



TRANSNET FREIGHT RAIL  
a Division of  
TRANSNET LIMITED  
(Registration No. 1990/000900/06)

## REQUEST FOR QUOTATION (“RFQ”)

RFQ NUMBER CRAC-BFX-06072

### THE APPOINTMENT OF THE HYDROCARBON REMOVAL SPECIALIST TO REHABILITATE POLLUTION AT BLOEMFONTEIN LOCOMOTIVES DEPOT

ISSUE DATE : 20 APRIL 2010  
CLOSING DATE : 04 MAY 2010  
OPTION DATE : 31 AUGUST 2010  
CLOSING TIME : 10H00

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

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

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Respondent's signature

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Date and company stamp



**SCHEDULE OF DOCUMENTS**

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

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## SECTION 1

RFQ NO: CRAC-BFX-6072

**THE APPOINTMENT OF THE HYDROCARBON REMOVAL  
SPECIALIST TO REHABILITATE POLLUTION AT  
BLOEMFONTEIN LOCOMOTIVE DEPOT**

### NOTICE TO BIDDERS

Refer Document attached hereto

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

On or after 20 /04/2010 the RFQ documents may be inspected at, and are obtainable from the office of TRANSNET Freight Rail Tender Advice Centre, Inyanda 1,Ground Floor, Wellington Road, Parktown.

A non-refundable tender fee of R150.00 (inclusive of Vat) is applicable per tender (listed below).

Payment is to be made to Transnet Freight Rail, Standard Bank Account number 203158598, Branch code 004805. The deposit slip must reflect the tender number and the Company Name.

Receipt/s to be presented prior to collection of the tender/s.

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

In the interest of fairness and transparency the said information will then be made available to the other Respondents who have collected RFQ documents. For this purpose all Respondents need to indicate their intention to respond by informing the below-mentioned TRANSNET employee (per email only) of their contact numbers as soon as possible but before 04/05/2010. Please bring the valid document on the day of briefing.

**NAME :** Gladys Mtambo  
**E-MAIL :** Gladys.mtambo@transnet.net

Tenders in triplicate must reach the Chairperson, TRANSNET Freight Rail Acquisition Council, P.O.Box 4244,Johannesburg 2000 before the closing hour on the date shown below, and must be enclosed in a sealed envelope which must have inscribed on the outside:

**Tender No :** CRAC-BFX-06072  
**Description :** The appointment of the hydrocarbon removal specialist to rehabilitate pollution at Bloemfontein Locomotive Depot  
**Closing date and time :** 04 May 2010 at 10h00  
**Closing address (refer options below)**

**DELIVERY INSTRUCTIONS FOR THIS RFQ:**

- 1 If posted**, the envelope must be addressed to the Chairperson, TRANSNET Freight Rail Acquisition Council, P.O. Box 4244, Johannesburg 2000 and must be dispatched in time for sorting by the Post Office to reach the Chairperson before the closing time of the RFQ. In the event of the late receipt of a Proposal, the Respondent's franking machine impression will not be accepted as proof that the response was posted in time.
- 2 If delivered by hand**, the envelope is to be deposited in the TRANSNET tender box which is located at the main entrance, Inyanda House,21 Wellington road, Parktown, Johannesburg and should be addressed as follows:

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

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

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

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

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

1. Please note that this RFQ closes punctually at 10:00 on Tuesday 20 April 2010
2. If responses are not posted or delivered as stipulated herein, such responses will not be considered and will be treated as "UNRESPONSIVE".
3. NO EMAIL OR FACSIMILE RESPONSES WILL BE CONSIDERED
4. The responses to this RFQ will be opened as soon as practicable after the expiry of the time advertised for receiving them.
5. TRANSNET shall not, at the opening of responses, disclose to any other company any confidential details pertaining to the Quotations received, i.e. pricing, delivery, etc. The names and location of the Respondents will, however, be divulged to other Respondents upon request.
6. Envelopes must not contain documents relating to any RFQ other than that shown on the envelope.
7. No slips are to be attached to the response documents. Any additional conditions must be embodied in an accompanying letter. Alterations, additions or deletions must not be made by the Respondent to the actual RFQ documents.
8. **BROAD-BASED BLACK ECONOMIC EMPOWERMENT ("BBBEE")**

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

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

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

In terms of Government Gazette No. 32094, Notice No. 354 dated 23 March 2009, as from 1 August 2009, only BBBEE accreditation Certificates issued by SANAS approved verification agencies will be valid.

However accreditation certificates issued before 23 March 2009 and which are still within their one (1) year validity period will still be acceptable, until their expiry date provided that the accreditation was done in accordance **with the latest codes (i.e. those promulgated on 9 February 2007).**

BBBEE Accreditation Certificates issued after the published date i.e. 23 March 2009, by a Verification Agency not approved by SANAS, will **NOT** be acceptable as from 23 March 2009.

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

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

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

8.2 **Each Respondent is required to furnish proof of its BBBEE status (Certificate and Detailed Scorecard) as stipulated above to TRANSNET.**

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

<p><b>Turnover:</b> Indicate your company's most recent annual turnover:</p> <p>R.....</p>
--

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

8.3 The DTI has created an online **B-BBEE Registry** (<http://www.dti.gov.za>) in order to provide a central and standardized source of the B-BBEE status of all entities, and to facilitate the flow of this information amongst entities by providing a Unique Profile Number (UPN) per each listing. Existing and prospective suppliers are therefore urged to list their B-BBEE status on the DTI Registry. Hence, entities verified by DTI, will receive the following benefits:

- Their BBBEE status will be verified and confirmed by the DTI, before listing on the Registry
- Listing on the Registry will provide suppliers the option to market themselves on the DTI B-BBEE Opportunities Network. This is a search engine that is designed to help businesses find B-BBEE compliant entities who match specific requirements in terms of the nature of services/goods provided, region, B-BBEE status or other search criteria.

Transnet supports this DTI initiative and will use the DTI Registry to verify prospective and existing suppliers' BBBEE credentials.

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

<p><b>DTI BBBEE UNIQUE PROFILE NUMBER:</b></p> <p>.....</p>
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*Failure to submit your UPN will result in a score of zero being allocated for BBBEE evaluation.*

8.5 Failure to submit your BBBEE information in terms of 14.3 and/or 14.5 (above) will result in a score of zero being allocated for BBBEE evaluation.

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## 9. COMMUNICATION

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

A respondent may, however, BEFORE THE CLOSING DATE AND TIME, direct any enquiries relating to the RFQ to the TRANSNET employee as indicated in (2) above.

## 10. RFQ SCHEDULE

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

### 10.1 INSTRUCTIONS FOR COMPLETING THE RFQ

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

## 11. COMPLIANCE

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

## 12. ADDITIONAL NOTES:

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

**NB: Unless otherwise expressly stated, all Proposals furnished pursuant to this Request shall be deemed to be offers. Any exceptions to this statement must be**

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clearly and specifically indicated. TRANSNET reserves the right to reject any or all offers.

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

**13.DISCLAIMERS**

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

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

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

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

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

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

Cellphone: \_\_\_\_\_

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

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

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

**SECTION 2**

**RFQ NO: CRAC-BFX-6072**

**THE APPOINTMENT OF THE HYDROCARBON REMOVAL  
SPECIALIST TO REHABILITATE POLLUTION AT  
BLOEMFONTEIN LOCOMOTIVE DEPOT**

**REQUISITION FOR QUOTATION**

**Refer Document attached hereto**

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**REQUISITION FOR QUOTATION**

MESSRS: .....

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SUPPLY CHAIN SERVICES		
Contact:	Gladys Mtambo	Tel: 011 584 0597

Tel (011)  
Fax (011)

ISSUE DATE 20-04-2010

CLOSING DATE 04-05-2010 (10h00)

Prices in South African currency, including all costs.			
Direct to consignees			
ITEM NO:	DESCRIPTION	QTY	Price Per each
1.	The Appointment Of The Hydrocarbon Removal Specialist To Rehabilitate Pollution At Bloemfontein Locomotives Depot.		R
			R
Total price for a one year period			
2.Prices must be V.A.T. exclusive			
3. Direct delivered to:	Bloemfontein		
4.Contact person:	Gladys Mtambo: Tel: 011 584 0597		

**5. COMPULSORY DOCUMENTS**

**NOTE:**

**5.1. Return of tender documents**

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

5.2. The following documents are compulsory, and they must be attached to the tender document  
If **Not** your tender will not be considered.

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

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## 6. FRAUD HOTLINE

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

Hotline telephone: 0800 003 056

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

Fax: 0800 007 788

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

## 7. BUSINESS ADJUDICATION CRITERIA :

### 7.1."Order winning criteria"

7.1.1.Overall Pricing

### 7.2."Technical"

7.2.1.References

7.2.2.Ability to conduct a comparative study of various asbestos rehabilitation methodologies

7.2.3.Capacity to utilise GIS based models and overlay mappings

7.2.4. 7.3."BBBEE"

7.3.1.Provide BBBEE level Certificatio

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## SECTION 3

RFQ NO: CRAC-BFX-6072

### THE APPOINTMENT OF THE HYDROCARBON REMOVAL SPECIALIST TO REHABILITATE POLLUTION AT BLOEMFONTEIN LOCOMOTIVE DEPOT

#### SCOPE OF WORK

Refer Document attached hereto

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## **GENERAL SPECIFICATION :**

### TENDER TECHNICAL SPECIFICATIONS

#### **TENDER TO REHABILITATE SOIL, WASH BALLAST AND CONCRETE SLAB CONTAMINATED WITH HYDROCARBON SPILLAGES, AND SUPPLY AND LAY RAILROAD ABSORBENT MATS ON CLEANED RAIL TRACKS IN THE STAGING AREAS AT BLOEMFONTEIN LOCOMOTIVE DEPOT, FREE STATE**

##### **1 SCOPE OF WORK**

This specification covers the rehabilitation of oil and diesel polluted areas at Bloemfontein Locomotive depot (hereinafter referred to as the WORKS) as detailed hereunder.

##### **1.1 This part of the project specification covers the rehabilitation of diesel and oil polluted areas and includes the following:**

- Rehabilitation of polluted soil and formation layers at the locomotives staging areas/ rail lines.
- Rehabilitation of soil between rail tracks at staging areas.
- Rehabilitation of soil on the southern verge of the old refuelling site.
- Cleaning and replacement of contaminated ballast removed from within the track structure.
- Cleaning of old refuelling concrete slab using environmentally friendly products.
- Supplying and laying of Railroad Containment Absorbent Track Mats inside and outside the cleaned up tracks at staging areas.
- Any work arising out of or incidental to the above, or required of the Contractor for the proper completion of the works in accordance with the true meaning and intent of the contract document.

## **2. DELIVERABLES**

Upon completion of the project, the Tenderer must deliver the following:

- Clean staging areas and rail tracks.
- Protection/ covering of staging areas with Railroad Containment Absorbent Track Mats.

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- Clean concrete slab.
- Soil analysis results from accredited laboratory indicating that TPH levels are within acceptable limits.
- A report detailing the scope of work and how the works were undertaken on site.

### 3. TO BE SUPPLIED BY TRANSNET FREIGHT RAIL

- Bloemfontein Transnet Freight Rail Environmental Specialist to take the potential Tenderer to the site.
- Safety Induction Training on the first day of commencement of the Works.

### 4. TO BE SUPPLIED BY TENDERER

- A detailed method statement on how it is intended to carry out the Works, materials to be used and a time schedule stating the expected time required to reach the proposed level of rehabilitation. This method statement shall form part of the Contract specification
- Detailed Material Safety Data Sheets (MSDS) of products to be used in this project. MSDS must confirm if the product is environmentally friendly.
- Equipment (including all facilities) necessary to carry out the proposed works.
- Personal Protective Equipment (PPE).
- Railroad Containment Absorbent Track Mats.

### 5. CONFIDENTIALITY

The matter is regarded as strictly confidential between Transnet Freight Rail and the prospective Tenderer and must be treated as such.

### 6 INTERPRETATIONS

#### 6.1 SUPPORTING SPECIFICATIONS

Sampling, handling and analysis standards:

- US EPA SW-846
- US EPA No. 8015B GC/FID
- US EPA 418.1 IR TPH

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## 6.2 DEFINITIONS

### 6.2.1 Manager

For the purposes of this particular specification “Manager” means the Environmental Manager (Transnet Freight Rail) or his duly delegated representative.

### 6.2.2 Total Petroleum Hydrocarbon (TPH)

Total Petroleum Hydrocarbon or TPH is an indicator of diesel fuel contamination or other hydrocarbon-based pollution. In all instances the target value for TPH contamination is a total content less than 1000 parts per million (ppm) or milligrams per kilogram (mg/kg) as determined with the Infrared analysis method (EPA 418.1).

### 6.2.3 Rehabilitation

Rehabilitation refers to the successful implementation of deliberate pollution treatment measures to any area or surface leading to reinstatement of environmental conditions to a level equal to or better than those prevailing prior to any polluting activity having occurred, with no visual signs of pollution (including excessive staining) and no hydrocarbon level greater than the specified limit of TPH < 1000 ppm present anywhere on the designated site or working area.

### 6.2.4 In-situ rehabilitation

In addition to item 2.2.3 above, in-situ rehabilitation as directed by the Manager, refers to the rehabilitation of soil or ballast or any other material in its present position, to a depth not greater than 500mm below ballast level, and the rehabilitation will not adversely affect other construction activities.

### 6.2.5 Ballast washing

Ballast washing means the cleaning of polluted ballast in an agitating type of machine e.g. cement mixer, using a degreasing agent or detergent of a composition such that effluent or solution generated may be released to the environment after during or after cleaning. Alternative cleaning methods may be considered for approval and should be specified.

### 6.2.6 Clean concrete slab

Clean in the context of concrete slabs refers to the removal of all surface staining and grease that may be a safety risk or an aesthetic concern. Products to be used must be specified and approved by the Manager and should be of a non-emulsifying type.

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### 6.2.7 Railroad Containment Absorbent Track Mat

Railroad Containment Absorbent Track Mat is the heaviest, thickest and most absorbent barrier mat. Its unique, 3-ply construction includes an oil only polypropylene core, surrounded by an impenetrable barrier film which prevents absorbed liquids from leaching out. This mat also has a UV resistant coverstock. It is capable of absorbing nearly three gallons (11.36 litres) of oil or other petroleum products per square yard (0.84m<sup>2</sup>). This mat has a tough, super absorbent top and non- penetrable, non-skid backing.

### 6.2.8 Site

For the purposes of this specification, the site refers to the staging areas, tracks between old and new refuelling slabs, other identified tracks, old refuelling concrete slab, contaminated soils within tracks as well as a pre-determined additional area that may be included during joint site inspection with interested tenderers.

## 7 MATERIALS

*All materials used on the site for purposes of rehabilitation shall be subject to the approval of the Manager, such approval when given, not detracting whatsoever from the Contractor's responsibility for due and proper execution of the Works and achievement of the required level of rehabilitation.*

## 8 PLANT

**The Contractor shall ensure that only plant suitable for working in the confined limits of the site and able to obtain the required specification of work is used.**

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## **9 REHABILITATION**

### **9.1 REHABILITATION – GENERAL**

The preferred method of rehabilitation shall be at the discretion of the Contractor but shall be in accordance with the payment items specified in the Schedule of Quantities and Prices, the method statement provided and approved, be such that the Manager is satisfied that the measures employed are capable of achieving the rehabilitation standards specified, occur within a reasonable time, are cost effective to Transnet Freight Rail and will have no environmentally damaging effects.

The Manager will be the sole authority in deciding what rehabilitation measures are to be applied in any particular situation or area of the site and shall direct the Contractor accordingly, in writing.

Measures and workmanship judged in the sole opinion of the Manager not to be meeting the above criteria may be rejected by the Manager, without prejudice to Transnet Freight Rail, and the Contractor shall arrange to institute appropriate corrective action at his cost.

### **9.2 IN-SITU REHABILITATION**

This refers to treatment and rehabilitation of areas within the track structure or outside of it, the process occurring mainly without removal of polluted material from its position. For ease of treatment, the Contractor may temporarily remove overlying ballast to a maximum depth of 300 mm, provided that material below sleepers is not removed and the structural integrity of the track is not unduly disturbed.

In – situ rehabilitation shall be measured under two items, namely:

**9.2.1 To a depth from 0 mm to 300 mm, and**

**9.2.2 To a depth from 300 mm to 500 mm,**

where 0 mm shall be the surface level of the ballast or in-situ soil material.

The Manager may direct the use of item 9.2.1 on its own, with no further treatment of underlying layers. Item 9.2.2 may be directed in conjunction with item 8.2.1 or with ballast cleaning described per item 6.2.5.

### **9.4 BALLAST WASHING.**

The Manager may direct that the most appropriate rehabilitation measure to be applied in any particular area shall be the washing and cleaning of ballast as

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defined. This measure shall normally extend to a depth of 300 mm measured from the surface of the ballast. In the event of further treatment of underlying layers being required, this measure shall replace in-situ cleaning per item 9.2.1 above.

## **9.5 SITE SPECIFIC REHABILITATION REQUIREMENTS**

The rehabilitation requirements and detailed scope of work for the respective sites are detailed in Table 9.5.1 - below.

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**Table.1: Bloemfontein Locomotive Depot**

LOCATION	POLLUTION STATUS	QUANTITIES					REHAB ACTIONS
		Length	Breadth	Area	Depth	Volume	
		M	M	M <sup>2</sup>	M	M <sup>3</sup>	
<b>Area 1: Old refuelling slab</b>							
1) Old refuelling slab	Surface staining	60	11.2	672	N/A	N/A	Degrease and clean slab
2) Area on the southern edge of old refuelling slab	Soil pollution	13	3.3	42.9	0.5	21.45	Rehabilitate polluted soil in situ to depth of pollution
3) Section of rail close to old refuelling slab	Ballast & soil pollution	13	3.3	42.9	0.3	12.87	Wash ballast and rehabilitate to the depth of pollution
<b>TOTALS</b>				<b>85.8</b> Excl. area of slab.		<b>34.32</b>	
<b>Area 2: Staging area</b>							
4) Line 1	Ballast pollution	88	1.6	146.6	0.15	21.99	Ballast washing
5) Line 2	Ballast pollution	31	2	62	0.15	9.3	Ballast washing
6) Line 3	Ballast pollution	31	1	31	0.15	4.65	Ballast washing
7) Line 4	Ballast pollution	30	1	30	0.15	4.5	Ballast washing
8) Line 5	Ballast pollution	100	2	200	0.15	30	Ballast washing
9) Line 6 Part.1	Ballast pollution	56	2	112	0.15	16.8	Ballast washing
Part. 2	Ballast pollution	12	2	24	0.3	7.2	Ballast washing
Part. 3	Soil pollution	31	2	62	0.3	18.6	Rehabilitate soil to depth of pollution
10) Line 7, Part. 1	Ballast pollution	105	2	210	0.15	31.5	Ballast washing
Part. 2	Ballast pollution	62	1	62	0.15	9.3	Ballast washing
11) Line 8, Part. 1	Soil pollution	13	1	13	0.15	1.95	Rehabilitate soil to the depth of pollution
Part.2	Soil pollution	15	1	15	0.3	4.5	Rehabilitate soil to the depth of pollution
Part. 3	Ballast pollution	114	1	114	0.15	17.1	Ballast washing
12) Soil between Lines 7& 8	Soil pollution	11	5	55	0.3	16.5	Rehabilitate soil to the depth of pollution
13) Line 9, Part 1	Ballast & soil pollution	90	1	90	0.15	13.5	Ballast washing & soil rehabilitation

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Part.2	Ballast & soil pollution	3.4	2	6.8	0.3	2.04	Ballast washing & soil rehabilitation
14) Line 10, Part 1	Ballast & soil pollution	15	1	15	0.15	2.25	Ballast washing & soil rehabilitation
Part.2	Ballast & soil	9	1	9	0.3	2.7	Ballast washing & soil rehabilitation
15) Line 11, Part 1	Ballast & soil pollution	4.3	1	4.3	0.15	0.645	Ballast washing & soil rehabilitation
Part.2	Ballast & soil	35	1	35	0.3	10.5	Ballast washing & soil rehabilitation
16) Line 12	Ballast & soil	23	1	23	0.3	6.9	Ballast washing & soil rehabilitation
17) Line 13	Ballast & soil	9	1	9	0.2	1.8	Ballast washing & soil rehabilitation
18) Line 14	Ballast & soil	2	1	2	0.2	0.4	Ballast washing & soil rehabilitation
<b>TOTALS</b>		<b>889.7</b>		<b>1330.7</b>		<b>234.625</b>	
<b>Area 3: Lines between old and new refuelling slabs</b>							
19) Line 1	Ballast pollution	41	1	41	0.15	6.15	Ballast washing
20) Line 2	Ballast pollution	41		41	0.15	6.15	Ballast washing
21) Line to a new refuelling slab	Ballast pollution	41	2	82	0.15	12.3	Ballast washing
22) Soil on southern edge of new refuelling slab	Soil pollution	3.4	1	3.4	0.2	0.68	Rehabilitate soil to the depth of pollution
<b>TOTALS</b>				<b>167.4</b>		<b>25.28</b>	
<b>Area 4: Line from new refuelling site to the Steam Cars depot</b>							
23) Line 1	Ballast pollution	123	1.5	184.5	0.15	27.675	Ballast washing
<b>TOTALS</b>				<b>184.5</b>		<b>27.675</b>	
<b>Area 5: Lines at the Steam Cars depot</b>							
24) Line 1	Ballast pollution	10.3	1	10.3	0.15	1.545	Ballast washing
25) Line 2	Ballast pollution	23	1	23	0.15	3.45	Ballast washing
26) Line 3, Part.1	Ballast & soil pollution	11	1	11	0.15	1.65	Ballast washing & soil rehabilitation
Part.2	Ballast pollution	13	1	13	0.15	1.95	Ballast washing
27) Line starting between points 76 & 77 leading westwards	Ballast pollution	58	2	116	0.15	17.4	Ballast washing
<b>TOTALS</b>				<b>173.3</b>		<b>25.995</b>	

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The total area to be covered in this project is approximately 2 613.7 m<sup>2</sup> . Whilst 1 941.7 m<sup>2</sup> of the total area consists of contaminated ballast and soil that need washing and rehabilitation, the other portion (i.e. 672m<sup>2</sup> ) comprises a concrete slab that needs degreasing and cleaning.

The total volume of all contaminated ballast and soil is approximately 347.895 m<sup>3</sup>.

The approximate number of absorbent mats required at the staging area is determined below:

Approximate total length of lines at staging area requiring absorbent mats as calculated based on contaminated lines = 889.7 metres.

Width to be covered per line = 3 metres

Dimension of absorbent mat needed are:

Length = 100Ft (30.48 metres)

Width = 39 inch (1metre)

Based on the above, the number of absorbent mats is  $(889.7 / 30.48) = 29.19 \times 3 = 87.56 \sim 88$  mats.

Thus the successful Contractor will be required to supply and lay 88 mats on the cleaned up lines. The mats must be of the specifications indicated in above.

## 10 TOLERANCES

All rehabilitated soils, formation layers and ballast must be treated to achieve a maximum Total Petroleum Hydrocarbon (TPH) content not exceeding 1 000 ppm after the achievement of which, the process of rehabilitation will be deemed complete.

To comply with the standard for acceptable rehabilitation, all treated areas shall also be free from excessive visible discoloration or staining and other residual signs of pollution.

## 11 TESTING

It shall be the responsibility of the Contractor to supply the Manager with a report from a certified laboratory proving that a level of pollution less than the

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maximum allowed (< 1000 ppm or mg/kg total TPH) has been achieved in the areas where the Contractor has undertaken rehabilitation.

One test will be required per 300 m<sup>2</sup> rehabilitated. The soil sample must be taken in areas designated by the Manager, in the presence of the Manager and must be preserved, handled and transported according to the approved sampling standard. The sample shall be analysed by an accredited laboratory for TPH using the EPA-IR method.

Sampling at each test point shall be taken as follows:

Composite samples shall be taken at depth intervals of 0 to 300mm, 300 to 500mm, 500 to 1000mm, more than 1000mm (where directed), for each sampling point to the depth of treatment specified.

Samples shall be taken, handled and preserved as described in the specifications for EPA SW-846 or similar.

## **12 MEASUREMENT AND PAYMENT**

The Tenderer shall submit an itemised quotation clearly pricing all measurable activities.

Unless stated to the contrary, prices are deemed to exclude VAT.

Payment for work done will be on an actual basis at the rate per activity as tendered.

### **MEASUREMENTS**

#### **12.1 IN – SITU REHABILITATION**

##### **12.1.1 REHABILITATE POLLUTION TO A DEPTH OF 0 mm to 300 mm - m<sup>3</sup>**

The unit of measurement shall be per cubic metre of polluted soil / formation material rehabilitated, in situ, to a depth of 300mm. The tendered rate shall include all plant, labour and material necessary to temporarily remove and replace the overlying ballast if necessary and rehabilitate both the ballast and any underlying soil or other material within this depth to a Total Petroleum Hydrocarbon content of less than 1 000 parts per million.

In the event of ballast being removed for treatment, this shall be to a maximum depth of 300 mm and shall take place only between sleepers and shall be such that the integrity of the track is not materially affected. Temporary removal of ballast in this manner shall only be permitted if the

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process does not interfere with any other construction or operation process occurring on site.

Treatment of ballast in this manner shall not be construed as ballast washing.

**12.1.2 REHABILITATE POLLUTION TO A DEPTH OF 300 mm to 500 mm  
m<sup>3</sup>**

The unit of measurement shall be per cubic metre of polluted soil / formation material rehabilitated, in situ, to a depth commencing at 300mm below the surface of the ballast or soil and extending down to a depth of 500 mm. The tendered rate shall include all plant, labour and material necessary to rehabilitate any underlying soil or other material within this depth to a Total Petroleum Hydrocarbon content of less than 1 000 parts per million.

No excavation of any material within this layer will be permitted and the entire rehabilitation process shall occur *in – situ*. The rate shall apply irrespective of whether the upper layer has been temporarily removed or not and no guarantee of such removal shall be assumed.

**12.3 BALLAST WASHING OR CLEANING  
m<sup>3</sup>**

The unit of measurement shall be per cubic metre of ballast cleaned and replaced or stockpiled for future reuse. The tendered rate shall include all plant, labour and material necessary to clean the ballast, replace clean ballast where directed, as well as disposal costs for treatment of effluent generated in the process.

**12.4 CLEAN CONCRETE SLAB  
m<sup>2</sup>**

The unit of measurement shall be per square metre of polluted concrete cleaned. The tendered rate shall include all plant, labour and material necessary to clean the concrete, meeting the required definition of rehabilitation.

**12.5 LABORATORY TESTS  
each**

The unit of measurement shall be per sample taken and analysed by an accredited laboratory. The tendered rate shall include all plant, labour, material, transport or any other related costs to take and transport the sample, analysis costs to the required specification and to supply a certified laboratory report which describes the hydrocarbon content after rehabilitation.

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**12.6 REPORTING  
hour**

This item covers the costs for the compilation and writing of the final project report. This includes any reproduction that may be required, as well as all delivery / postage costs.

**12.7 SCHEDULE OF QUANTITIES**

**Table 2. Bloemfontein Locomotive depot**

Item No.	Payment reference	Description	Unit	Qty	Rate	Amount
1.1	12.1.1	Rehabilitate polluted soil 0 to 300 mm deep	m <sup>3</sup>			
1.2	12.1.2	Rehabilitate polluted soil to 300 to 500 mm deep	m <sup>3</sup>			
3	12.2	Clean ballast	m <sup>3</sup>			
4	12.3	Clean concrete slab	m <sup>2</sup>			
5	12.4	Laboratory Tests	each			
6	12.5	Report Writing	hour			
<b>TOTAL</b>						<b>:</b>

**PAYMENT**

All work and services rendered will be measured monthly on the 15th and payment will be made within thirty days thereafter. The Tenderer shall submit an itemised invoice per the items in the Schedule of Prices, supported by a suitable timesheet.

**13 COMMENCEMENT OF WORK**

The proposed works must commence within 5 days of acceptance of the method statement submitted by the Tenderer.

Should the Tenderer fail to commence work timeously when instructed, i.e. within 5 days for proposed works, this shall be regarded as a breach of Contract. Transnet Freight Rail shall then have the right to cancel the contract in respect of the proposed works.

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## **14 TERMINATION OF CONTRACT**

Transnet Freight Rail shall have the right to terminate the above contract on grounds of non-performance, or unsatisfactory performance on the part of the Contractor in the execution of the works.

Termination shall take place only after thorough consideration and due notification of grounds being provided by the Environmental Manager in writing within a specified period.

## **15 STANDING TIME**

This contract makes no provision for the time lost due to rain, inclement weather or any other cause. Any such lost time or productivity shall be to the contractor's account.

## **16 GENERAL REQUIREMENTS**

### **16.1 EMPOWERMENT OF PREVIOUSLY DISADVANTAGED COMMUNITIES**

Tenderers' proposals shall indicate the organisation's contribution to the above, the extent to which Black Economic Empowerment will be advanced within the context of this proposal and the composition of the firm as per Transnet Freight Rail Procurement Policy and Procedures.

### **16.2 QUALIFICATIONS AND EXPERIENCE OF THE CONTRACTOR**

The contract envisaged under this tender will only be awarded to an experienced contractor well conversant with the proposed works.

Tenderers' shall also attach full particulars of their experience in the field, quoting specific references and contact numbers.

Given the responsible nature of the work envisaged under this contract, Transnet Freight Rail reserves the right to award the tender to any contractor of choice, with due regard for a favourable balance between the cost of services, resources available and experience in the relevant field.

The lowest tender may therefore not necessarily be accepted. Unsuccessful Tenderers may be advised on reasons for acceptance or non-acceptance of any tender, without disclosure of any tender prices being given.

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## 17 CONTACTS

The Tenderer is free to approach only the following designated persons for further information with regard to this Contract:

Mr. Sam Fiff  
**Environmental Manager**  
Transnet Freight Rail  
Bloemfontein

Tel: 051 408 2565  
Fax: 011 774 9221  
Cell: 083 2843619  
E-mail [Sam.Fiff@transnet.net](mailto:Sam.Fiff@transnet.net)  
[Livhuwani.Ndou@transnet.net](mailto:Livhuwani.Ndou@transnet.net)

Mr. Livhuwani W. Ndou  
**Environmental Officer**  
Transnet Freight Rail  
Bloemfontein

051 408 2939  
051 408 4487  
083 278 9499

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## SECTION 4

RFQ NO: CRAC-BFX-6072

**THE APPOINTMENT OF THE HYDROCARBON REMOVAL  
SPECIALIST TO REHABILITATE POLLUTION AT  
BLOEMFONTEIN LOCOMOTIVE DEPOT**

RETURNABLE DOCUMENTS

Refer Document attached hereto

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

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

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## SECTION 5

RFQ NO: CRAC-BFX-6072

### THE APPOINTMENT OF THE HYDROCARBON REMOVAL SPECIALIST TO REHABILITATE POLLUTION AT BLOEMFONTEIN LOCOMOTIVE DEPOT

#### SUPPLIER DECLARATION

Refer Document attached hereto

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## Transnet Supplier Declaration/Application

The Financial Director or Company Secretary

Transnet Vendor Management has received a request to load your company on to the Transnet vendor database. Please furnish us with the following to enable us to process this request:

1. Complete the "Supplier Declaration Form" (**SDF**) on page 2 of this letter
2. Copy of cancelled cheque **OR** letter from the bank verifying banking details (**with bank stamp**)
3. **Certified** copy of Identity document of Shareholders/Directors/Members (where applicable)
4. **Certified** copy of certificate of incorporation, CM29 / CM9 (name change)
5. **Certified** copy of share Certificates of Shareholders, CK1 / CK2 (if CC)
6. A letter with the company's letterhead confirming physical and postal addresses
7. **Original** or **certified** copy of SARS Tax Clearance certificate and Vat registration certificate
8. A signed letter from the Auditor / Accountant confirming most recent annual turnover and percentage black ownership in the company **AND/OR** BBBEE certificate and detailed scorecard from an accredited rating agency (ABVA Member).

**NB:**

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

### **IMPORTANT NOTES:**

- a) **If your annual turnover is less than R5 million**, then in terms of the DTI codes, you are classified as an Exempted Micro Enterprise (EME). If your company is classified as an EME, please include in your submission, a signed letter from your Auditor / Accountant confirming your company's most recent annual turnover is less than R5 million and percentage of black ownership and black female ownership in the company AND/OR BBBEE certificate and detailed scorecard from an accredited rating agency (e.g. permanent ABVA Member), should you feel you will be able to attain a better BBBEE score.
- b) **If your annual turnover is between R5 million and R35million**, then in terms of the DTI codes, you are classified as a Qualifying Small Enterprise (QSE) and you claim a specific BBBEE level based on any 4 of the 7 elements of the BBBEE score-card, please include your BEE certificate in your submission as confirmation of your status.  
**NB:** BBBEE certificate and detailed scorecard should be obtained from an accredited rating agency (e.g. permanent ABVA Member).
- c) **If your annual turnover is in excess of R35million**, then in terms of the DTI codes, you are classified as a Large Enterprise and you claim a specific BEE level based on all seven elements of the BBBEE generic score-card. Please include your BEE certificate in your submission as confirmation of your status.  
**NB:** BBBEE certificate and detailed scorecard should be obtained from an accredited rating agency (permanent ABVA Member).
- d) **To avoid PAYE tax being automatically deducted from any invoices received from you**, you must also contact the Transnet person who lodged this request on your behalf, so as to be correctly classified in terms of Tax legislation.
- e) Unfortunately, **No payments can be made to a vendor** until the vendor has been registered, and no vendor can be registered until the vendor application form, together with its supporting documentation, has been received and processed.
- f) **Please return the completed Supplier Declaration Form (SDF) together with the required supporting documents mentioned above to the Transnet Official who is intending to procure your company's services/products in order that he/she should complete and Internal Transnet Departmental Questionnaire before referring the matter to the appropriate Transnet Vendor Master Office.**

Respondent's signature

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Date and company stamp



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

## Supplier Declaration Form

Company Trading Name							
Company Registered Name							
Company Registration Number Or ID Number If A Sole Proprietor							
Form of entity	CC	Trust	Pty Ltd	Limited	Partnership	Sole Proprietor	
VAT number (if registered)							
Company Telephone Number							
Company Fax Number							
Company E-Mail Address							
Company Website Address							
Postal Address						Code	
Physical Address						Code	
Contact Person							
Designation							
Telephone							
Email							
Annual Turnover Range (Last Financial Year)		< R5 Million		R5-35 million		> R35 million	
Does Your Company Provide		Products		Services		Both	
Area Of Delivery		National		Provincial		Local	
Is Your Company A Public Or Private Entity				Public		Private	
Does Your Company Have A Tax Directive Or IRP30 Certificate		Yes		No			
Main Product Or Service Supplied (E.G.: Stationery/Consulting)							

### BEE Ownership Details

% Black Ownership	% Black women ownership	% Disabled person/s ownership
Does your company have a BEE certificate	Yes	No
What is your broad based BEE status (Level 1 to 8 / Unknown)		
How many personnel does the firm employ	Permanent	Part time

Name of person procuring your services/products	
Contact number	
Transnet operating division	

### Duly Authorised To Sign For And On Behalf Of Firm / Organisation

Name		Designation	
Signature		Date	

### Stamp And Signature Of Commissioner Of Oath

Name		Date	
Signature		Telephone No.	

Respondent's signature

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Date and company stamp



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

## Internal Transnet Departmental Questionnaire (for office use only)

**NB:** "Once-off vendor" will only be created for extraordinary circumstances, i.e. derailments and other emergency situations. Note that only one (1) purchase order must be created against a "once-off vendor". Should the need arise to use a "once-off vendor" again, then an updated SDF together with the required documentation, is required for a "trade vendor" to be created

### Section 1: To be completed by the Transnet Requesting / Sourcing Department

Vendor Name \_\_\_\_\_ Vendor Number \_\_\_\_\_

TFR	TRE	TPT	TPL	TNPA	TCP	TRN
Create	Unblock	Amend	Extend	Once-Off / Emergency Request		

Supplier's trading name \_\_\_\_\_

Supplier's registered name \_\_\_\_\_

Please indicate if the Supplier has a contract with sourcing Transnet OD  Yes  No

If yes please submit / furnish details of such a contract (together with the SDF)

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

i. Products only	<input type="checkbox"/> Yes <input type="checkbox"/> No
ii. Services only	<input type="checkbox"/> Yes <input type="checkbox"/> No
iii. Labour only	<input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Mix of services and products	<input type="checkbox"/> Yes <input type="checkbox"/> No
v. Mix of services and labour	<input type="checkbox"/> Yes <input type="checkbox"/> No

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

Yes  No

c) If your reply to (b) is **"NO"**, please furnish reasons : \_\_\_\_\_

d) Advise on the Detailed Procurement Process (DPP) / Procurement Mechanism that was followed (Please also take into consideration the revised P2P value/strategy as set out in the Weekly News Bulletin dated 6 October 2008 on the Intranet)

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

### Section 2: To be completed by the BEE Department (this section is for Confirmation/Determining of BEE Status)

NARROW BASED (NB)				BROADBASED (BBBEE)				
BEE O/S	BWBE	DPBE	MR	CONTR. LEVEL	EME: <R5m	QSE: >R5m <R35m	LARGE: >R35m	VALIDITY DATE

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

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



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

**Section 3: To be completed by Supplier Management**

I hereby approve  disapprove  this application

Name	Grade	Date								Signature
		Y	Y	Y	Y	M	M	D	D	
Vendor Number	Date captured on SAP								Recon Account	

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## SECTION 6

RFQ NO: CRAC-BFX-6072

**THE APPOINTMENT OF THE HYDROCARBON REMOVAL  
SPECIALIST TO REHABILITATE POLLUTION AT  
BLOEMFONTEIN LOCOMOTIVE DEPOT**

GENERAL TENDER CONDITIONS OF CONTRACT (CSS5 – SERVICES)

**Refer Document attached hereto**

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## SECTION 7

RFQ NO: CRAC-BFX-6072

### THE APPOINTMENT OF THE HYDROCARBON REMOVAL SPECIALIST TO REHABILITATE POLLUTION AT BLOEMFONTEIN LOCOMOTIVE DEPOT

STANDARD TERMS AND CONDITIONS OF CONTRACT (US7 –  
SERVICES)

Refer Document attached hereto

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## SECTION 8

RFQ NO: CRAC-BFX-6072

### THE APPOINTMENT OF THE HYDROCARBON REMOVAL SPECIALIST TO REHABILITATE POLLUTION AT BLOEMFONTEIN LOCOMOTIVE DEPOT

#### NON-DISCLOSURE AGREEMENT

Refer Document attached hereto

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## SECTION 9

RFQ NO: CRAC-BFX-6072

### THE APPOINTMENT OF THE HYDROCARBON REMOVAL SPECIALIST TO REHABILITATE POLLUTION AT BLOEMFONTEIN LOCOMOTIVE DEPOT

#### SUPPLIER CODE OF CONDUCT

Refer Document attached hereto

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# Suppliers Code of Conduct

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## Suppliers Code of Conduct

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

These are:

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

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

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

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

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

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



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

Employees may not receive anything that is calculated to:

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

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

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

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

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

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



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These include, but are not limited to:

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

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

### Conflict of Interest

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

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



Show that you support good business practice by logging onto [www.transnet-suppliers.net](http://www.transnet-suppliers.net) and completing the form.

This will allow us to confirm that you have received, and agree to, the terms and conditions set out in our Suppliers Code of Conduct.

**TIP-OFFS ANONYMOUS HOTLINE  
0800 003 056**

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Respondent's signature

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Date and company stamp



PRIEVIEW COPY ONLY

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Respondent's signature

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