

TRANSNET FREIGHT RAIL, a division of

TRANSNET SOC LTD

Registration Number 1990/000900/30

[hereinafter referred to as **Transnet**]

REQUEST FOR QUOTATION [RFQ] No HOAC-JHB-22451

**FOR THE PROVISION OF : TAMBO SPRINGS EXCHANGE YARD SIMULATION
FOR A PERIOD OF FIVE (05) MONTHS.**

ISSUE DATE : 12 SEPTEMBER 2016
BRIEFING DATE : 20 SEPTEMBER 2016 (COMPULSORY MEETING)
BRIEFING TIME : 09:00 AM
**BRIEFING VENUE : TRANSNET FREIGHT RAIL INYANDA 2
BOMBELA BOARDROOM GROUND FLOOR**
CLOSING DATE : 27 SEPTEMBER 2016
CLOSING TIME : 10:00 AM
OPTION DATE : 05 FEBRUARY 2017

(PLEASE BRING VALID RFQ DOCUMENT ON THE COMPULSORY BRIEFING DATE)

**ON CLOSING DATE PLEASE SUBMIT TWO (02) DOCUMENTS ORIGINAL & COPY IN
ONE ENVELOPE. THE ENVELOPE MUST BE INSCRIBED ON THE OUTSIDE WITH THE
TENDER NUMBER AND CLOSING DATE.**

Section 1
NOTICE TO BIDDERS

1 Invitation to bid

DESCRIPTION	TAMBO SPRINGS EXCHANGE YARD SIMULATION FOR A PERIOD OF FIVE (05) MONTHS
BID FEE AND BANKING DETAILS	<p>A Bid fee of R250 [inclusive of VAT] per set is applicable, if the RFQ is to be collected from the Transnet Freight Rail Tender Office.</p> <p>Payment is to be made as follows:</p> <p style="margin-left: 40px;">Account Name : Transnet Freight Rail Account : Standard Bank Account number : 203158598 Branch code : 004805</p> <p>NOTE – This amount is not refundable. A receipt for such payment made must be presented when collecting the RFP documents and submitted thereafter with your Proposal.</p>
INSPECT / COLLECT DOCUMENTS FROM	<p>This bid may be downloaded free of charge directly from the Transnet Freight Rail tender website at; http://www.transnetfreightrail-tfr.net/Supplier/Pages/Tenders.aspx</p> <p>Alternatively, this RFQ may be purchased at R250 [inclusive of VAT] 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 09:00 and 15:00 from [12 September 2016] until [19 September 2016].</p> <p>This RFQ may be picked up from the following address: RECEPTION, TENDER ADVICE CENTRE, INYANDA HOUSE 1, GROUND FLOOR, 21 WELLINGTON ROAD, PARKTOWN, JOHANNESBURG</p>
COMPULSORY BRIEFING SESSION	<p>A compulsory pre-proposal briefing meeting will be conducted at 15 Girton Road, Inyanda 2 Bombela Boardroom on the 20 September 2016 at 09:00 Am for a period of ± One (01) hour. [Respondents to provide own transportation and accommodation]. The briefing session will start punctually and information will not be repeated for the benefit of Respondents arriving late.</p> <p>1.1 <i>A Certificate of Attendance set out in Section 5 hereto must be completed and submitted with your Proposal as proof of attendance is required for a compulsory briefing meeting.</i></p> <p>1.2 Respondents failing to attend the compulsory briefing meeting will be disqualified.</p>
CLOSING DATE	<p>10:00 on Tuesday 27 September 2016</p> <p>This tender shall close punctually at the following address: The Chairperson, Transnet Freight Rail Acquisition Council, Inyanda House 1, 21 Wellington Rd, Parktown, JOHANNESBURG, 2001.</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>
VALIDITY PERIOD	<p>90 Business Days from Closing Date. End of validity period: 03 February 2017</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>

SPECIAL CONDITIONS	<p>Bidders are to note that this bid may also be downloaded directly from the Transnet Freight Rail tender website 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 19 September 2016 at 15:00pm by sending an email with their contact details to the following address: Anthonie.Erasmus@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.</p> <p>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.</p>
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2 Responses to RFQ

Responses to this RFQ [**Quotations**] must not include documents or reference relating to any other quotation or proposal. Any additional conditions must be embodied in an accompanying letter.

3 Broad-Based Black Economic Empowerment [B-BBEE]

Transnet fully endorses and supports the Government’s Broad-Based Black Economic Empowerment Programme and it would therefore prefer to do business with local business enterprises who share these same values. As described in more detail in the attached B-BBEE Claim Form Transnet will allow a “preference” to companies who provide a valid B-BBEE Verification Certificate.

The value of this bid is estimated to be below R1 000 000 (all applicable taxes included) and therefore the **80/20** system shall be applicable. Respondents are required to complete Annexure A [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 RFQ will result in a score of zero being allocated for B-BBEE.

4 Communication

Respondents are warned that a response will be liable for disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer(s) or employee of Transnet in respect of this RFQ between the closing date and the date of the award of the business.

A Respondent may, however, before the closing date and time, direct any written enquiries relating to the RFQ to the following Transnet employee:

Name: Mohale Rapetswa Email: mohale.rapetswa@transnet.net
 Telephone: 011 584 0944

Respondents may also, at any time after the closing date of the RFQ, communicate the following individuals on any matter relating to its RFQ response:

Name	Email address	Telephone	Fax
Lolo Sokhela	Lolo.sokhela@transnet.net	011 544 9494	011 774 9186
Thuli Mathebula	Thuli.mathebula@transnet.net	011 544 9497	011 774 9129

5 Legal Compliance

The successful Respondent shall be in full and complete compliance with any and all applicable national and local laws and regulations.

6 Changes to Quotations

Changes by the Respondent to its submission will not be considered after the closing date and time.

7 Pricing

All prices must be quoted in South African Rand on a fixed price basis, excluding VAT.

8 Prices Subject to Confirmation

Prices quoted which are subject to confirmation will not be considered.

9 Binding Offer

Any Quotation furnished pursuant to this Request shall be deemed to be an offer. Any exceptions to this statement must be clearly and specifically indicated.

10 Disclaimers

Transnet is not committed to any course of action as a result of its issuance of this RFQ and/or its receipt of a Quotation in response to it. Please note that Transnet reserves the right to:

- modify the RFQ's goods / service(s) and request Respondents to re-bid on any changes;
- reject any Quotation which does not conform to instructions and specifications which are detailed herein;
- disqualify Quotations submitted after the stated submission deadline;
- not necessarily accept the lowest priced Quotation or an alternative bid;
- reject all Quotations, if it so decides;
- place an order in connection with this Quotation at any time after the RFQ's closing date;
- award only a portion of the proposed goods / service/s which are reflected in the scope of this RFQ;
- split the award of the order/s between more than one Supplier/Service Provider should it at Transnet's discretion be more advantageous in terms of, amongst others, cost or developmental considerations ;
or
- make no award at all.

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

Transnet reserves the right to conduct Post Tender Negotiations (PTN) with selected Respondents or any number of short-listed Respondents, such PTN to include, at Transnet's discretion, any evaluation criteria listed in the RFQ document.

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 highest ranked bidder, provided that he/she is still prepared to provide the required goods at the quoted price.

Transnet reserves the right to lower the threshold for Technical from **75% to 70%** if no Bidders pass the predetermined minimum threshold.

11 Specification/Scope of Work

1. GENERAL DESCRIPTION OF THE SERVICES

11.1 Employer's objectives

The *Employer's* objective is to enter into a contract with a *Consultant* to provide Professional Services for the train simulation on the proposed Transnet Rail infrastructure for Tambo Springs Exchange Yard, that is planned to be situated on the existing rail line between Glenroy rail station and Zonkizizwe rail station, and the rail infrastructure between Tambo Springs and Kimberly Yard via Klerksdorp rail station

Transnet wishes to procure the Professional Services of a *Consultant* to conduct a yard simulation of this proposed yard and train simulations on the rail section between Tambo Springs and Kimberly Yard.

For the yard simulation, the aim is to validate and optimise the proposed yard configuration, define the yard operational process times, and to determine the investment breakpoint for the yard expansion according to the projected volumes.

For the main line simulation between Tambo Springs and Kimberly Yard, the aim is to determine the available train slots required to achieve the container train volume growth profile.

The outcome of the simulation will be a detailed report with simulation results, detailing scenarios as described in section 1.9 of this document.

The *Services* to be provided by the *Consultant* shall generally be described by the following main activities:

- a) Simulation of the operations processes of container trains within the proposed Tambo Springs Exchange Yard based on interface parameters.
- b) Simulation of the main line trains on the section between Tambo Springs and Kimberly Yard to confirm that there is sufficient capacity and to identify any infrastructure requirements to achieve the projected volume growth.
- c) The *Consultant* is further required to develop scenarios that demonstrate volume increase in determining the breakpoint for the yard extension and main line.
- d) The *Consultant* is required to submit reports as hardcopies (one copy) and softcopies to the Employer.

The *Consultant* shall undertake the services with the clear understanding that they are acting as an *Employer's* representative and therefore be fully aware and knowledgeable with respect to Transnet business requirements, policies and procedures. The *Consultant* shall comply with the relevant policies and procedures applicable to Transnet as updated from time to time including PLP provisions.

The *Consultant* is further required to provide a detailed cost breakdown, to clearly state all assumptions, to reference all regulations and standards on recommendations, scope and designs.

11.2 Project Background

The Tambo Springs Intermodal Hub is planned to integrate all aspects of warehousing, distribution, manufacturing and shipping industry. Tambo Springs Exchange Yard is meant to create rail access to the terminal yard from Transnet’s existing rail infrastructure. Tambo Springs Exchange Yard will also function as a traction change yard aimed at supplying the proposed terminal yard with diesel hauled container trains.

Container trains from the port at Coega is expected to terminate at this exchange yard after traversing the Cape Corridor via Klerksdorp. The section between Kimberly and Coega has been simulated under the “Manganese 16mpta” project and will not be required for simulation in this project.

Container trains from Port of Durban is also expected to terminate at this exchange yard after traversing the Natal Corridor. This corridor will not be simulated in this project as a previous study will be referenced.

The rail infrastructure will be developed in phases according to the forecasted ramp up volume profile as shown in table 1 below.

	2018-2022	2022-2027	2027-2037	2037-onwards
Total Capacity (TEU)	143 000	197 000	255 000	560 000
Throughput direction (TEU)	71 500	98 500	127 500	280 000

Table 1: Forecasted volume ramp up profile

The proposed Tambo Springs Intermodal Hub is shown below in figure 1, with the black lines depicting the existing rail infrastructure.

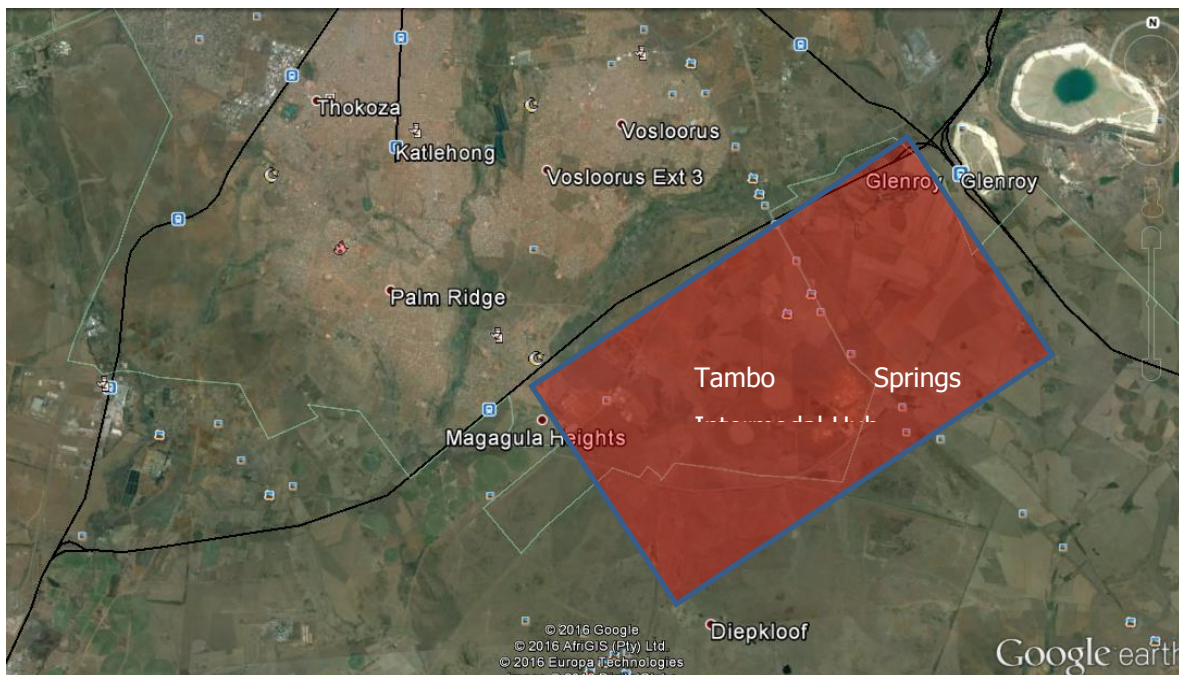


Figure 1: Proposed Tambo Springs Intermodal Hub

11.3 Project phasing and locations

- Stage 1 will enable 50 wagon container trains to achieve 143 000 TEU's
- Stage 2 will enable 75 wagon container trains to achieve 197 000 TEU's
- Stage 3 will enable 75 wagon container trains to achieve 255 000 TEU's

11.4 Submission of proposals

In addressing the *Employers* requirements the *Consultant* is required to submit a detailed proposal for the simulation.

The submittal of proposals by the *Consultant* will be evaluated and awarded in accordance with the internal approval processes. The evaluation therefore shall be based on a number of criteria for the project to commence.

In response to the submission, the *Employer* seeks to evaluate and determine whether the proposals by the *Consultants* would yield sufficient information that can be used for engineering of the infrastructure required to meet the business needs.

11.5 Award of the contract

The *Employer* does not expect delays in the approval and awarding of the contract to the preferred Service Provider for this contract.

11.6 Description of Professional Services

In the fulfilling of the *Employer's* requirements and in acting as an *Employer's* representative the *Consultant* is required to declare and state all limitations and challenges that are not identified in the scope.

The *Consultant* shall propose skilled staff with relevant experience to be formally mobilized in order to ensure that the deliverables are met. Furthermore, the *Employer* (including owner's representatives) and *Consultant* shall agree on the key deliverables and project timelines.

The *Consultant* shall submit with his/her proposal an activity schedule which identifies all the deliverables and resources to be deployed by the *Consultant*. Where items have not been identified in the activity schedule, it is deemed to be included in the *Consultant's* prices.

All relevant policies, regulations, standards and procedures documents shall be made available to the *Consultant* upon request. It is expected that the accountable resource allocated to this project from the *Consultant* be a certified Pr Eng or Pr Tech Eng. It is expected that the accountable resource allocated to this project from the *Consultant* has completed at least 3 separate rail simulation projects in the past. In addition, the *Consultant* shall demonstrate that the simulation modelling tool to be used has a proven track record and is applicable for this project.

11.7 Scope exclusions

The following sections of rail infrastructure are excluded from this scope of works:

- Natal Corridor
- Kimberly to Coega
- Private Sidings

11.8 **Project scope**

The *Consultant* is required to simulate train operations on the proposed infrastructure for Tambo Springs Exchange Yard and the main line between Tambo Springs and Kimberly Yard.

The aim of the simulation is to:

- a) Validate and optimise the proposed exchange yard layout.
- b) Determine the operational processes times of container trains within the proposed Tambo Springs Exchange Yard based on interface parameters.
- c) Test the sensitivity of the yard based interface parameters
- d) Develop scenarios that demonstrate the volume increase in determining the breakpoint for the yard extension
- e) Determine the rail capacity along the route from Tambo Spring to Kimberly Yard.
- f) Determine the stability of the train timetable between Tambo Springs and Kimberly Yard
- g) Determine the infrastructure requirements, if any, between Tambo Springs and Kimberly Yard.

11.9 **Project Inputs**

The *Consultant* should note the following information as inputs to the model:

	2018-2022	2022-2027	2027-2037
Total Capacity (TEU)	143 000	197 000	255 000
Throughput direction (TEU)	71 500	98 500	127 500
Wagons per day	105	144	187
Wagons per train	50	75	75
Locomotives per train	3	4	4
Trains per day	2.1	1.9	2.5
Design capacity (Average train/day)	2.5	2.3	2.9
Length of train (m)	779	1159	1159
Number of lines	4	4	4

Table 2: Exchange yard requirements

Train Configuration Loaded

- (i) Scenario 1
 - All trains from Coega as per the Volume growth profile
 - Starting with 3 x 50 wagon trains
 - Air brake
 - Starting with 3 x 18 E Locomotives
- (ii) Scenario 2
 - All trains from Coega as per volume growth profile
 - Starting with 3 x 75 wagons
 - Air brake
 - Starting with 4 x 18 E Locomotives
- (iii) Scenario 3
 - All trains from Durban as per the volume growth profile
 - Starting with 3 x 50 wagon trains
 - Air brake
 - Starting with 3 x 18 E Locomotives
- (iv) Scenario 4
 - Combination of train from Coega and Durban as per volume growth profile

- 75 wagons trains and 50 wagon trains
- Air brake
- 18 E Locomotives

Track Layout

The proposed track layout of the yard is shown below in figure 2 below:

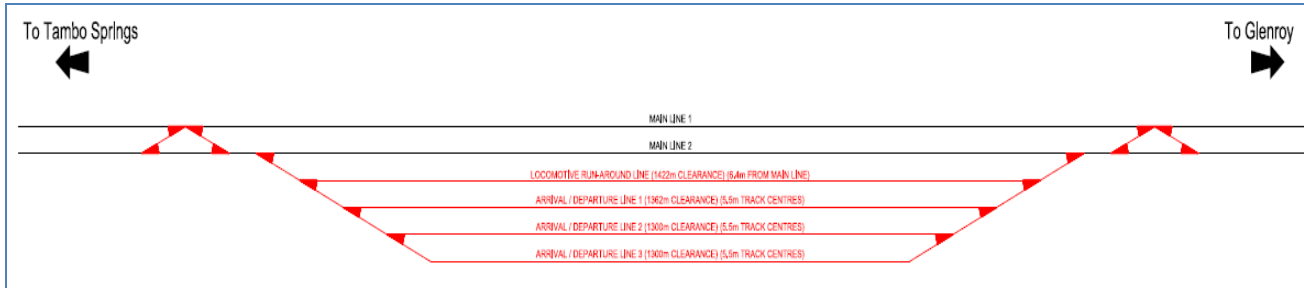


Figure 2: Exchange (Arrival/Departure) yard layout

The focus of this simulation is the Arrival/Departure yard (Exchange Yard) and the rail infrastructure between Tambo Springs and Kimberly Yard as shown in figure 3 below.



Figure 3: Routing from Tambo Springs to Kimberly Yard

The private siding is not be simulated, however, interface operational parameters will have to be determined by optimising the operations in the Arrival/Departure yard. The intention is to design the exchange yard such that the gradient will be as flat as possible. 1:12 turnouts will be used for all turnouts in the yard.

Signalling logic

Colour light signalling system is in place for traffic from Natal Corridor and Cape Corridor. The signalling system to be deployed at Tambo Springs Exchange yard will be local authority with signals in the yard for arrival and departure of trains onto the main line.

Electrical configuration

The exchange yard will be electrified to facilitate traction change, from electrical to diesel, before consists are hauled into the terminal yard (non-electrified)

11.10 Deliverables

Simulation model incorporating the scenarios as described in section 1.8 and 1.9 of this document. It is expected that the simulation report and findings be delivered within 10 weeks from award from of contract.

11.11 Interfaces/interdependences

For inputs to the simulation, the *Employer* shall facilitate interfaces and engagements with the relevant stakeholders where applicable, for any clarity and information purposes. The employer plans to have all input data such as, network configuration, current trains and configuration, and service designs readily available before the award of the contract.

12 National Treasury Central Supplier Database Registration

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 suppliers on the National Treasury Central Supplier Database.

Please follow the following steps to register your company on the National Treasury Central Supplier Database and confirm your registration by submitting your National Treasury "MAAA" supplier reference number.

Step 1: Access the CSD site on <https://secure.csd.gov.za/>

Step 2: Register a new CSD account <https://secure.csd.gov.za/Account/Register>

Step 3: Receive an activation email and click activate account

Step 4: Activate account by requesting and entering the OTP

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-BBBEE 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

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

Returnable Document

<p>RFQ FOR THE PROVISION OF: TAMBO SPRINGS EXCHANGE YARD SIMULATION FOR A PERIOD OF FIVE (05) MONTHS</p> <p>CLOSING VENUE: TRANSNET FREIGHT RAIL INYANDA HOUSE 1, 21 WELLINGTON ROAD, PARKTOWN, JOHANNESBURG</p> <p>CLOSING DATE & TIME 27 SEPTEMBER 2016 AT 10:00AM</p> <p>VALIDITY PERIOD: 03 FEBRUARY 2017 (90 Business Days)</p>
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SECTION 2**EVALUATION CRITERIA AND RETURNABLE DOCUMENTS****1 EVALUATION CRITERIA**

TRANSNET WILL UTILISE THE FOLLOWING CRITERIA [NOT NECESSARILY IN THIS ORDER] IN CHOOSING A SUPPLIER/SERVICE PROVIDER, IF SO REQUIRED:

Criterion/Criteria	Explanation
Administrative responsiveness	<ul style="list-style-type: none"> • Completeness of response and returnable documents • Submit CV's of key accountable resource dedicated to the project.
Substantive responsiveness- (Mandatory document)	<p>Prequalification criteria, if any, must be met and whether the Bid materially complies with the scope and/or specification given.</p> <ul style="list-style-type: none"> • Certified Pr Eng./Pr Tech Eng
Technical/Functionality Threshold 75%	<ul style="list-style-type: none"> • Number of rail simulations completed by accountable resource in this project. • Work plan for the delivery of simulation • Time required to complete the simulation • Applicability of the simulation tool
Final weighted evaluation based on 80/20 preference point	<ul style="list-style-type: none"> • Pricing and price basis [firm] • B-BBEE status of company - Preference points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table indicated in Annexure A: B-BBEE Claim Form.

Returnable Document

(Transnet reserves the right to lower the threshold for Technical from 75 % to 70 % [Seventy percent] if no bidders passes the predetermined minimum threshold. This right will be exercised in Transnet’s sole discretion

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

Technical Criteria	% Weightings	RFQP Reference
<ul style="list-style-type: none"> Number of rail simulations completed by accountable resource in this project. 	40%	Section 2,
<ul style="list-style-type: none"> Work plan for the delivery of simulation 	20%	Section 2,
<ul style="list-style-type: none"> Time required to complete the simulation 	20%	Section 2,
<ul style="list-style-type: none"> Applicability of the simulation tool 	20%	Section 2,
Total Weighting:		100%
Minimum qualifying score required:		75%

2 Validity Period

Transnet desires a validity period of 90 [ninety] Business Days from the closing date of this RFQ. This RFQ is valid until 03 February 2017

3 Disclosure of Prices Quoted

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

YES NO

4 Returnable Documents

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

All Returnable Sections, as indicated in the header and footer of the relevant pages, must be signed, stamped and dated by the Respondent.

a) Respondents are required to submit with their Quotations the **mandatory Returnable Documents**, as detailed below.

Failure to provide all these Mandatory Returnable Documents at the Closing Date and time of this RFQ will result in a Respondent’s disqualification. Respondents are therefore urged to ensure that all these Documents are returned with their Quotations.

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

Mandatory Returnable Documents	Submitted [Yes or No]
<ul style="list-style-type: none"> Certified Pr Eng./Pr Tech Eng 	
<ul style="list-style-type: none"> SECTION 3 : Quotation Form 	

Returnable Document

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

Failure to provide all these Returnable Documents may result in a Respondent's disqualification. Respondents are therefore urged to ensure that all these documents are returned with their Quotations.

Essential Returnable Documents	Submitted [Yes or No]
<ul style="list-style-type: none"> • SECTION 2 : Evaluation criteria and list of returnable documents 	
<ul style="list-style-type: none"> • SECTION 4 : RFQ Declaration and Breach of Law Form 	
<ul style="list-style-type: none"> • Valid and original, or a certified copy, of your entity's B-BBEE Verification Certification as per the requirements stipulated in Annexure A: B-BBEE Claims Form • Note: failure to provide these required documents at the closing date and time of the RFQ will result in an automatic score of zero being allocated for preference 	
<ul style="list-style-type: none"> • Original valid Tax Clearance Certificate [Consortia / Joint Ventures must submit a separate Tax Clearance Certificate for each party] 	
<ul style="list-style-type: none"> • ANNEXURE A – B-BBEE Preference Points Claim Form 	
<ul style="list-style-type: none"> • SECTION 5 : Certificate of Attendance for RFQ Briefing Meeting 	

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 RFQ. 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.

Returnable Document**SECTION 3
QUOTATION FORM**

I/We _____
hereby offer to supply the goods/services at the prices quoted in the Price Schedule below, in accordance with the conditions related thereto.

I/We agree to be bound by those terms and conditions in:

- the Standard RFQ Terms and Conditions for the Supply of Goods or Services to Transnet; and
- any other standard or special conditions mentioned and/or embodied in this Request for Quotation.

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

I/We further agree that if, after I/we have been notified of the acceptance of my/our Quotation, I/we fail to deliver the said goods/service/s within the delivery lead-time quoted, Transnet may, without prejudice to any other legal remedy which it may have, cancel the order and recover from me/us any expenses incurred by Transnet in calling for Quotations afresh and/or having to accept any less favourable offer.

Price Schedule

I/We quote as follows for the goods required, on a "delivered nominated destination" basis, excluding VAT:

Item No	Description of Services	No. of Days	Rate	Total Price (ZAR)
1	Data gathering			
2	Model building			
3	Scenario Testing			

Delivery Lead-Time from date of purchase order: _____ **[days/weeks]**

Notes to Pricing:

- All Prices must be quoted in South African Rand, exclusive of VAT
- To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this price schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being disqualified.

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.

Respondent's Signature

Date & Company Stamp

Returnable Document

By signing this Quotation Form the Respondent is deemed to acknowledge that he/she has made himself/herself thoroughly familiar, and agrees, with all the conditions governing this RFQ, 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:

1. Specifications and drawings included in this RFQ -
2. The following documents all of which are available on Transnet’s website or upon request:
 - 2.1. General Bid Conditions;
 - 2.2. Standard RFQ Terms and Conditions for the Supply of Goods or Services to Transnet;
 - 2.3. Supplier Integrity Pact;

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). Alternatively, Respondents are required to provide the updated information with their bid submission.

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: _____

Returnable Document

SECTION 4

RFQ 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 RFQ Clarification purposes;
2. we have received all information we deemed necessary for the completion of this Request for Quotation [**RFQ**];
3. we have been provided with sufficient access to the existing Transnet facilities/sites and any and all relevant information relevant to the Supply of the Goods 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 RFQ from Transnet sources, other than information formally received from the designated Transnet contact(s) as nominated in the RFQ documents;
5. we are satisfied, insofar as our entity is concerned, that the processes and procedures adopted by Transnet in issuing this RFQ and the requirements requested from Bidders in responding to this RFQ 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:

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[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.

BREACH OF LAW

- 10. We further hereby certify that I/we **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 _____ duly authorised hereto	AS WITNESS:
Name:	Name:
Position:	Position:
Signature:	Signature:
Date:	Registration No of Company/CC _____
Place:	Registration Name of Company/CC _____

SECTION 5

CERTIFICATE OF ATTENDANCE FOR RFQ BRIEFING MEETING

It is hereby certified that –

1. _____

2. _____

Representative(s) of _____ *[name of entity]*

Attended the RFQ briefing in respect of the proposed Services to be rendered in terms of this RFQ on **the 20 SEPTEMBER 2016**

TRANSNET'S REPRESENTATIVE

RESPONDENT'S REPRESENTATIVE

DATE: _____

DATE: _____

EMAIL _____

ANNEXURE A: 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 20 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 be 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;

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- 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;
- 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

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scoring the highest score for functionality.

- 3.6 Should two or more Bids be equal in all respect, 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 20]
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
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 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%

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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 20 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 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

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- (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 warrants 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.

RFQ for the Provision/Supply of Tambo springs exchange yard simulation for a period of five (05) months

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WITNESSES:

- 1.
- 2.

SIGNATURE OF BIDDER

DATE:

COMPANY NAME:

ADDRESS: