



TFR, a division of

TRANSNET SOC LTD

Registration Number 1990/000900/30

[hereinafter referred to as **Transnet**]

REQUEST FOR QUOTATION [RFQ] No SAZ/1186/2016

FOR THE SUPPLY AND DELIVERY OF RATION PACKS FOR TRAIN CREW IN

SISHEN

FOR DELIVERY TO: SISHEN

ISSUE DATE: 29 August 2016

CLOSING DATE: 08 September 2016

CLOSING TIME: 10:00

Returnable Document

Section 1
NOTICE TO BIDDERS

Quotations which must be completed as indicated in Section 2 of this RFQ are to be submitted as follows:

METHOD: [post, hand and/or courier]
CLOSING VENUE: [courier and/or tender box at physical address]

Proposals must reach the Secretariat, Acquisition Council before the closing hour on the date shown below, and must be enclosed in a sealed envelope which must have inscribed on the outside:

Closing date and time: 08 September 2016 AT 10:00 AM

Closing address: [Refer to options in Delivery Instructions for RFQ below]

No documents will be issued between 12:45 to 13:30

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

A. DELIVERY INSTRUCTIONS FOR RFQ

Delivery by Post

If delivered by post, the envelope must be addressed as below and must be dispatched in time for sorting by post office to reach the Secretariat before the closing time of the RFQ:

The Secretariat
Transnet Acquisition Council
P O Box 2986
Bellville,
7535

- a. The measurements of the "tender lot" are 11cm wide x 45cm high, and Respondents must please ensure that response documents or files are no larger than the above dimensions. Responses which are too bulky [i.e. more than 100mm thick] must be split into two or more files, and placed in separate envelopes, each such envelope to be addressed as above.

Dispatch by Hand and courier

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

The Secretariat
Transnet Acquisition Council
Transnet Park Building
6th Floor
Robert Sobukwe Road
Bellville, 7535

Please note that this RFQ closes punctually at **10:00 on 08 September 2016**.

Respondent's Signature

Date & Company Stamp

Returnable Document

B. INSPECT / COLLECT DOCUMENTS :

RFQ documents may be viewed and downloaded directly from the Transnet Freight Rail website by clicking on the RFQ number that is highlighted in red on the website:

(<http://www.transnetfreightrail.co.za/Website/tenders.html>) free of charge

Alternatively, this RFQ may be purchased at **R250.00** [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 RFQ document is required, prior arrangements must be made one (1) day in advance and the RFQ document may be collected between **08:00** and **15:00** from **29 August 2016** until **06 September 2016**

NOTE – This amount is not refundable. A receipt for such payment made must be presented when collecting the RFQ documents and submitted thereafter with your Request for Quotation.

RFQ documents may be obtained on and after **Monday, 29 August 2016** at The Secretariat of Transnet Acquisition Council, Transnet Park Building, 6th Floor, Robert Sobukwe Road, Bellville, Cape Town during the office hours **08h00 to 15h00**.

No RFQ documents will be issued between 12:45 to 13:30. The RFQ document will only be issued until 06 September 2016,

For enquiries regarding collection of documents, contact Iwan Theron, telephone No. 021 940-1896.

C. RFQ FEE AND BANKING DETAILS

Payment is to be made as follows:

R 200.00 [inclusive of VAT] per set

Account Name	:	Transnet Freight Rail
Account	:	Standard Bank
Account number	:	203158598
Branch code	:	004805

The deposit slip must reflect RFQ: **PM11SAZ/1188/2016** and the Company Name. Receipt/s to be presented prior to collection of the RFQ /tender document.

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 07 September 2016, by sending an email with their contact details to the following address: Iwan.theron@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.

Respondent's Signature

Date & Company Stamp

Returnable Document

1 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.

2 COMPULSORY LOCAL CONTENT THRESHOLD

In terms of section 9(1) of the Preferential Procurement Regulations, 2011, and the Instruction Note issued by National Treasury on the "Invitation and Evaluation of Bids based on a stipulated minimum threshold for local content and production for the **Canned and Processed Vegetables Sector**," Transnet is required to set a stipulated minimum threshold be set for this RFQ.

2.1 Local Content Threshold

A Local Content threshold of **80% [eighty percent]** will be required for all Goods to be manufactured by a successful Respondent.

For further guidance with regard to the determination of "Local Content," Respondents must refer to the following documentation:

- SABS approved technical specification number SABS 1286:2011
- Guidance on the calculation of Local Content

[available on the DTI website: <http://www.thedti.gov.za>]

2.2 Mandatory RFQ Annexures

The regulatory and mandatory RFQ Annexures, which must be completed by all Respondents in order to declare Local Content, are as follows:

- Annexure B – Declaration Certificate for Local Production and Content [SBD 6.2]
- Annexure C – Local Content Declaration: Summary Schedule

Annexures D and E are Supporting Schedules to Annexure C. They are named as follows:

- Annexure D – Imported Content Declaration: Supporting Schedule to Annexure C
- Annexure E – Local Content Declaration: Supporting Schedule to Annexure C

After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. Declaration C should be submitted with the bid documentation at the

closing date and time of the bid. Declarations D and E should be kept by Respondents for verification purposes for a period of at least 5 years. The successful Respondent is required to continuously update Declarations C, D and E with the actual values for the duration of the contract. In addition to what is stated above regarding Annexures D and E, please note that these declarations are to be submitted as part of the Essential Returnable Documents - See Section 2 of RFQ

Respondent's Signature

Date & Company Stamp

Returnable Document

2.3 Challenges meeting the Local Content Threshold

Should, after the award of a Bid, the Supplier experience challenges in meeting the stipulated minimum threshold for Local Content, Transnet is required to inform the DTI accordingly in order for the DTI to verify the circumstances and provide directives in this regard.

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 respondent 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 before the clarification deadline:

Name: Siyasanga Nyweba Email: siyasanga.nyweba@transnet.net
Telephone: 021 940 1935

Respondents may also, at any time after the closing date of the RFQ, communicate with the Secretariat of the Acquisition Council on any matter relating to its RFQ response:

Telephone: 021 940 1896 Email: Iwan.Theron@transnet.net

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.

Respondent's Signature

Date & Company Stamp

Returnable Document

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 / services 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 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 RFQ document.

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

11 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 suppliers on the National Treasury Central Supplier Database.

Respondent's Signature

Date & Company Stamp

Returnable Document

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-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.

12 Scope of Work

Supply and deliver packed ration packs as and when required by the end-user for a period of 12 months.

A use-by-date must appear on every ration pack, the date should not exceed 2 months from the delivery date.

For Sishen, the delivery address is TFA building, Khumba Road, Train crew division.

When a patented article is used as a sample or when the name of a manufacturer or a certain trade mark or brand is quoted, it shall only be to indicate the type and standard or quality of the article required and not to limit competition only to the referenced article. Similar, equal and equivalent products will be considered subject to actual performance standards. Where an alternative brand / product is offered, it would be advisable to include the specific data sheets / specification for the product, in your submission.

Respondent's Signature

Date & Company Stamp

Returnable Document

12.1 RATION PACKS

The packs should be as follows:

12.1.1 Ration pack no. 1

1. Bully beef (300 gram tin) BULL BRAND or similar
2. Baked beans (225 gram tin) KOO or similar
3. Fruit cocktail (225 gram tin) Del Monte or similar
4. Fruit juice box (250ml) Liqui fruit or similar
5. Biscuits with filling in between (80 gram) Toppers or similar

12.1.2 Ration pack no. 2

1. Viennas (280 gram tin) Prima Food or similar
2. Sweet corn (215 gram tin) KOO or similar
3. Fruit cocktail (225 gram tin) Del Monte or similar
4. Fruit juice (250ml) Liqui fruit or similar
5. Biscuits with filling in between (80 gram) Toppers or similar

12.1.3 Ration pack no. 3 (Diabetic)

1. Fish in tomato sauce (215 gram tin) Quick Star or similar
2. Baked beans (225 gram tin) KOO or similar
3. Peaches (225 gram tin, diabetic) LAYCO or similar
4. Coke Zero (500ml) or similar
5. 2 x Provita or similar (23 gram sachet)
6. 2 x cheese bites (20 grams)

12.1 Specification

12.2.1 All foodstuffs must comply with the following regulations:

- the AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)
- Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No.54 of 1972), and related regulations
- The code of Practice for Quality Management Systems SABS 0157 of 1979 as amended

12.2.2 Canned vegetables and Canned Fruits

- Canned vegetables and fruits must be Extra Choice Grade or Choice Grade only

Respondent's Signature

Date & Company Stamp

Returnable Document

- Extra Choice Grade, Choice Grade, and Standard Grade canned vegetables and canned fruits must be free from any substances which does not normally form part of canned vegetables and canned fruits, excluding extraneous vegetable matter and must contain only permitted food additives.
- Extra Choice Grade, Choice Grade and Standard Grade canned vegetables and canned fruits must comply with the specific quality standards for each kind of canned vegetable as set out in the AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990) which regulates the grading, packing and marking of canned vegetables intended for sale in the republic of South Africa.
- Each container with canned vegetables and canned fruits must be clearly and legibly marked and labelled with the following particulars:
 - A code mark which has been approved, which consists of the name of the canning establishment, the product concerned and the date of manufacture thereof.
 - An indication of the grade thereof
- No wording, illustration or other method of expression which constitutes a misrepresentation or which directly or by implication creates or may create a misleading impression of the contents or grade must appear on a container or outer container containing canned vegetables and canned fruits.
- The quality of the canned vegetable and canned fruits must be approved by the Purchaser and must ideally comply with the requirements set out in SABS 0157 code of practice for quality management systems.
- The product must have a minimum shelf life of six months on date of delivery.

12.2.3 Canned Pilchards in tomato sauce

- Whole or sliced pilchards must be in a thickened tomato sauce with an acceptable taste and colour.
- The fish must not be mushy and individual pieces of fish must retain their shape and form.
- The pieces of fish must be easily separable
- The product must have a minimum shelf life of six months on date of delivery.

12.2.4 Canned Beef

- Canned Beef may not contain bone, ligament, gristle, hair, foreign matter or any additive, in particular thickening agents, other than tendon collagen of bovine origin.
- Canned Beef shall have an odour, flavour and texture characteristic of the beef genus and shall not contain any objectionable odour, flavour and texture of any kind.
- The product must have a minimum shelf life of six months on date of delivery.

12.2.5 Canned Vienna, Spaghetti and others.

- Canned Vienna and Spaghetti must be Extra Choice Grade or Choice Grade only
- Product must have a minimum shelf life of six months on date of delivery.

Respondent's Signature

Date & Company Stamp

Returnable Document

12.2.6 Juices and Soft Drinks

- All fruit juices must comply with the standards as set by the food legislation and regulations
- All soft drinks must be sugar free.

13 RESPONDENT'S SAMPLES

In this RFQ, Respondents are required to submit samples of the Goods tendered for. The sample(s) must be endorsed with the RFQ number and description and forwarded on or before the deadline date **07 September 2016 at 12h00** to the following addressee:

Iwan Theron

Off Robert Sobukwe Road

Bellville Square

Ski Cabin

Belville South

The sample(s) must be clearly marked with the reference number of this RFQ and the names and addresses of both the Respondent and the manufacturer

PREVIEW COPY

Respondent's Signature

Date & Company Stamp

Returnable Document

RFQ FOR THE SUPPLY AND DELIVERY OF RATIONS PACKS FOR TRAIN CREW IN SISHEN

CLOSING VENUE: THE SECRETARIAT, TRANSNET ACQUISITION COUNCIL, 06TH FLOOR,
TRANSNET PARK BUILDING, ROBERT SOBUKWE ROAD, BELLVILLE

CLOSING DATE & TIME: 08 SEPTEMBER 2016, 10:00AM

VALIDITY PERIOD: 90 Business Days

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	Completeness of response and returnable documents
Substantive responsiveness	Prequalification criteria, if any, met or not and whether the Bid materially complies with the scope and/or specification given. ➢ Annexure A – Technical Compliance Sheet, 100% fully completed, signed and submitted ➢ Annexure B – Declaration Certificate for Local Production and Content [SB 2012] ➢ Annexure C – Local Content Declaration: Summary Schedule
Local Content Threshold	This RFQ is subject to regulation 9 (1) of the Preferential Procurement Policy Framework Act as [Canned and processed vegetables] has been designated for local production and content. As such, Respondents will be required to meet a stipulated minimum threshold for local production and content as stipulated in the relevant Instruction Note issued by National Treasury. The stipulated minimum threshold/s applicable is/are as follows: 80%.
Final weighted evaluation based on 80/20 preference point	• 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.

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 15 December 2016.

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]
SECTION 3 : Quotation Form (Price Schedule), to be completed in full	
ANNEXURE A: Technical Compliance Sheet 100% Fully Completed, Signed and Submitted	
ANNEXURE B – Declaration Certificate for Local Production and Content [SBD6.2]	
ANNEXURE C – Local Content Declaration, Summary Schedule	

- 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]
SECTION 2 : Evaluation criteria and list of returnable documents	
- SECTION 4 : RFQ Declaration and Breach of Law Form	
- SECTION 5 : B-BBEE Preference Points Claim	
- SECTION 6 : RFQ Clarification Request Form	
- SECTION 7 : References	
- 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	

Respondent's Signature

Date & Company Stamp

Returnable Document

Essential Returnable Documents	Submitted [Yes or No]
- Original valid Tax Clearance Certificate [Consortia / Joint Ventures must submit a separate Tax Clearance Certificate for each party]	
ANNEXURE D : Imported Content Declaration: Supporting Schedule to Annexure C	
ANNEXURE E : Local Content Declaration: Supporting Schedule to Annexure C	
ANNEXURE F : Local Content Guideline	

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.

Respondent's Signature

Date & Company Stamp

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, to be delivered in Sishen, excluding VAT:
(Price Schedule to be completed in full)

Item No	Description of Goods /Services	Unit of Measure	Quantity	Local Content Threshold	Unit delivered Price to Sishen (ZAR)	Total Delivered Price to Sishen (ZAR)
1	Ration pack no. 1	Each	1440	N/A		
2	Ration pack no. 2	Each	1440	80% - Applicable to Sweet corn		
3	Ration pack no. 3	Each	480	80% - Applicable to Baked Beans		
Total Price (Excluding VAT)						

Respondent's Signature

Date & Company Stamp

Returnable Document

Notes to Pricing:

- a) All Prices must be quoted in South African Rand, exclusive of VAT
- b) 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.
- c) Kindly note that the bidder must please quote a firm price for the duration of the contract (12 months.
- d) Please note that should you have offered a discounted price(s), Transnet will only consider such price discount(s) in the final evaluation state if offered on an unconditional basis.

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 - if applicable; and
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;
 - 2.4. Non-disclosure Agreement; and
 - 2.5. Vendor Application Form and accompanying documents (first time vendors only)

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

Respondent's Signature

Date & Company Stamp

Returnable Document

SIGNED at _____ on this _____ day of _____ 20____

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____

Name _____

2 _____

Name _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____ CONTACT NUMBER: _____

DESIGNATION: _____ EMAIL ADDRESS: _____

PREVIEW COPY

Respondent's Signature

Date & Company Stamp

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:

Respondent's Signature

Date & Company Stamp

Returnable Document

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.

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.

Respondent's Signature

Date & Company Stamp

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 _____

PREVIEW COPY

Respondent's Signature

Date & Company Stamp

RFQ FOR THE SUPPLY AND DELIVERY OF RATION PACKS FOR TRAIN CREW IN SISHEN

SECTION 5: 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 utilised have been taken into consideration;

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- 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;
- 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;

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- 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 RFQ 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 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

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- 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% 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.

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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
- (iii) The B-BBEE status level of the subcontractor
- (iv) is the subcontractor an EME? YES/NO

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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;

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- (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.

WITNESSES:

1.

2.

DATE:.....

COMPANY

NAME:

ADDRESS:.....

.....

SIGNATURE OF BIDDER

PREVIEW COPY

**RFQ FOR THE SUPPLY AND DELIVERY OF RATIONS PACKS FOR TRAIN CREW IN
SISHEN FOR A PERIOD OF 12 MONTHS**

Section 6: RFQ CLARIFICATION REQUEST FORM

RFQ No: SAZ/1188/2016

RFQ deadline for questions / RFQ Clarifications: Before 12:00 on 07 September 2016

TO: Transnet SOC Ltd
ATTENTION: Siyasanga Nyweba
EMAIL: siyasanga.nyweba@transnet.net
DATE: _____
FROM: _____

RFQ Clarification No **SAZ/1188/2016**

REQUEST FOR RFQ CLARIFICATION

RECEIVED
2016 SEP 07 10:00 AM

Respondent's Signature

Date & Company Stamp

RFQ FOR THE PROVISION OF
SUPPLY AND DELIVERY OF RATION PACKS FOR TRAIN CREW IN SISHEN FOR A PERIOD
OF 12 MONTHS

Section 7: REFERENCES

Please indicate below the company names and contact details of existing customer with similar projects whom Transnet may contact to seek third party evaluations of your current/previous service levels:

Name of Company	Nature of Work & Period	Telephone Number	Contact Person

Respondent's contact person: *[Please complete]*

Name	:	
Designation	:	
Telephone	:	
Cell Phone	:	
Facsimile	:	
Email	:	
Website	:	

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



ANNEXURE A

**SAZ/1188/2016: SUPPLY AND DELIVERY OF RATION PACKS FOR TRAIN
CREW IN SISHEN FOR PERIOD OF 12 MONTHS**

Technical Compliance Sheet

The compliance response is to contain ONLY the following statements, “**Comply**”, or “**Do not comply**”.

Where “do not comply” is inserted, remarks as to the reason for the deviation from the requirement is required

Item	Clause number	Description	Compliance Response	Reason for deviation
1	12.2.1	Agricultural Products Standard Act, 1990 (Act no. 119 of 1990) Foodstuffs, cosmetics and disinfectants Act, 1972 (Act No. 54 of 1972) and related regulations The code of Practice for Quality Management Systems SABS 0137 of 1979 as amended		
2	12.2.2	Canned vegetables and Canned Fruits Canned vegetables and fruits must be Extra Choice Grade or Choice Grade only Extra Choice Grade, Choice Grade, and Standard Grade canned vegetables and canned fruits must be free from any substances which does not normally form part of canned vegetables and canned fruits, excluding extraneous vegetable matter and must contain only permitted food additives. Extra Choice Grade, Choice Grade and Standard Grade canned vegetables and canned fruits must comply with the specific quality standards for each kind of canned vegetable as set out in the AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990) which regulates the grading, packing and marking of canned vegetables intended for sale in the republic of South Africa. Each container with canned vegetables and canned fruits must be clearly and legibly marked and labelled with the following particulars:		



ANNEXURE A

SAZ/1188/2016: SUPPLY AND DELIVERY OF RATION PACKS FOR TRAIN CREW IN SISHEEN FOR PERIOD OF 12 MONTHS

		A code mark which has been approved, which consists of the name of the canning establishment, the product concerned and the date of manufacture thereof. An indication of the grade thereof No wording, illustration or other method of expression which constitutes a misrepresentation or which directly or by implication creates or may create a misleading impression of the contents or grade must appear on a container or outer container containing canned vegetables and canned fruits. The quality of the canned vegetable and canned fruits must be approved by the Purchaser and must ideally comply with the requirements set out in SABS 0117, code of practice for quality management systems. The product must have a minimum shelf life of six months on date of delivery.		
3	12.2.3	Canned Pilchards in tomato sauce Whole or sliced pilchards must be in a thickened tomato sauce with an acceptable taste and colour. The fish must not be mushy and individual pieces of fish must retain their shape and form. The product must be easily separable and the product must have a minimum shelf life of six months on date of delivery.		
4	12.2.4	Canned Beef Canned Beef may not contain bone, ligament, gristle, hair, foreign matter or any additive, in particular thickening agents, other than tendon collagen of bovine origin. Canned Beef shall have an odour, flavour and texture characteristic of the beef genus and shall not contain any objectionable odour, flavour and texture of any kind. The product must have a minimum shelf life of six months on date of delivery.		
5	12.2.5	Canned Vienna, Spaghetti and others Canned Vienna and Spaghetti must be Extra Choice Grade or Choice Grade only		



ANNEXURE A

SAZ/1188/2016: SUPPLY AND DELIVERY OF RATION PACKS FOR TRAIN
CREW IN SISHEN FOR PERIOD OF 12 MONTHS

		Product must have a minimum shelf life of six months on date of delivery		
6	12.2.6	Juices and soft drinks All fruit juices must comply with the standards as set by the food legislation and regulations All soft drinks must be sugar free.		

Respondent's Signature
Stamp

Date & Company



ANNEXURE B

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. GENERAL CONDITIONS

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp at no cost.

1.6. A bid may be disqualified if –

- a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
- b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. DEFINITIONS

- 2.1. **"bid"** includes written price quotations, advertised competitive bids or proposals;
- 2.2. **"bid price"** price offered by the bidder, excluding value added tax (VAT);
- 2.3. **"contract"** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. **"designated sector"** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5. **"duly sign"** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).
- 2.6. **"imported content"** means that portion of the bid price represented by the cost of components, parts or materials which have been imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour or intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. **"local content"** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. **"stipulated minimum threshold"** means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. **"sub-contract"** means the primary contractor's assigning, leasing, 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.

3. The stipulated minimum threshold(s) for local production and content (refer to annex a of sats 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
Sweet Corn 215 gram tin (Canned/Processed vegetables)	80%
Baked Beans 225 gram tin (Canned/Processed vegetables)	80%

4. Does any portion of the services, works or goods offered have any imported content?
(***Tick applicable box***)

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

- 4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za.

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

5. Were the Local Content Declaration Templates (Annex C, D and) audited and certified as correct?
(***Tick applicable box***)

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

5.1.1. If yes, provide the following particulars:

- (a) Full name of auditor:
(b) Practice number:
(c) Telephone and cell number:
(d) Email address:

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

6. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the bidder must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directions in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):
.....

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thdti.gov.za/industrial_development/p.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of (name of bidder entity), the
following:

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that:

- (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (ii) the declaration templates have been audited and certified to be correct.

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 4.1 above)	80
Canned/Processed Vegetables	
Local content %, as calculated in terms of SATS 1286:2011	%

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____ **DATE:** _____

WITNESS No. 1 _____ **DATE:** _____

WITNESS No. 2 _____ **DATE:** _____

Note: VAT to be excluded from all calculations

[illegible]

(C20) Total tender value	R 0
(C21) Total Exempt imported content	R 0
(C22) Total Tender value net of exempt imported content	R 0

(C23) Total imported content	R 0
(C24) Total local content	R 0
(C25) Average local content % of tender	

Annex D

Imported Content Declaration - Supporting Schedule to Annex C

(D1) Tender No. SAZ/1188/2016
 (D2) Tender description: Supply and deliver ration packs
 (D3) Designated Products: Canned/Processed Vegetables
 (D4) Tender Authority: Transnet Freight Rail a division of Trans
 (D5) Tendering Entity name:
 (D6) Tender Exchange Rate:

Note: VAT to be excluded from all calculations

Pula EU R 9.00 GBP R 12.00

A. Exempted imported content

Calculation of imported content				Summary	
Tender item no's	Description of imported content	Local supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Exchange Rate
(D7)	(D8)	(D9)	(D10)	(D11)	(D12)
				(D13)	(D14)
				(D15)	(D16)
				(D17)	(D18)
				(D19) Total exempt imported value	R 0
				This total must correspond with Annex C - C21	

B. Imported directly by the Tenderer

Calculation of imported content				Summary	
Tender item no's	Description of imported content	Unit of measure	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Rate of Exchange
(D20)	(D21)	(D22)	(D23)	(D24)	(D25)
				(D26)	(D27)
				(D28)	(D29)
				(D30)	(D31)
				(D32) Total imported value by tenderer	R 0

C. Imported by a 3rd party and supplied to the Tenderer

Calculation of imported content				Summary	
Description of imported content	Unit of measure	Local supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Rate of Exchange
(D33)	(D34)	(D35)	(D36)	(D37)	(D38)
				(D39)	(D40)
				(D41)	(D42)
				(D43)	(D44)
				(D45) Total imported value by 3rd party	R 0

D. Other foreign currency payments

Calculation of foreign currency payments		
Type of payment	Local supplier making the payment	Overseas beneficiary
(D46)	(D47)	(D48)
		(D49)
		(D50)

Signature of tenderer from Annex B

Date:

(D52) Total of foreign currency payments declared by tenderer and/or 3rd party

(D53) Total of imported content & foreign currency payments - (D32), (D45) & (D52) above

This total must correspond with Annex C - C23

Summary of payments

Local value of payments

(D51)



ANNEXURE F – LOCAL CONTENT GUIDELINE

LOCAL CONTENT LOCAL CONTENT BACKGROUND, DOCUMENTATION, EVALUATION DETAILS AND ADDITIONAL INSTRUCTIONS

1. LOCAL CONTENT EXPLAINED

- The Preferential Procurement Policy Framework Act makes provision for the Department of Trade and Industry (DTI) to designate sectors in line with national development and industrial policies for local production.
- This means that only locally produced goods, services or works or locally manufactured goods with a stipulated minimum threshold for local production and content will be considered
- The DTI has designated and determined the stipulated minimum threshold for local production and content.
- The stipulated minimum threshold percentages for local production and content for the different categories of Canned/Processed Vegetables can be perused on the National Treasury practice note attached with the RFQ.
- **For further guidance with regard to the determination of “Local Content,” Respondents must refer to the following documentation:**
- SABS approved technical specification number SATS 1286:2011
- Guidance on the calculation of Local Content [available on the DTI website: <http://www.thedti.gov.za>]

2. LOCAL CONTENT DOCUMENTATION

Mandatory Returnable Documents

The regulatory and mandatory RFQ Annexures, which must be completed by all Respondents in order to declare Local Content, are as follows:

- Annexure B – Declaration Certificate for Local Production and Content [SBD 6.2]
- Annexure C – Local Content Declaration: Summary Schedule

Failure to provide all these Mandatory Returnable Documents at the Closing Date and time of this RFQ will result in a Respondent's disqualification.



Essential Returnable Documents

Annexures D and E are Supporting Schedules to Annexure C. They are named as follows:

- Annexure D – Imported Content Declaration: Supporting Schedule to Annexure C
- Annexure E – Local Content Declaration: Supporting Schedule to Annexure C

IMPORTANT NOTES:

- If certain items cannot be sourced/manufactured locally bidders should seek exemption for such items from the DTI.
- Such an exemption letter should be submitted with the proposal upon tender closing date.

3. LOCAL CONTENT EVALUATION

LOCAL CONTENT WILL BE EVALUATED AS THE FIRST STAGE OF A PRE-QUALIFICATION CRITERIA

Mandatory Returnable Documents

- **Annexure B – Declaration Certificate for Local Production and Content [SBD 6.2]**
 - All sections of this document **MUST** be completed;
 - The document **MUST** be signed, witnessed and dated;
 - Bidders **MUST** clearly declare their Local Content Percentage commitment per item quoted.
- **Annexure C – Local Content Declaration: Summary Schedule**
 - All sections of this document **MUST** be completed;
 - The document **MUST** be signed and dated;
 - Bidders **MUST** clearly declare their Local Content Percentage commitment per item quoted.

Failure to provide completed documents at the Closing Date and time of this RFQ will result in a Respondent's disqualification.

4. ADDITIONAL INSTRUCTIONS: LOCAL CONTENT QUESTIONS

It is recommended that any clarification questions be submitted in writing by bidders and Transnet Freight Rail will respond to all bidders within 48 hours.