



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

REQUEST FOR QUOTATION (“RFQ”)

RFQ NUMBER CRAC-VAR-06587

APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE/SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/TREATMENT STRATEGY THERE-OFF

ISSUE DATE : 17 AUGUST 2010
CLOSING DATE : 31 AUGUST 2010
OPTION DATE : 28 NOVEMBER 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.

Respondent's signature 1

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

“PREVIEW COPY ONLY”



SECTION 1

RFQ NO: HOAC-JHB-06587

APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE/SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/TREATMENT STRATEGY THERE-OFF

NOTICE TO BIDDERS

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

On or after 17/08/2010 the RFQ documents may be inspected at, and are obtainable from the office of TRANSNET Freight Rail Tender Advice Centre, Inyanda 1, Ground Floor, 21 Wellington Road, Parktown.

A non-refundable tender fee of R100.00 (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.

For specific queries before the closing of the RFQ, the following Transnet employee may be contacted by e-mail only:

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

Tenders in duplicate 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-VAR-06587
Description	: APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE/SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/TREATMENT STRATEGY THERE-OFF.
Closing date and time	: 31 AUGUST 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**

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**

- Please note that this RFQ closes punctually at 10:00 on Tuesday 31 August 2010
- If responses are not posted or delivered as stipulated herein, such responses will not be considered and will be treated as "UNRESPONSIVE".
- NO EMAIL OR FACSIMILE RESPONSES WILL BE CONSIDERED
- The responses to this RFQ will be opened as soon as practicable after the expiry of the time advertised for receiving them.
- 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.
- Envelopes must not contain documents relating to any RFQ other than that shown on the envelope.
- 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.

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



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>Turnover: 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>DTI BBBEE UNIQUE PROFILE NUMBER:</p> <p>.....</p>

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.



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 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:	_____

**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: HOAC-JHB-06587

APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE/SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/TREATMENT STRATEGY THERE-OFF

REQUISITION FOR QUOTATION

Refer Document attached hereto

“PREVIEW COPY ONLY”



REQUISITION FOR QUOTATION

SUPPLY CHAIN SERVICES

Contact: Gladys
Tel: (011) 584-0597

MESSRS:

.....

.....

.....

Tel (011)
Fax (011)

ISSUE DATE 17-08-2010

CLOSING DATE 31-08-2010 (10h00)

Prices in South African currency, including all costs.			
Direct to consignees			
ITEM NO:	DESCRIPTION		Price
1.	Appointment of a specialist to conduct volumetric survey of Ballast waste/spoil and assess the pollution condition of ballast waste on the coal line between Black Hill and Richards Bay to inform the disposal/treatment strategy there-off		
Total price for the project			
2.Prices must be V.A.T. exclusive			
3. Direct delivered to:	Transnet Freight Rail (Richards Bay & Black Hill)		
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

SIGNATURE OF TENDERER: _____ **Date:** _____



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

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.Total Price for the service

7.2."Technical"

7.2.1.Previous Experience

7.2.2. Ability to conduct survey

7.3."BBBEE"

7.3.1.Provide BBBEE level Certification



COMPANY INFORMATION

9. STATEMENT OF WORK (S) SUCCESSFULLY CARRIED OUT BY THE TENDERER:

Tenderers are to advise which other companies have they successfully provided or are currently providing similar services.

Service Description	For whom done	Period	Contact person and Telephone or Cell number

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SIGNATURE OF TENDERER:

Date: _____



SECTION 3

RFQ NO: HOAC-JHB-06587

APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE/SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/TREATMENT STRATEGY THERE-OFF

SCOPE OF WORK

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GENERAL SPECIFICATION :

TERMS OF REFERENCE

APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/ TREATMENT STRATEGY THERE-OFF

1. PURPOSE OF THE CONTRACT

The purpose of the contract is for the appointment of a volumetric surveyor to conduct a survey of the Transnet Freight Rail (TFR) coal line between Blackhill and Richards Bay and to quantify the volume and assess the polluted condition of ballast waste disposed of in stockpiles along the line in order to inform Transnet's strategy for legal declaration, disposal or treatment of the ballast waste.

2. BACKGROUND

2.1 Transnet yearly generates copious volumes of ballast waste in the maintenance of its rail formation countrywide. The coal line alone (600 kilometres), yearly replaces ballast waste removed with 70 000m³ of newly crushed ballast stone.

2.2 Ballast refers to the specially crushed granite rock used to support the steel in the railway lines. During operation, this ballast gets crushed further in situ due to the movement of trains on the railway line. As the ballast stone moves, friction crushes it further until it no longer provides the support and drainage function it should. The ballast also gets contaminated with the leakage of product transported leaking from rail wagons, windblown dust and soil washed in during rain events. Hydrocarbon contamination from leaking locomotives also adds to the pollution.

3. SCOPE OF WORK

In summary, the surveyor will be expected to deliver on the following outcome:



- 3.1 Conduct a trip on the service road along the railway line from Blackhill to Richards Bay. and quantify the volume of ballast waste in stockpiles on both sides along the line as well as in stations.
- 3.2 Identify, map and quantify the accumulated ballast waste scattered and stockpiled on both sides of the railway line as well as in stations between Blackhill and Richards Bay.
- 3.3 Stockpiles shall be identified using the mastpole identification numbers on the overhead electrical mastpoles and Left or Right hand sides of the line.
- 3.4 Achieve the classification of the ballast waste through chemical analyses by an accredited laboratory to inform the waste classification for consideration in treatment or disposal strategies options available to Transnet.
- 3.5 Conduct a benchmarking exercise and propose feasible recommendations on the future management of ballast waste and ballast spoil in TRF Operations.

4. DELIVERABLES

As part of the outcome, the following information shall be supplied to TFR on completion of the volumetric survey:-

4.1 Volumetric Survey Report

- A report detailing the volume of ballast waste disposed of in scattered stockpiles between Blackhill and Richards Bay including the deviations of the line.
- The information shall be presented to TFR in sections between Blackhill and Ermelo, Ermelo and Vryheid, Vryheid and Richards Bay. Information shall be further separated between the stations on the line.

4.2 Waste Classification



- The report shall contain waste classification information informed through chemical analyses of the waste by accredited laboratories, including chemical leaching analyses, TCLP tests.

4.3 Ballast Waste Management Strategies

- The report shall contain information on ballast waste management strategies and options available to Transnet Freight Rail, informed through benchmarking with other railway companies and best practice.

5. PROJECT REQUIREMENTS

5.1 The successful service provider shall have the experience and track record in the following areas:

- Undertaking of volumetric studies and good statistical acumen;
- Interpretation and analysis of Laboratory results;
- Waste Management and development of strategies;
- Report writing and presentation

6. PROJECT TIMELINES

The successful bidder would be expected to submit to TFR, deliverables within 2 months from date of tender award.

7. TENDER MOTIVATION AND PROPOSAL

In motivating for the tender, prospective service providers shall supply TFR with the following information:

- Costing;
- Time frame;
- Experience in the undertaking of similar assessments.

8. TO BE SUPPLIED BY TRANSNET

If required, the successful tenderer shall be taken on a trolley trip between Blackhill and Richards Bay to assist in the execution of the scope of work.



SECTION 4

RFQ NO: HOAC-JHB-06587

APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE/SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/TREATMENT STRATEGY THERE-OFF

RETURNABLE DOCUMENTS

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Refer Document attached hereto

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

	Returnable Schedules / Documents	YES/NO/N/A	
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	



SECTION 5

RFQ NO: HOAC-JHB-06587

APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE/SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/TREATMENT STRATEGY THERE-OFF

SUPPLIER DECLARATION FORM

Refer Document attached hereto

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SECTION 6

RFQ NO: HOAC-JHB-06586

**APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF
BALLAST WASTE/SPOIL ON THE COAL LINE AND INFORM THE POLLUTION
CLASSIFICATION FOR DISPOSAL/TREATMENT/
EXEMPTION PURPOSE**

GENERAL TENDER CONDITIONS OF CONTRACT (CSS5 – SERVICES)

Refer Document attached hereto

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SECTION 7

RFQ NO: HOAC-JHB-06587

APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE/SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/TREATMENT STRATEGY THERE-OFF

STANDARD TERMS AND CONDITIONS OF CONTRACT (US7 – SERVICES)

Refer Document attached hereto

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SECTION 8

RFQ NO: HOAC-JHB-06587

APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE/SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/TREATMENT STRATEGY THERE-OFF

NON DISCLOSURE AGREEMENT

Refer Document attached hereto

“PREVIEW COPY ONLY”



SECTION 9

RFQ NO: HOAC-JHB-06587

APPOINTMENT OF A SPECIALIST TO CONDUCT VOLUMETRIC SURVEY OF BALLAST WASTE/SPOIL AND ASSESS THE POLLUTION CONDITION OF BALLAST WASTE ON THE COAL LINE BETWEEN BLACKHILL AND RICHARDS BAY TO INFORM THE DISPOSAL/TREATMENT STRATEGY THERE-OFF

SUPPLIER CODE OF CONDUCT

Refer Document attached hereto

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TRANSNET



delivering on our commitment to you

Suppliers Code of Conduct

“PREVIEW COPY ONLY”



Suppliers Code of Conduct

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

These are:

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

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

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

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

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

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





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

Employees may not receive anything that is calculated to:

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

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

Transnet is firmly committed to free and competitive enterprise.

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

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

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



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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 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