication (e.g. addenda to the bid) in relation to this bid reaches those intending to respond.</p> <p><b>Transnet will not be held liable if Bidders do not respond by this date and do not receive the latest information regarding this Bid as a result thereof.</b></p>
<p><b>SUPPLIER REGISTRATION ON THE NATIONAL TREASURY CENTRAL SUPPLIER DATABASE (CSD)</b></p>	<p>In terms of paragraph 3 of the NATIONAL TREASURY SCM INSTRUCTION NO 4 OF 2016/2017, which became effective on 1 May 2016, [Transnet] must ensure that</p> <p>3.1.1 Suppliers [of Transnet] are registered on the Central Supplier Database [CSD] before any procurement related activities commences;</p> <p>3.1.2 The CSD can be used as the single and only list of prospective suppliers for [Transnet] Furthermore, according to paragraph 5.6 Transnet may only award bids to suppliers after verifying that the supplier is registered as prospective suppliers on the National Treasury Central Supplier Database.</p> <p>Please ensure that you register your company on the CSD by following these steps:</p> <p>Step 1: Access the CSD site on <a href="https://secure.csd.gov.za/">https://secure.csd.gov.za/</a>  Step 2: Register a new CSD account <a href="https://secure.csd.gov.za/Account/Register">https://secure.csd.gov.za/Account/Register</a>  Step 3: Receive an activation email and click activate account  Step 4: Activate account by requesting and entering the O.P.  Step 5: Log in the CSD  Step 6: Complete supplier identification information  Step 7: Complete contact information  Step 8: Complete address information  Step 9: Complete bank account information  Step 10: Complete tax information  Step 11: Complete directors/members information (if non-CIPC company)  Step 12: Complete associations (if relevant)  Step 13: Complete commodities information  Step 14: Complete B-BBEE information (future phase)  Step 15: Maintain users  Step 16: Complete notification information  Step 17: Complete accreditations  Step 18: Click on submit  Step 19: A CSD supplier number and unique registration reference number is auto-generated and communicated.</p>

Any additional information or clarification will be faxed or emailed to all Respondents, if necessary.

## 2 FORMAL BRIEFING

A compulsory RFP briefing will be conducted at **Transnet Freight Rail, Cnr Church and Hospital Street, Baobab Boardroom, Station Building, Polokwane behind game shopping centre, on Wednesday the 31<sup>st</sup> August 2016, at 08:00**. The briefing session will start punctually and information will not be repeated for the benefit of Respondents arriving late. The briefing will be compulsory. **[Respondents to provide own transportation and accommodation].**

Contact person for directions:

Mr K.A Ramothale

Cell no: 083 842 0256

Respondent's Signature

Date & Company Stamp

As the briefing session will be held in an operational area of Transnet, all people entering the premises **may be subjected to a substance abuse test.**

This is a standard operational requirement for TFR, when entering any operational area in order that TFR may address the risk of injury.

Any person that fails such test will not be permitted to enter the premises and thereby forfeits rights to be allowed access to the briefing session and will subsequently not be permitted to submit a bid for the RFP.

- 2.1 A Certificate of Attendance in the form set out in Section 9 hereto must be completed and submitted with your Proposal as proof of attendance.
- 2.2 Respondents failing to attend the compulsory RFP briefing will be disqualified.
- 2.3 The briefing session will start punctually at 08h00 and information will not be repeated for the benefit of Respondents arriving late.
- 2.4 Respondents will not be allowed at the briefing session if they don't have a copy of the RFP document on the day of briefing session.

**If Respondents/Bidders intend to download** the bid off the Portal, they are required to indicate their intention to respond to this bid by **15:00 30 August 2016**, by sending an email with their contact details to the following address: **Morris.Mhlongo@transnet.net**.

This is to ensure that any required communication (e.g. addenda to the bid) in relation to this bid reaches those intending to respond. As such, please bring along to the briefing session the tender document and the **CONFIRMATION THAT YOU ADVISED TRANSNET OF YOUR INTENTION TO PARTICIPATE IN THIS TENDER.**

**RESPONDENTS FAILING TO ADHERE TO THE ABOVE MAY BE CLASSIFIED AS NON-RESPONSIVE AND MAY BE DISQUALIFIED.**

### 3 PROPOSAL SUBMISSION

Proposals must be submitted in a sealed envelope addressed as follows:

The Secretariat, Transnet Acquisition Council	
RFP No:	ERACEM3812~21771
Description	For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months
Closing date and time:	5 September 2016 at 10h00 am
Closing address	[Refer to options in paragraph 4 below]

All envelopes must reflect the return address of the Respondent on the reverse side.

### 4 DELIVERY INSTRUCTIONS FOR RFP

#### 4.1 Delivery by hand

If delivered by hand, the envelope must be deposited in the Transnet tender box which is located in the foyer on the ground floor, Inyanda House 1, 21 Wellington road, Parktown, Johannesburg, and must be addressed as follows:

THE SECRETARIAT  
TRANSNET ACQUISITION COUNCIL  
GROUND FLOOR  
TENDER BOX  
INYANDA HOUSE 1  
21 WELLINGTON ROAD

Respondent's Signature

Date & Company Stamp

PARKTOWN  
JOHANNESBURG  
2001

- a) The measurements of the "tender slot" are 500mm wide x 100mm high, and Respondents must please ensure that response documents or files are no larger than the above dimensions.
- b) Responses which are too bulky [i.e. more than 100mm thick] must be split into two or more files, and placed in separate envelopes, each such envelope to be addressed as required in paragraph 3 above.
- c) It should also be noted that the above tender box is located at the main entrance and is accessible to the public 24 hours a day, 7 days a week.

#### 4.2 **Dispatch by courier**

If dispatched by courier, the envelope must be addressed as follows and delivered to the Office of The Secretariat, Transnet Acquisition Council and a signature obtained from that Office:

THE SECRETARIAT  
TRANSNET ACQUISITION COUNCIL  
INYANDA HOUSE 1  
21 WELLINGTON ROAD  
PARKTOWN  
JOHANNESBURG  
2001

- 4.3 If responses are not delivered as stipulated herein, such responses will not be considered.
- 4.4 No email or faxed responses will be considered, unless otherwise stated herein.
- 4.5 The responses to this RFP will be opened as soon as possible after the closing date and time. 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 locations of the Respondents will be divulged to other Respondents upon request.
- 4.6 Envelopes must not contain documents relating to any RFP other than that shown on the envelope.

## 5 **BROAD-BASED BLACK ECONOMIC EMPOWERMENT AND SOCIO-ECONOMIC OBLIGATIONS**

As described in more detail in the attached BBEE Claim Form and as prescribed in terms of the Preferential Procurement Policy Framework Act (PPPFA), Act 5 of 2000 and its Regulations, Respondents are to note that Transnet will allow a "preference" to companies who provide a valid B-BBEE Verification Certificate.

The value of this bid is estimated to exceed R1 000 000 (all applicable taxes included); and therefore the **90/10** system shall be applicable.

Respondents are required to complete Section 7 [the B-BBEE Preference Point Claim Form] and submit it together with proof of their B-BBEE Status as stipulated in the Claim Form in order to obtain preference points for their B-BBEE status.

**Note: Failure to submit a valid and original B-BBEE certificate or a certified copy thereof at the Closing Date of this RFP will result in a score of zero being allocated for B-BBEE.**

### 5.1 **B-BBEE Joint Ventures or Consortiums**

Respondents who would wish to respond to this RFP as a Joint Venture [JV] or consortium with B-BBEE entities, must state their intention to do so in their RFP submission. Such Respondents must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If such a JV or consortium agreement is unavailable, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by Transnet through this RFP process. This written confirmation must clearly indicate the percentage [%] split

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Respondent's Signature

\_\_\_\_\_  
Date & Company Stamp

of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to Transnet.

Respondents are to note the requirements for B-BBEE compliance of JVs or consortiums as required by Section 7 [the B-BBEE Preference Point Claim Form] and submit it together with proof of their B-BBEE Status as stipulated in the Claim Form in order to obtain preference points for their B-BBEE status.

Note: Failure to submit a valid and original B-BBEE certificate for the JV or a certified copy thereof at the Closing Date of this RFP will result in a score of zero being allocated for B-BBEE.

## 5.2 Subcontracting

Transnet fully endorses Government's transformation and empowerment objectives and when contemplating subcontracting Respondents are requested to give preference to companies which are Black Owned, Black Women Owned, Black Youth Owned, owned by Black People with Disabilities, EMEs and QSEs including any companies designated as B-BBEE Facilitators<sup>1</sup>.

If contemplating subcontracting, please note that a Respondent will not be awarded points for B-BBEE if it is indicated in its Proposal that such Respondent intends subcontracting more than 25% [twenty-five percent] of the value of the contract to an entity/entities that do not qualify for at least the same points that the Respondent qualifies for, unless the intended subcontractor is an EME with the capability to execute the contract.

A person awarded a contract may not subcontract more than 25% [twenty-five percent] of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

In terms of Section 7 of this RFP [the B-BBEE Preference Point Claim Form] Respondents are required to indicate the percentage of the contract that will be subcontracted as well as the B-BBEE status of the sub-contractor/s.

## 5.3 B-BBEE Improvement Plan

Transnet encourages its Service Providers to constantly strive to improve their B-BBEE rating. Whereas Respondents will be allocated points in terms of a preference point system based on its B-BBEE scorecard to be assessed as detailed in paragraph 5.1 above, in addition to such scoring, Transnet also requests that Respondents submit a B-BBEE improvement plan. Respondents are therefore requested to indicate the extent to which they will maintain or improve their B-BBEE status over the contract period.

Respondents are requested to submit their B-BBEE Improvement Plan as an additional document with their Proposals by completion of Annexure A appended hereto. [Refer to Section 8 and Annexure A for further instructions]

*Note: Should a JV be envisaged the principal respondent is required to submit the required responses as indicated above.*

**The commitments made by the successful Respondents will be incorporated as a term of the contract and monitored for compliance.**

## 6 COMMUNICATION

- 6.1 For specific queries relating to this RFP, an RFP Clarification Request Form should be submitted to Yvonne Scannell before **12:00, 3 days prior to closing date**, substantially in the form set out in Section 6 hereto. In the interest of fairness and transparency Transnet's response to such a query will then be made available to the other Respondents who have collected RFP documents. For this purpose Transnet will communicate with Respondents using the contact details provided to the Secretariat on issue of the bid documentation to the Respondent. Kindly ensure that you provide

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

\_\_\_\_\_  
Date & Company Stamp



the Secretariat with the **correct** contact details, as Transnet will not accept responsibility for being unable to contact a bidder who provided incorrect contact details.

- 6.2 **After** the closing date of the RFP, a Respondent may only communicate with the Secretariat of the Transnet Acquisition Council on any matters relating to this RFP Proposal:

Name: Thuli Mathebula / Lolo Sokhela

Telephone: 011 544 9497 / 011 544 9494

E-mail: [Thuli.Mathebula@transnet.net](mailto:Thuli.Mathebula@transnet.net) / [Lolo.Sokhela@transnet.net](mailto:Lolo.Sokhela@transnet.net)

- 6.3 Respondents are to note that changes to its submission will not be considered after the closing date.

Respondents are warned that a Proposal will be liable to disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer or employee of Transnet in respect of this RFP between the closing date and the date of the award of the business. Furthermore, Respondents found to be in collusion with one another will be automatically disqualified and restricted from doing business with Transnet in the future.

## 7 CONFIDENTIALITY

- 7.1 All information related to this RFP is to be treated with strict confidence. In this regard Respondents are required to certify that they have acquainted themselves with the Non-Disclosure Agreement. All information related to a subsequent contract, both during and after completion thereof, will be treated with strict confidence. Should the need however arise to divulge any information gleaned from provision of the Services, which is either directly or indirectly related to Transnet's business, written approval to divulge such information must be obtained from Transnet.

## 8 INSTRUCTIONS FOR COMPLETING THE RFP

- 8.1 Proposals must be submitted in duplicate hard copies [1 original and 1 copy] and must be bound.
- 8.2 Sign one set of original documents [sign, stamp 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 must be a copy of the original signed Proposal.
- 8.3 Both sets of documents are to be submitted to the address specified in paragraph 4 above, and Bidders must ensure that the original and copies (where applicable) are identical in all respects as Transnet will not accept any liability for having disqualified a bidder for failing to provide a mandatory returnable document in either the original or the copy of the RFP albeit that it was included in the other.
- 8.4 **All returnable documents tabled in the Proposal Form [Section 4] must be returned with your Proposal.**
- 8.5 Unless otherwise expressly stated, all Proposals furnished pursuant to this RFP shall be deemed to be offers. Any exception to this statement must be clearly and specifically indicated.
- 8.6 Any additional conditions must be embodied in an accompanying letter. Subject only to clause 15 [Alterations made by the Respondent to Bid Prices] of the General Bid Conditions, alterations, additions or deletions must not be made by the Respondent to the actual RFP documents.

## 9 COMPLIANCE

The successful Respondent [hereinafter referred to as the **Service Provider**] shall be in full and complete compliance with any and all applicable laws and regulations.

## 10 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 Quotations. In particular, please note that Transnet reserves the right to:

- 10.1 modify the RFP's Services and request Respondents to re-bid on any such changes;
- 10.2 reject any Proposals which does not conform to instructions and specifications which are detailed herein;
- 10.3 disqualify Proposals submitted after the stated submission deadline [Closing Date];

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

\_\_\_\_\_  
Date & Company Stamp

- 10.4 not necessarily accept the lowest priced Proposal or an alternative bid;
- 10.5 reject all Proposals, if it so decides;
- 10.6 withdraw the RFP on good cause shown;
- 10.7 award a contract in connection with this Proposal at any time after the RFP's closing date;
- 10.8 award a contract for only a portion of the proposed Services which are reflected in the scope of this RFP;
- 10.9 split the award of the contract between more than one Service Provider, should it at Transnet's discretion be more advantageous in terms of, amongst others, cost or developmental considerations;
- 10.10 make no award of a contract;
- 10.11 should a contract be awarded on the strength of information furnished by the Respondent, which after conclusion of the contract, is proved to have been incorrect, Transnet reserves the right to cancel the contract.

Transnet reserves the right to undertake post-tender negotiations [PTN] with selected Respondents or any number of short-listed Respondents, such PTN to include, at Transnet's option, any evaluation criteria listed in this RFP document.

Transnet reserves the right to award the business to the highest scoring bidder/s unless objective criteria justify the award to another bidder.

Should the preferred bidder fail to sign or commence with the contract within a reasonable period after being requested to do so, Transnet reserves the right to award the business to the next ranked bidder, provided that he/she is still prepared to provide the required goods at the quoted price.

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

## 11 LEGAL REVIEW

A Proposal submitted by a Respondent will be subjected to review and acceptance or rejection of its proposed contractual terms and conditions by Transnet's Legal Counsel, prior to consideration for an award of business.

## 12 NATIONAL TREASURY CENTRAL SUPPLIER DATABASE

In terms of paragraph 5.6 of the NATIONAL TREASURY SCM INSTRUCTION NO. 4 OF 2016/2017, which became effective on 1 May 2016, Transnet may only award bids to suppliers after verifying that the supplier is registered as prospective supplier on National Treasury Central Supplier Database.

National Treasury	Unique Vendor Number	Yes / No
Central Supplier Database		

If the **Yes** column above, please confirm your registration by providing your National Treasury Unique Vendor Number.

If the **No** column above, please register your company on the National Treasury Central Supplier Database and confirm your registration by submitting National Treasury "MAAA" supplier reference number.

**Transnet urges its clients, suppliers and the general public  
to report any fraud or corruption to  
TIP-OFFS ANONYMOUS: 0800 003 056**

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

\_\_\_\_\_  
Date & Company Stamp

**RFP FOR THE PROVISION OF WASTE BINS AND THE REMOVAL OF WASTE AT VARIOUS DEPOTS IN POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**Section 2: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS**

**1 BACKGROUND**

This agreement covers for the provision of waste bins and the removal of waste at various depots in Polokwane, Modimolle, Mokopane, Makhado, Musina, Tzaneen, Mookgophong, Bela-Bela and Piennaarsriver for a period of 36 months, as decided by Transnet.

The essence of the agreement is that Transnet Freight Rail requires that the services that are to be rendered, ensure clean and neat environment.

**2 SCOPE OF REQUIREMENTS**

2.1.1 The monthly volume of waste/refuse to be removed amounts $\pm 18\text{m}^3$ per month for the Station Building Polokwane and to be emptied three times a month and $\pm 6\text{m}^3$ per site for all other sites and has to be emptied only once a month.
2.1.2 Where the Skip bins has to be emptied three times a month, it has to be done normally in the beginning, middle and at the end of each month or only to be emptied once a month, it has to be emptied at the end of each month.
2.1.3 If the Skip bin is full before the time that it must be emptied as agreed on, the successful respondent will be notified telephonically and it must then be empty within 36 hours.
2.1.4 Skip bins to be emptied only from Monday to Friday between 07h30 and 16h00 and a Transnet representative of the specific site has to sign the delivery note stating that the Skip bins have been emptied.
2.1.5 When the Skip bins have been emptied, the area must be cleaned and no refuse should be lying around. All the waste/refuse falling from the Skip bins / vehicle during the emptying, the successful respondent shall clean the area.
2.1.6 The Skip bins must be placed at a place / area as indicated by a TFR representative at the applicable site / depot.
2.1.7 The contract shall be awarded for a period of 36 months and will be stipulated in the Letter of Acceptance.
2.1.8 No penalties will apply to this contract, but no payment will be made without the delivery note, signed by a TFR representative as proof that the Skip bins for that site has been empty for that month.
2.1.9 Certificates must be presented to the Depot Manager indicating that the waste / refuse / hazardous waste have been successful received at a registered and approved dump site
2.1.10 Before any work commence, the successful respondent must have a valid transportation certificate
2.1.11 Every time when a bin is emptied, the successful respondent must provide a disposal certificate

**3 WORKING HOURS**

Transnet premises are accessible from Monday to Friday 07H00 to 16H00

**4 DEPOTS FOR RENDERING OF SERVICES**

- Polokwane – : Station Building 02DM001P
- Polokwane – : Telecoms – Rail Network 03AN001P
- Polokwane – : Perway - Rail Network 02AM045P
- Polokwane – : MTV Rail Network 02AM010P
- Polokwane – : Polokwane Operations Loco
- Polokwane – : Ladanna Yard Operations 02AN061P
- Mokopane - : Portion of Station Building 02AL061P
- Mokopane - : (Rail Network) 02AL114P
- Modimolle - : Station Operations and Rail network 02BL001P
- Makhado(Rail Network) 02AN066P
- Tzaneen Portion of Station building(operations) 02DP003P
- Tzaneen(Rail Network) 02AP081P

Respondent's Signature

Date & Company Stamp

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- Musina (Operations ) 02AN041P
- Musina (Rail Network) 02AN037P
- Mookgophong (Rail Network) 02AL042P
- Bela-Bela (Infra Depot)
- Piennaarsriver (Station)

### **CONTACT PERSON ON SITE**

Mr. K A Ramotihale  
 Cnr Church and Hospital Street  
 Polokwane  
 Telephone (011 299 6316) or 083 842 0256

## **5 HEALTH, RISK AND ENVIROMENTAL PLAN REQUIRED**

The respondents tendering for this project must make sure that they covered the points below when they compiling their Safety, health and environmental plan.

### **Part A: Health and safety Plan**

#### **5.1 SHE Management Structure**

- 5.1.1. Construction Work Supervisor (Construction Regulation 6)
- 5.1.2. Subordinate Construction Work Supervisor (Construction Regulation 6)
- 5.1.3. Construction Safety Officer (Construction Regulation 6(7).
- 5.1.4. List of Respondents already appointed - List to be revised at least monthly.
- 5.1.5. Health and Safety Representative (Section 17 of OHS Act)

#### **5.2 SHE Organisation**

- 5.2.1. Health and Safety Committee.
- 5.2.2. Composition.
- 5.2.3. Frequency of Meetings.
- 5.2.4. Minutes of meeting.
- 5.2.5. Legal Compliance Audits.
- 5.2.6. Audit Report.
- 5.2.7. Frequency of Audits.
- 5.2.8. Findings and Analysis.
- 5.2.9. Corrective Action.

#### **5.3 Risk Assessment/Management**

- 5.3.1. Task descriptions
- 5.3.2. Risk Identification, Analysis, Mitigating Steps, Monitoring Steps and Review Plan.
- 5.3.3. Risk Assessment (Construction Regulation 7)

#### **5.4 Education and Training**

- 5.4.1. Induction training (Construction Regulation 7(9))
- 5.4.2. Site Specific Training.
- 5.4.3. Certificate of Competence.

#### **5.5 Emergency Planning – Evacuation plan**

- 5.5.1. Client procedure.
- 5.5.2. Site Procedure.

#### **5.6 Health and Safety Communications**

- 5.6.1. Safety/Toolbox talks.
- 5.6.2. Incident Recall.

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**5.7 Safe Working Procedures and Methods**

- 5.7.1 Method Statements.
- 5.7.2 Safe Operating Procedures.
- 5.7.3 Risk/Job observations.

**5.8. Personal Protective Equipment and Clothing**

- 5.8.1 PPE required after all other controls have been considered.
- 5.8.2 PPE proof of issue.

**5.9. Project Security**

- 5.9.1 Security risks identified
- 5.9.2 Access control

**Part B. Environmental Management Plan**

1. Control of Dust
2. Noise Pollution Control
3. Waste Management
4. Environmental Incident Management (Sect 28 Nema and Sect 20 National Water Act).
5. Contamination of surface and underground water.
6. Soil Contamination.
7. Storm Water Drainage.
8. Environmental Clean-up and Rehabilitation

**6 MINIMUM PLANT AND EQUIPMENT REQUIRED**

The respondent will be required to have the following standard plant and equipment available.

- 6.1 Skip loader truck
- 6.2 And or Mobile compactor with skip functionality

**7 GREEN ECONOMY / CARBON FOOTPRINT**

Transnet wishes to have an understanding of your company's position with regard to environmental commitments, including key environmental characteristics such as waste disposal, recycling and energy conservation. *Please submit details of your entity's policies in this regard.*

**8 GENERAL SERVICE PROVIDER OBLIGATIONS**

- 8.1 The Service Provider(s) shall be fully responsible to Transnet for the acts and omissions of persons directly or indirectly employed by them.
- 8.2 The Service Provider(s) must comply with the requirements stated in this RFP.

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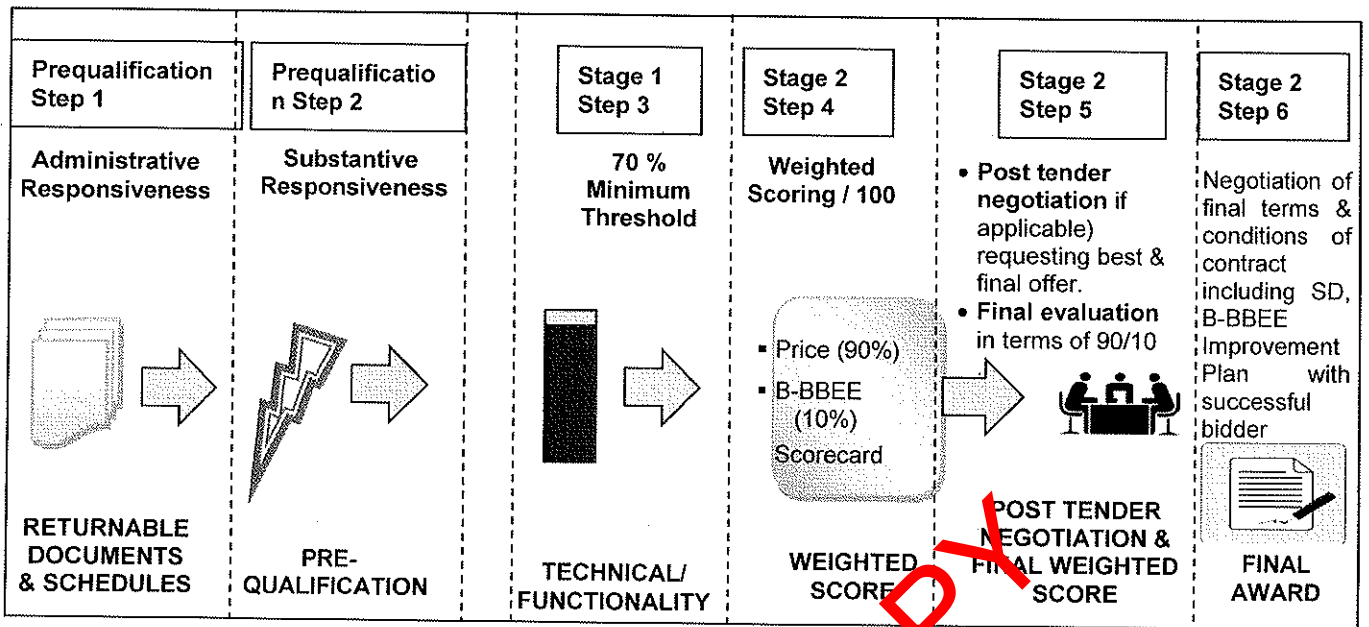
 Respondent's Signature

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**9 EVALUATION METHODOLOGY**

Transnet will utilise the following methodology and criteria in selecting a preferred Service Provider, if so required:



**9.1 PREQUALIFICATION STAGE ~ STEP 1: Test for Administrative Responsiveness**

The test for administrative responsiveness will include the following.

Administrative responsiveness check	RFQ Reference
<ul style="list-style-type: none"> <li>• Whether the Bid has been lodged on time</li> </ul>	<i>Section 1 paragraph 3</i>
<ul style="list-style-type: none"> <li>• Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time</li> <li>- A valid letter of good standing issued by department of labour</li> </ul>	<i>Section 4 &amp; page 33</i>
<ul style="list-style-type: none"> <li>• Verify the validity of all returnable documents</li> </ul>	<i>Section 4, page 32 and 33</i>

***The test for administrative responsiveness [Prequalification stage] must be passed for a Respondent's Quotation to progress to the next Stage for further pre-qualification***

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## 9.2 PREQUALIFICATION STAGE ~ STEP 2: Test for Substantive Responsiveness to RFP

The test for substantive responsiveness to this RFP will include the following:

Check for substantive responsiveness	RFQ Reference
<ul style="list-style-type: none"> <li>Whether any general pre-qualification criteria set by Transnet, have been met</li> </ul>	<i>Section 4</i>
<ul style="list-style-type: none"> <li>Whether the Bid contains a priced offer with a completed schedule of prices</li> </ul>	<i>Section 3</i>
<ul style="list-style-type: none"> <li>Whether the Bid materially complies with the scope and/or specification given. (A fully completed clause by clause statement of compliance to project scope of requirements ~ Section 10 in RFP document)</li> </ul>	<i>All Sections</i>
<ul style="list-style-type: none"> <li>Whether the compulsory information briefing session was attended</li> </ul>	<i>Section 1, paragraphs 2.1 &amp; section 9</i>
<ul style="list-style-type: none"> <li>Tenderer SHE Management Questionnaire</li> </ul>	<i>Annexure C</i>
<ul style="list-style-type: none"> <li>Valid Waste Accreditation Permit to collect and transport general waste, recyclable waste and hazardous waste.</li> </ul>	
<ul style="list-style-type: none"> <li>GWIS Registration. The respondent must be registered in the Gauteng Waste Information System (GWIS) as a transporter of hazardous waste to be disposed of / treated at landfill site / waste handling facility authorized to dispose / treat such waste. The bidder must provide proof of registration with GWIS</li> </ul>	
<ul style="list-style-type: none"> <li>Licensed Landfill site / waste handling facility. The respondent must use a licensed landfill site / waste handling facility for disposal / treatment of waste generated at IDC facilities. The respondent must provide proof that the proposed landfill site / waste handling facility is licensed. The bidder must further provide proof of account/ relationship with the proposed landfill / waste handling facility that will be used for the disposal/ treatment of waste generated at IDC facilities.</li> </ul>	

***The test for substantive responsiveness must be passed for a Respondent's Proposal to progress to the next stage for further evaluation***

## 9.3 STAGE ONE ~ STEP 3: Minimum Threshold 70% for Technical Criteria

The test for the Technical and Functional threshold will include the following:

Technical Criteria	% Weightings	RFQ Reference
<ul style="list-style-type: none"> <li>Experience</li> </ul>	30%	<i>Section 3, point 3</i>
<ul style="list-style-type: none"> <li>Risk, safety and environmental plan</li> </ul>	30%	<i>Section 2, point 5</i>
<ul style="list-style-type: none"> <li>Plant and Equipment</li> </ul>	40%	<i>Section 2, point 6 &amp; Section 11</i>
<b>Total Weighting:</b>	<b>100%</b>	
<b>Minimum qualifying score required:</b>	<b>70 %</b>	

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The following applicable values will be utilised when scoring each criterion mentioned above:

Points	Interpretation
0	Non Responsive
1	Poor
2	Average
3	Good
4	Very good
5	Excellent

***The minimum threshold for technical/functionality [Stage One] must be met or exceeded for a Respondent's Quotation to progress to Stage Two for final evaluation***

#### 9.4 STAGE TWO ~ STEP 4: Evaluation and Final Weighted Scoring

a) **Price Criteria** [Weighted score 90 points]:

Evaluation Criteria	RFQ Reference
• Commercial offer	Section 3

Transnet will utilise the following formula in its evaluation of Price:

$$PS = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where:

$Ps$  = Score for the Bid under consideration

$Pt$  = Price of Bid under consideration

$Pmin$  = Price of lowest acceptable Bid

b) **Broad-Based Black Economic Empowerment criteria** [Weighted score 10 points]

- B-BBEE - current scorecard / B-BBEE Preference Points Claims Form [Section 14]
- Preference points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table indicated in Section 7, paragraph 4.1:

#### SUMMARY: Thresholds and Final Evaluated Weightings

Evaluation Criteria	Final Weighted Scores
Price	90 %
B-BBEE - Scorecard	10 %
<b>TOTAL SCORE:</b>	<b>100 %</b>

#### 9.4 STAGE TWO ~ STEP 5: Post Tender Negotiations (if applicable)

Transnet reserves the right to conduct post tender negotiations with a shortlist of Respondent(s). The shortlist could comprise of one or more Respondents. Should Transnet conduct post tender negotiations,

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Respondents will be requested to provide their best and final offers to Transnet based on such negotiations. A final evaluation will be conducted in terms of 90/10.

#### 9.5 STAGE TWO ~ STEP 6: Final Contract Award

Transnet will negotiate the final terms and condition the contract with the successful Respondent(s). This may include aspects such as Supplier Development, the B-BBEE Improvement Plan, price and delivery. Thereafter the final contract will be awarded to the successful Respondent(s).

##### **IMPORTANT NOTICE TO RESPONDENTS**

Transnet has appointed a Procurement Ombudsman to investigate any material complaint in respect of RFPs exceeding R5million [five million S.A. Rand] in value. Should a Respondent have any material concern regarding an RFP process which meets this threshold, a complaint may be lodged with the Ombudsman for further investigation. The Ombudsman reserves the right to refer the complaint to an external service provider for investigation.

It is incumbent on the Respondent to familiarise himself/herself with the Terms of Reference OF the Ombudsman which are available for review at Transnet's website [www.transnet.net](http://www.transnet.net).

An official complaint form may be downloaded from this website and submitted, together with any supporting documentation, within the prescribed period, to [procurement.ombud@transnet.net](mailto:procurement.ombud@transnet.net).

For transactions below the abovementioned threshold, a complaint may be lodged with the Chief Procurement Officer of the relevant Transnet Operating Division/Specialist Unit.

Respondents are to note that a complaint must be made in good faith. If a complaint is made in bad faith, Transnet reserves the right to place such a Bidder on its List of Excluded Bidders.

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

\_\_\_\_\_  
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Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

**RFP FOR THE PROVISION OF WASTE BINS AND THE REMOVAL OF WASTE AT VARIOUS DEPOTS IN POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**CLOSING VENUE: As per Section 1, paragraph 4.1**

**CLOSING DATE: 6 September 2016**

**CLOSING TIME: 10h00**

**VALIDITY PERIOD: 31 December 2016**

**Section 3: PRICING AND DELIVERY SCHEDULE**

*Respondents are required to complete the table below:*

Item	Description	Qty	Unit	Price Per month	Sub Total Year 1	Price Per month	Sub Total Year 2	Price Per month	Sub Total Year 3	Total amount for 3 Years
<b>1</b>	<b>Portion of Station Building 02DM001P, Polokwane: 6m3 bin- Operations</b>									
1.1	Supply and deliver of container (once off costs)	1	EA							
1.2	Collection of container (once off costs)	1	EA							
1.3	Rental of container per month	36	months							
1.4	Removal of waste (inclusive of 2 removals)	36	months							
<b>2</b>	<b>Perway depot 02AM045P, Polokwane: 6m3 bin-Infra Polokwane</b>									
2.1	Supply and deliver of container (once off costs)	1	EA							
2.2	Collection of container (once off costs)	1	EA							
2.3	Rental of container per month	36	months							
2.4	Removal of waste (inclusive of 1 removal)	36	months							
<b>3</b>	<b>MTV, Polokwane 02AM010P: 6m3 bin-Infra Polokwane</b>									
3.1	Supply and deliver of container (once off costs)	1	EA							
3.2	Collection of container (once off costs)	1	EA							
3.3	Rental of container per month	36	months							
3.4	Removal of waste (inclusive of 1	36	months							

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Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

	<b>removal)</b>								
<b>4</b>	<b>Telecoms depot 03A00P, Polokwane: 6m3 bin-Infra Polokwane</b>								
4.1	Supply and deliver of container (once off costs)	1	EA						
4.2	Collection of container. (once off costs)	1	EA						
4.3	Rental of container per month	36	months						
4.4	Removal of waste <b>(inclusive of 1 removal)</b>	36	months						
<b>5</b>	<b>Jan Bester Building(Ladanna Yard) 02AM061P: 6m3 bin-Operations</b>								
5.1	Supply and deliver of container (once off costs)	1	EA						
5.2	Collection of container (once off costs)	1	EA						
5.3	Rental of container per month	36	months						
5.4	Removal of waste <b>(inclusive of 1 removal)</b>	36	months						
<b>6</b>	<b>Polokwane Loco Building 02BM015P: 6m3 bin-Operations</b>								
5.1	Supply and deliver of container (once off costs)	1	EA						
5.2	Collection of container (once off costs)	1	EA						
5.3	Rental of container per month	36	months						
5.4	Removal of waste <b>(inclusive of 1 removal)</b>	36	months						
<b>7</b>	<b>Tzaneen Infra Depot 02AP081P: 6m3 bin- Operations</b>								
7.1	Supply and deliver of container (once off costs)	1	EA						
7.2	Collection of container (once off costs)	1	EA						

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Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

7.3	Rental of container per month	36	months							
7.4	Removal of waste (inclusive of 1 removal)	36	months							
<b>8</b>	<b>Operations: 6m3 bin- Station Building 02DP003P-Tzaneen</b>									
8.1	Supply and deliver of container (once off costs)	1	EA							
8.2	Collection of container (once off costs)	1	EA							
8.3	Rental of container per month	36	months							
	Removal of waste (inclusive of 1 removal)	36	months							
<b>9</b>	<b>Operations: 6m3 bin- Building 02AN041P-Musina</b>									
9.1	Supply and deliver of container (once off costs)	1	EA							
9.2	Collection of container (once off costs)	1	EA							
9.3	Rental of container per month	36	months							
9.4	Removal of waste (inclusive of 1 removal)	36	months							
<b>10</b>	<b>Infra Depot: 6m3 bin-Building 02AN037P-Musina</b>									
10.1	Supply and deliver of container (once off costs)	1	EA							
10.2	Collection of container (once off costs)	1	EA							
10.3	Rental of container per month	36	months							
10.3	Removal of waste (inclusive of 1 removal)	36	months							
<b>11</b>	<b>Infra Depot: 6m3 bin-Building 02AN066P-Makhado</b>									
11.1	Supply and deliver of container (once off costs)	1	EA							
11.2	Collection of container (once off costs)	1	EA							
11.3	Rental of container per	36	months							

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Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

	month								
11.4	Removal of waste (inclusive of 1 removal)	36	months						
<b>12</b>	<b>Portion of Station Building 02AL061P, Mokopane : 6m3 bin-Operations</b>								
12.1	Supply and deliver of container (once off costs)	1	EA						
12.2	Collection of container (once off costs)	1	EA						
12.3	Rental of container per month	36	months						
12.4	Removal of waste (inclusive of 1 removal)	36	months						
<b>13</b>	<b>Electrical Depot Mokopane: 6m3 bin-Building 02AL114P-Mokopane</b>								
13.1	Supply and deliver of container (once off costs)	1	EA						
13.2	Collection of container (once off costs)	1	EA						
13.3	Rental of container per month	36	months						
13.4	Removal of waste (inclusive of 1 removal)	36	months						
<b>14</b>	<b>Mokopane</b>								
14.1	Supply and deliver of container 6m <sup>3</sup> (once off costs)	1	EA						
14.2	Collection of container 6m <sup>3</sup> (once off costs)	1	EA						
14.3	Rental of container per month	36	months						
14.4	Removal of waste of waste porcelain insulators(inclusive of 1 removal)	36	months						
<b>15</b>	<b>Electrical Depot Mookgophong 02AL042P: 6m3 bin-Building 02AL114P-Mookgophong</b>								
15.1	Supply and deliver of container (once off costs)	1	EA						
15.2	Collection of container (once off costs)	1	EA						
15.3	Rental of container per	36	months						

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	month								
15.4	Removal of waste (inclusive of 1 removal)	36	months						
<b>16</b>	<b>Modimolle Station Building 02BL001: 6m<sup>3</sup> bin- Modimolle</b>								
16.1	Supply and deliver of container (once off costs)	1	EA						
16.2	Collection of container (once off costs)	1	EA						
16.3	Rental of container per month	36	months						
16.4	Removal of waste (inclusive of 1 removal)	36	months						
<b>17</b>	<b>Bela-Bela Infra depot 02AL013P:6m<sup>3</sup> bin- Bela Bela</b>								
17.1	Supply and deliver of container (once off costs)	1	EA						
17.2	Collection of container (once off costs)	1	EA						
17.3	Rental of container per month	36	months						
17.4	Removal of waste (inclusive of 1 removal)	36	months						
<b>18</b>	<b>Bela Bela</b>								
18.1	Supply and deliver of container 6m <sup>3</sup> (once off costs)	1	EA						
18.2	Collection of container 6m <sup>3</sup> (once off costs)	1	EA						
18.3	Rental of container per month	36	months						
18.4	Removal of waste of waste porcelain insulators(inclusive of 1 removal)	36	months						
<b>19</b>	<b>Piennaarsriver Station Building 02AR156P: 6m<sup>3</sup> bin- Piennaarsriver</b>								
19.1	Supply and deliver of container (once off costs)	1	EA						
19.2	Collection of container (once off costs)	1	EA						
19.3	Rental of container per month	36	months						
19.4	Removal of waste (inclusive of 1 removal)	36	months						

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Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

					<b>SUB TOTAL AMOUNT</b>				
					<b>VAT 14%</b>				
					<b>GROSS TOTAL AMOUNT</b>				

**Notes to Pricing:**

- a) Prices must be quoted in South African Rand and must be per building/asset per month, exclusive of VAT.
- b) To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this pricing schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being declared non responsive.
- c) Please note that should you have offered a discounted price(s), Transnet will only consider such price discount(s) in the final evaluation stage if offered on an unconditional basis.
- d) Prices quoted must include all removal, Rental and collection of the Container
- e) The award of the business can be split between more than one Service Provider due to the outlining distance between the various towns. It will be at Transnet's discretion and it will be more advantageous in terms of cost or developmental considerations.

**1 DISCLOSURE OF PRICES TENDERED**

1.1 Respondents must indicate below whether Transnet may disclose their tendered prices and conditions to other Respondents:

<b>YES</b>		<b>NO</b>	
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**2 SERVICE LEVELS**

- 2.1 An experienced account representative(s) is required to work with Transnet's procurement department. [No sales representatives are needed for individual department or locations]. Additionally, there shall be a minimal number of people, fully informed and accountable for this agreement.
- 2.2 Transnet will have quarterly reviews with the Service provider's account representative on an on-going basis.
- 2.3 Transnet reserves the right to request that any member of the Service provider's team involved on the Transnet account be replaced if deemed not to be adding value for Transnet.
- 2.4 The Service provider guarantees that it will achieve a 95% [ninety-five per cent] service level on the following measures:
  - a) Random checks on compliance with quality/quantity/specifications
  - b) On-time delivery
- 2.5 The Service provider must provide a telephone number for customer service calls.
- 2.6 Failure of the Service provider to comply with stated service level requirements will give Transnet the right to cancel the contract in whole, without penalty to Transnet, giving 30 [thirty] calendar days' notice to the Service provider of its intention to do so.

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

\_\_\_\_\_  
Date & Company Stamp

Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

**Acceptance of Service Levels:**

YES		NO	
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**3 RISK**

Respondents must elaborate on the control measures put in place by their entity, which would mitigate the risk to Transnet pertaining to potential non-performance by a Service provider, in relation to:

**3.1 Quality and specification of Services delivered:**


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**3.2 Continuity of supply:**


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**3.3 Compliance with the Occupational Health and Safety Act, 85 of 1993:**


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**4 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.

**Proof to be submitted of all completed projects**

Company Name	Nature of work	Value of work	Contact person	Contact details	Year completed

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 Respondent's Signature

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 Date & Company Stamp



**5 FINANCIAL STABILITY**

Respondents are required to submit their latest audited financial statements for the past 3 years with their Proposal in order to enable Transnet to establish financial stability.

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 \_\_\_\_\_  
Name \_\_\_\_\_

\_\_\_\_\_

2 \_\_\_\_\_  
Name \_\_\_\_\_

\_\_\_\_\_

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: \_\_\_\_\_

NAME: \_\_\_\_\_

DESIGNATION: \_\_\_\_\_

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

\_\_\_\_\_  
Date & Company Stamp

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**RFP FOR THE PROVISION OF WASTE BINS AND THE REMOVAL OF WASTE AT VARIOUS DEPOTS IN POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**Section 4: PROPOSAL FORM AND LIST OF RETURNABLE DOCUMENTS**

I/We \_\_\_\_\_  
 [name of entity, company, close corporation or partnership] of [full address]

\_\_\_\_\_ carrying on business trading/operating 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, dated \_\_\_\_\_ to enter into, sign execute and complete any documents relating to this Proposal and any subsequent Agreement. The following list of persons are hereby authorised to negotiate on behalf of the abovementioned entity, should Transnet decide to enter into Post Tender Negotiations with shortlisted bidder(s).

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

I/We hereby offer to supply the abovementioned Services at the prices quoted in the schedule of prices in accordance with the terms set forth in the documents listed in the accompanying schedule of RFP documents.

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

- (i) Master Agreement;
- (ii) General Bid Conditions – Services; and
- (iii) any other standard or special conditions mentioned and/or embodied in this Request for Proposal.

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

Should Transnet decide that a formal contract should be signed and so inform me/us in a letter of intent [the **Letter of Intent**], this Quotation [and, if any, its covering letter and any subsequent exchange of correspondence] together with Transnet's Letter of Intent, shall constitute a binding contract between Transnet and me/us until the formal contract is signed.

I/We further agree that if, after we have been notified of the acceptance of my/our Proposal, I/we fail to enter into a formal contract as required upon to do so, or fail to commence the supply of Services within 4 [four] weeks thereafter, 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 Proposal 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 36 months only. Furthermore, I/we agree to a penalty clause/s to be negotiated with Transnet, which will allow Transnet to invoke a penalty against us for non compliance with material terms of this RFP including the delayed delivery of the Services due to non-performance by ourselves, failure to meet Supplier Development and/or B-BBEE Improvement Plan commitments. A penalty of up to 100% of the outstanding portion of the Supplier Development commitment will be applied and Transnet reserves the right to set this off against any payment due to the Respondent. In addition, I/we agree that non-compliance with any of the material terms of this RFP, including those mentioned above, will constitute a material breach of contract and provide Transnet with cause for cancellation.

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

\_\_\_\_\_  
 Date & Company Stamp

**ADDRESS FOR NOTICES**

The law of the Republic of South Africa shall govern any contract created by the acceptance of this RFP. The *domicilium 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 authorised representative in the Republic of South Africa who has the power of attorney 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 such contract.

Respondent to indicate the details of its *domicilium citandi et executandi* hereunder:

Name of Entity:

Facsimile:

Address:

**NOTIFICATION OF AWARD OF RFP**

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

**VALIDITY PERIOD**

Transnet requires a validity period up to 30 November 2016 against this RFP.

PREVIEW COPY

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

\_\_\_\_\_  
Date & Company Stamp

Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

**RFP FOR THE PROVISION OF WASTE BINS AND REMOVAL OF WASTE AT VARIOUS DEPOTS IN POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**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)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**RETURABLE DOCUMENTS**

All Sections, as indicated in the footer of each page, must be signed, stamped and dated by the Respondent.

**Returnable Documents** means all the documents, Sections and Annexures, as listed in the tables below.

**a) Mandatory Returnable Documents**

***Failure to provide all Mandatory Returnable Documents at the closing date and time of this tender will result in a Respondent's disqualification. Bidders are therefore urged to ensure that all these documents are returned with their Proposals.***

Please confirm submission of the mandatory Returnable Documents detailed below by so indicating [Yes or No] in the table below:

<b>MANDATORY RETURNABLE DOCUMENTS</b>	<b>SUBMITTED [Yes/No]</b>
SECTION 3 : Whether the Bid contains a priced offer with a completed schedule of prices	
SECTION 9 : Certificate of attendance of RFP Briefing	
SECTION 10: A fully completed clause by clause statement of compliance to the Scope of Requirements	
Tenderer SHE Management Questionnaire (Annexure C)	
Valid Waste Accreditation Permit to collect and transport general waste, recyclable waste and hazardous waste.	
GWIS Registration. The respondent must be registered in the Gauteng Waste Information System (GWIS) as a transporter of hazardous waste to be disposed of / treated at landfill site / waste handling facility authorized to dispose / treat such waste. The bidder must provide proof of registration with GWIS.	
Licensed Landfill site / waste handling facility. The respondent must use a licensed landfill site / waste handling facility for disposal / treatment of waste generated at IDC facilities. The respondent must provide proof that the proposed landfill site / waste handling facility is licensed. The bidder must further provide proof of account/ relationship with the proposed landfill / waste handling facility that will be used for the disposal/ treatment of waste generated at IDC facilities.	

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

\_\_\_\_\_  
Date & Company Stamp

Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

b) **Essential Returnable Documents**

In addition to the requirements of section (a) above, Respondents are further required to submit with their Proposals the following **essential Returnable Documents** as detailed below.

**Failure to provide all essential Returnable Documents may result in a Respondent's disqualification at Transnet's sole discretion. Bidders are therefore urged to ensure that all these documents are returned with their Proposals.**

Please confirm submission of these essential Returnable Documents by so indicating [Yes or No] in the table below:

<b>ESSENTIAL RETURNABLE DOCUMENTS &amp; SCHEDULES</b>	<b>SUBMITTED [Yes or No]</b>
SECTION 4 : Proposal Form and List of Returnable documents	
- Valid and original, or a certified copy, of your entity's B-BBEE Accreditation Certification as per the requirements stipulated in the B-BBEE Claims Form Section 7. Note: failure to provide these required documents at the closing date and time of the RFP will result in an automatic score of zero being allocated for preference	
- In the case of Joint Ventures, a copy of the Joint Venture Agreement or written confirmation of the intention to enter into a Joint Venture Agreement	
- Latest Financial Statements signed by your Accounting Officer and latest Audited Financial Statements plus 2 previous years	
Original and valid Tax Clearance Certificate [Consortia / Joint Ventures must submit a separate Tax Clearance Certificate for each party]	
SECTION 5 : RFP Declaration and Breach of Law Form	
SECTION 7 : B-BBEE Preference Claim Form	
SECTION 8 : B-BBEE Improvement Plan	
SECTION 11 : Schedule of Plant and Equipment	
A Valid letter of Good Standing issued by the Department of Labour	
Health , Risk and Environmental Plan	

**CONTINUED VALIDITY OF RETURNABLE DOCUMENTS**

The successful Respondent will be required to ensure the validity of all returnable documents, including but not limited to its Tax Clearance Certificate and valid B-BBEE Verification Certificate, for the duration of any contract emanating from this RFP. Should the Respondent be awarded the contract [**the Agreement**] and fail to present Transnet with such renewals as and when they become due, Transnet shall be entitled, in addition to any other rights and remedies that it may have in terms of the eventual Agreement, to terminate such Agreement forthwith without any liability and without prejudice to any claims which Transnet may have for damages against the Respondent.

**By signing this certificate the Respondent is deemed to acknowledge that he/she has made himself/herself thoroughly familiar with, and agrees with all the conditions governing this RFP, including those contained in any printed form stated to form part hereof, including but not limited to the documents stated below and Transnet SOC Ltd 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.**

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

\_\_\_\_\_  
Date & Company Stamp

Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

Bidders furthermore agree that Transnet SOC Ltd shall recognise no claim from them for relief based on an allegation that they have overlooked any RFP/contract condition or failed to take it into account for the purpose of calculating their offered prices or otherwise.

Bidders accept that an obligation rests on them to clarify any uncertainties regarding any bid which they intend to respond on, before submitting the bid. The Bidder agrees that he/she will have no claim based on an allegation that any aspect of this RFP was unclear but in respect of which he/she failed to obtain clarity.

The bidder understands that his/her Bid will be disqualified if the Certificate of Acquaintance with RFP documents included in the RFP as a returnable document, is found not to be true and complete in every respect.

- 1 General Bid Conditions\*
- 2 Master Agreement\*
- 3 Supplier Integrity Pact\*
- 4 Non-disclosure Agreement\*
- 5 Specifications and drawings included in this RFP
- 6 Vendor Application Form\* and all supporting documents (first time vendors only)
- 7 E4E – Safety arrangements and Procedural compliance (Act 85 of 1993) and applicable regulations\*
- 8 BBD8210 version 1 – E/7 – Specification to general work and works on, over, under or adjacent to railway lines and near high voltage equipment\*

Alternatively, for all existing vendors, please provide vendor number(s) here:

Transnet Operating Division	Unique Vendor Number	Yes / No
Transnet Group		
TFR, etc.		

In the Yes/No column above, please confirm that all the information, e.g. company address and contact details, banking details etc. are still correct as at the time of allocation of the vendor number(s).

\*(available on Transnet's website or upon request)

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

SIGNATURE OF WITNESSES

1 \_\_\_\_\_  
Name \_\_\_\_\_

2 \_\_\_\_\_  
Name \_\_\_\_\_

ADDRESS OF WITNESSES

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

SIGNATURE OF RESPONDENT'S AUTHORIZED REPRESENTATIVE: \_\_\_\_\_

NAME: \_\_\_\_\_

DESIGNATION: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

CELL PHONE: \_\_\_\_\_

FACSIMILE: \_\_\_\_\_

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

\_\_\_\_\_  
Date & Company Stamp

Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

**RFP FOR THE PROVISION OF WASTE BINS AND THE REMOVAL OF WASTE AT VARIOUS DEPOTS INT POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**Section 5: RFP DECLARATION AND BREACH OF LAW FORM**

NAME OF ENTITY: \_\_\_\_\_

We \_\_\_\_\_ do hereby certify that:

1. Transnet has supplied and we have received appropriate responses to any/all questions [as applicable] which were submitted by ourselves for RFP Clarification purposes;
2. we have received all information we deemed necessary for the completion of this Request for Proposal [**RFP**];
3. we have been provided with sufficient access to the existing Transnet facilities/sites and any and all relevant information relevant to the Services as well as Transnet information and Employees, and has had sufficient time in which to conduct and perform a thorough due diligence of Transnet's operations and business requirements and assets used by Transnet. Transnet will therefore not consider or permit any pre- or post-contract verification or any related adjustment to pricing, service levels or any other provisions/conditions based on any incorrect assumptions made by the Respondent in arriving at his Bid Price.
4. at no stage have we received additional information relating to the subject matter of this RFP from Transnet sources, other than information formally received from the designated Transnet contact(s) as nominated in the RFP documents;
5. we are satisfied, insofar as our entity is concerned, that the processes and procedures adopted by Transnet in issuing this RFP and the requirements requested from Bidders in responding to this RFP have been conducted in a fair and transparent manner; and
6. furthermore, we declare that a family, business and/or social relationship **exists / does not exist** [delete as applicable] between an owner / member / director / partner / shareholder of our entity and an employee or board member of the Transnet Group including any person who may be involved in the evaluation and/or adjudication of this Bid.
7. In addition, we declare that an owner / member / director / partner / shareholder of our entity **is / is not** [delete as applicable] an employee or board member of the Transnet Group.
8. If such a relationship as indicated in paragraph 6 and/or 7 exists, the Respondent is to complete the following section:

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

ADDRESS:

\_\_\_\_\_

Indicate nature of relationship with Transnet:

\_\_\_\_\_

*[Failure to furnish complete and accurate information in this regard will lead to the disqualification of a response and may preclude a Respondent from doing future business with Transnet]*

9. We declare, to the extent that we are aware or become aware of any relationship between ourselves and Transnet [other than any existing and appropriate business relationship with Transnet] which could unfairly advantage our entity in the forthcoming adjudication process, we shall notify Transnet immediately in writing of such circumstances.

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

\_\_\_\_\_  
Date & Company Stamp

- 10. We accept that any dispute pertaining to this Bid will be resolved through the Ombudsman process and will be subject to the Terms of Reference of the Ombudsman. The Ombudsman process must first be exhausted before judicial review of a decision is sought.
- 11. We further accept that Transnet reserves the right to reverse an award of business or decision based on the recommendations of the Ombudsman without having to follow a formal court process to have such award or decision set aside.

**BREACH OF LAW**

- 12. We further hereby certify that *I/we* (the bidding entity and/or any of its directors, members or partners) **have/have not been** [delete as applicable] found guilty during the preceding 5 [five] years of a serious breach of law, including but not limited to a breach of the Competition Act, 89 of 1998, by a court of law, tribunal or other administrative body. The type of breach that the Respondent is required to disclose excludes relatively minor offences or misdemeanours, e.g. traffic offences. This includes the imposition of an administrative fine or penalty.

Where found guilty of such a serious breach, please disclose:  
 NATURE OF BREACH:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE OF BREACH: \_\_\_\_\_

Furthermore, I/we acknowledge that Transnet SOC Ltd reserves the right to exclude any Respondent from the bidding process, should that person or entity have been found guilty of a serious breach of law, tribunal or regulatory obligation.

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

For and on behalf of _____	AS WITNESS:
duly authorised hereto	
Name:	Name:
Position:	Position:
Signature:	Signature:
Date:	Registration No of Company/CC
Place:	Registration Name of Company/CC

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

\_\_\_\_\_  
 Date & Company Stamp



**RFP FOR THE PROVISION OF WASTE BINS AND THE REMOVAL OF WASTE AT VARIOUS DEPOTS IN POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**Section 6: RFP CLARIFICATION REQUEST FORM**

RFP No: ERACEM3812-21771

RFP deadline for questions / RFP Clarifications: Before 12:00, 3 days prior to closing date

TO: Transnet SOC Ltd  
ATTENTION: Emily Mabetlela  
EMAIL: Emily.Mabetlela@transnet.net  
DATE: \_\_\_\_\_  
FROM: \_\_\_\_\_

RFP Clarification No ERACEM3812-21771

**REQUEST FOR RFQ CLARIFICATION**

\_\_\_\_\_  
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**PREVIEW COPY**

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Respondent's Signature

\_\_\_\_\_  
Date & Company Stamp

**RFP FOR THE PROVISION OF WASTE BINS AND THE REMOVAL OF WASTE AT VARIOUS DEPOTS AT POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**Section 7: B-BBEE PREFERENCE POINTS CLAIM FORM**

This preference form contains general information and serves as a claim for preference points for Broad-Based Black Economic Empowerment [**B-BBEE**] Status Level of Contribution.

**1. INTRODUCTION**

- 1.1 A total of 10 preference points shall be awarded for B-BBEE Status Level of Contribution.
- 1.2 Failure on the part of a Bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System [**SANAS**] or a Registered Auditor approved by the Independent Regulatory Board of Auditors [**IRBA**] or an Accounting Officer as contemplated in the Close Corporation Act [**CCA**] together with the bid will be interpreted to mean that preference points for B-BBEE Status Level of Contribution are not claimed.
- 1.3 Transnet reserves the right to require of a Bidder, either before a Bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by Transnet.

**2. GENERAL DEFINITIONS**

- 2.1 "**all applicable taxes**" include value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 "**B-BBEE**" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 "**B-BBEE status of contributor**" means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 "**Bid**" means a written offer in a prescribed or stipulated form in response to an invitation by Transnet for the provision of goods, works or services;
- 2.5 "**Broad-Based Black Economic Empowerment Act**" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 "**comparative price**" means the price after the factors of a non-firm price and all unconditional discounts that can utilised have been taken into consideration;
- 2.7 "**consortium or joint venture**" means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract;
- 2.8 "**contract**" means the agreement that results from the acceptance of a bid by Transnet;
- 2.9 "**EME**" means any enterprise with an annual total revenue of R5 [five] million or less as per the 2007 version of the B-BBEE Codes of Good Practice and means any enterprise with an annual total revenue of R10 [ten] million or less as per the Revised Codes of Good Practice issued on 11 October 2013 in terms of Government Gazette No. 36928;
- 2.10 "**firm price**" means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs and excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 "**functionality**" means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 "**non-firm prices**" means all prices other than "firm" prices;
- 2.13 "**person**" includes reference to a juristic person;

Respondent's Signature

Date & Company Stamp

- 2.14 **"QSE"** means any enterprise with an annual total revenue between R5 [five] million and R35 [thirty five] million as per the 2007 version of the B-BBEE Codes of Good Practice and means any enterprise with an annual total revenue of between R10 [ten] million and R50 [fifty] million as per the Revised Codes of Good Practice issued on 11 October 2013 in terms of Government Gazette No. 36928
- 2.15 **"rand value"** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.16 **"subcontract"** means the primary contractor's assigning or leasing or making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.17 **"total revenue"** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Empowerment Act and promulgated in the Government Gazette on 9 February 2007;
- 2.18 **"trust"** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.19 **"trustee"** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### 3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The Bidder obtaining the highest number of total points for the evaluation criteria as enumerated in Section 2 of the RFP will be awarded the contract, unless objective criteria justifies the award to another bidder.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
- 3.3 Points scored will be rounded off to 2 [two] decimal places.
- 3.4 In the event of equal points scored, the Bid will be awarded to the Bidder scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more Bids have scored equal points including equal preference points for B-BBEE, the successful Bid will be the one scoring the highest score for functionality.
- 3.6 Should two or more Bids be equal in any aspect, the award shall be decided by the drawing of lots.

### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

- 4.1 In terms of the Preferential Procurement Regulations, 2011, preference points shall be awarded to a Bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of Points [Maximum 10]
1	10
2	9
3	8
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

- 4.2 Bidders who qualify as EMEs in terms of the 2007 version of the Codes of Good Practice must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification

Respondent's Signature

Date & Company Stamp

- Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EME's with B-BBEE Status Level Certificates.
- 4.3 Bidders who qualify as EMEs in terms of the Revised Codes of Good Practice issued on 11 October 2013 in terms of Government Gazette No. 36928 are only required to obtain a sworn affidavit on an annual basis confirming that the entity has an Annual Total Revenue of R10 million or less and the entity's Level of Black ownership.
- 4.4 In terms of the 2007 version of the Codes of Good Practice, Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 4.5 The Department of Trade and Industry recently revised the Codes of Good Practice on 11 October 2013 [Government Gazette No. 36928]. The Revised Codes will replace the Black Economic Empowerment Codes of Good Practice issued on 9 February 2007. The Revised Codes provide for a transitional period ending 30 April 2015. During the transitional period, companies may elect to be measured in terms of the Revised Codes or the 2007 version of the Codes. Companies which are governed by Sector-specific Codes will be measured in terms of those Sector Codes.
- 4.6 As such, Transnet will accept B-BBEE certificates issued based on the Revised Codes. Transnet will also continue to accept B-BBEE certificates issued in terms of the 2007 version of the Codes provided it was issued before 1 May 2015. Thereafter, Transnet will only accept B-BBEE certificates issued based on the Revised Codes.
- 4.7 In terms of the Revised Codes of Good Practice, Bidders who qualify as QSEs must comply with all the elements of B-BBEE for the purposes of measurement. QSEs that are at least 51% or 100% Black owned are only required to obtain a sworn affidavit on an annual basis confirming that the entity has an Annual Total Revenue of R50 million or less and the entity's Level of Black ownership. Large enterprises must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 4.8 A trust, consortium or joint venture will qualify for points for its B-BBEE status level as a legal entity, provided that the entity submits its B-BBEE status level certificate.
- 4.9 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 4.10 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialised scorecard contained in the B-BBEE Codes of Good Practice.
- 4.11 A person will not be awarded points for B-BBEE status level if it is indicated in the Bid documents that such a Bidder intends subcontracting more than 25% [twenty-five per cent] of the value of the contract to any other enterprise that does not qualify for at least the same number of points that such a Bidder qualifies for, unless the intended subcontractor is an EME that has the capability and ability to execute the subcontract.
- 4.12 A person awarded a contract may not subcontract more than 25% [twenty-five per cent] of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.
- 4.13 Bidders are to note that in terms of paragraph 2.6 of Statement 000 of the Revised Codes of Good Practice issued on 11 October 2013 in terms of Government Gazette No. 36928, any representation made by an entity about its B-BBEE compliance must be supported by suitable evidence or documentation. As such, Transnet reserves the right to request such evidence or documentation from Bidders in order to verify any B-BBEE recognition claimed.

## 5. B-BBEE STATUS AND SUBCONTRACTING

### 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

B-BBEE Status Level of Contributor \_\_\_\_\_ = \_\_\_\_\_ [maximum of 10 points]

Note: Points claimed in respect of this paragraph 5.1 must be in accordance with the table reflected in paragraph 4.1 above and must be substantiated by means of a B-BBEE certificate

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

\_\_\_\_\_  
Date & Company Stamp

issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or a sworn affidavit in the case of an EME or QSE.

**5.2 Subcontracting:**

Will any portion of the contract be subcontracted? YES/NO [delete which is not applicable]

If YES, indicate:

- (i) What percentage of the contract will be subcontracted? .....
- (ii) The name of the subcontractor .....
- (iii) The B-BBEE status level of the subcontractor .....
- (iv) Is the subcontractor an EME? YES/NO

**5.3 Declaration with regard to Company/Firm**

- (i) Name of Company/Firm.....
- (ii) VAT registration number.....
- (iii) Company registration number.....
- (iv) Type of Company / Firm [TICK APPLICABLE BOX]
  - Partnership/Joint Venture/Consortium
  - One person business/sole propriety
  - Close Corporations
  - Company (Pty) Ltd
- (v) Describe Principal Business Activities  
.....  
.....
- (vi) Company Classification [TICK APPLICABLE BOX]
  - Manufacturer
  - Supplier
  - Professional Service Provider
  - Other Service Providers, e.g. Transporter, etc.
- (vii) Total number of years the company/firm has been in business.....

**BID DECLARATION**

I/we, the undersigned, who warrant that he/she is duly authorised to do so on behalf of the company/firm, certify that points claimed based on the B-BBEE status level of contribution indicated in paragraph 4 above, qualifies the company/firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct.
- (ii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 6 above, the contractor may be required to furnish documentary proof to the satisfaction of Transnet that the claims are correct.
- (iii) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, Transnet may, in addition to any other remedy it may have:
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) restrict the Bidder or contractor, its shareholders and directors, and/or associated entities, or only the shareholders and directors who acted in a fraudulent manner, from obtaining business from Transnet for a period not exceeding 10 years, after the *audi alteram partem* [hear the other side] rule has been applied; and/or
  - (e) forward the matter for criminal prosecution.

Respondent's Signature

Date & Company Stamp

**WITNESSES:**

- 1. ....
- 2. ....

SIGNATURE OF BIDDER

DATE:.....

COMPANY NAME: .....

ADDRESS:.....

**PREVIEW COPY**

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

\_\_\_\_\_  
Date & Company Stamp

**RFP FOR THE PROVISION OF WASTE BINS AND THE REMOVAL OF WASTE AT VARIOUS DEPOTS IN POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**Section 8: B-BBEE IMPROVEMENT PLAN**

Transnet encourages its Suppliers to constantly strive to improve their B-BBEE rating and requests that Respondents submit a B-BBEE improvement plan. Respondents are therefore requested to indicate whether they will maintain or improve their BBEE status over the contract period.

**Additional contractual requirements**

Should a contract be awarded through this RFP process, the successful Respondent(s) may be contractually committed, *inter alia*, to the following conditions:

- a) The original B-BBEE Improvement Plan may require certain additions or updates in order to ensure that Transnet is satisfied that developmental objectives will be met.
- b) The Supplier will need to ensure that the relevant mechanisms and procedures are in place to allow Transnet access to information to measure and verify the Supplier's compliance with its stated B-BBEE Improvement commitments.
- c) The Supplier will be required to provide:
  - (i) quarterly status reports for Transnet; and
  - (ii) a final B-BBEE Improvement Plan report, to be submitted to Transnet prior to the expiry date of the contract, detailing delivery, implementation and completion of all B-BBEE Improvement components.
- d) All information provided by the Supplier in order to measure its progress against its stated targets will be auditable.

Respondents are requested to submit their B-BBEE Improvement Plan as an **additional document** with their quotation by completion of **Annexure A appended** hereon. [Refer Annexure A for further instructions]

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**Section 9: CERTIFICATE OF ATTENDANCE OF RFP BRIEFING**

It is hereby certified that –

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

Representative(s) of \_\_\_\_\_ *[name of entity]*  
attended the RFP briefing in respect of the proposed Services to be rendered in terms of this RFP on

\_\_\_\_\_ 20\_\_

\_\_\_\_\_  
TRANSNET'S REPRESENTATIVE

\_\_\_\_\_  
RESPONDENT'S REPRESENTATIVE

DATE \_\_\_\_\_

DATE \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

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**RFP FOR THE PROVISION OF WASTE BINS AND REMOVAL OF WASTE AT VARIOUS DEPOTS IN POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**Section 10: CLAUSE BY CLAUSE COMPLIANCE TO SCOPE OF REQUIREMENTS**

<b>Scope of Requirements</b>	<b>Write in full Yes/comply. (Positive compliance)</b>	<b>Write in full No/ do not comply. (Negative compliance)</b>	<b>Reasons / Comments for non-compliance to Project Specification.</b>
2.1.1 The monthly volume of waste/refuse to be removed amounts $\pm 18m^3$ per month for the Station Building Polokwane and to be emptied three times a month and $\pm 6m^3$ per site for all other sites and has to be emptied only once a month.			
2.1.2 Where the Skip bins has to be emptied three times a month, it has to be done normally in the beginning, middle and at the end of each month or only to be emptied once a month, it has to be emptied at the end of each month.			
2.1.3 If the Skip bin is full before the time that it must be emptied as agreed on, the successful respondent will be notified telephonically and it must then be empty within 36 hours.			
2.1.4 Skip bins to be emptied only from Monday to Friday between 07h30 and 16h00 and a Transnet representative of the specific site has to sign the delivery note stating that the Skip bins has been emptied.			
2.1.5 When the Skip bins have been emptied, the area must be cleaned and no refuse should be lying around. All the waste/refuse falling from the Skip bin / vehicle during the emptying, the successful respondent shall clean the area.			
2.1.6 The Skip bins must be placed at a place / area as indicated by a TFR representative at the applicable site / depot.			
2.1.7 The contract shall be awarded for a period of 36 months and will be stipulated in the Letter of Acceptance.			
2.1.8 No penalties will apply to this contract, but no payment will be made without the delivery note, signed by a TFR representative as proof that the Skip bins for that site has been empty for that month.			
2.1.9 Certificates must be presented to the Depot Manager indicating that the waste / refuse / hazardous waste have been successful received at a registered and			

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approved dump site			
2.1.10 Before any work commence, the successful respondent must have a valid transportation certificate			
2.1.11 Every time when a bin is emptied, the successful respondent must provide a disposal certificate			

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Transnet Request for Proposal No. ERACEM3812~21771 For the provision of waste bins and the removal of waste at various depots in Polokwane, Mokopane, Modimolle, Mookgophong, Tzaneen, Makhado, Piennaarsriver, Bela Bela and Musina for a period of 36 Months.

**RFP FOR THE PROVISION OF WASTE BINS AND REMOVAL OF WASTE AT VARIOUS DEPOTS IN POLOKWANE, MOKOPANE, MODIMOLLE, MOOKGOPHONG, TZANEEN, MAKHADO, PIENNAARSRIVER, BELA BELA AND MUSINA FOR A PERIOD OF 36 MONTHS**

**Section 11: SCHEDULE OF PLANT AND EQUIPMENT**

Schedule of major plant and equipment to be used in the execution of this agreement in terms of the Agreement Conditions and specifications. The respondent must state which plant is immediately available and which will be ordered for.

(i) **Plant immediately available for work tendered for :**

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(ii) **Plant on order and which will be available for work tendered for :**

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

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