



PART T1: TENDERING PROCEDURES

T1.1 TENDER NOTICE AND INVITATION TO TENDER

TENDER NO. S.I.T 10013 CIDB

Transnet Limited trading as Transnet Freight Rail (the employer) invites tenders for the SUPPLY, INSTALLATION AND COMMISSIONING OF AN OPTICAL FIBRE ROUTE: UNION - GERMISTON – KASERNE.

Tenderers should have a CIDB contractor grading designation of 4EE or higher. Potentially emerging enterprises who satisfy criteria stated in the Tender Data may submit tender offers. Only tenderers, who are registered with the CIDB, are eligible to submit tenders.

The physical address for collection of tender documents is:

Transnet Freight Rail
Tender Advice Centre, ASO Central Region
21 Wellington Road
Ground Floor
Parktown

Tender documents may be collected during working hours after 8.00 on 20 July 2010 and will only be available until **15:00** on **6 August 2010**.

On payment of an amount of R250.00 (per set) to be made to Transnet Freight Rail at the Standard Bank, account number 203158598, branch code 4805, ref no. S.I.T 10013 CIDB. The official Bank receipt(s) franked with the official Bank stamp to be provided with the collection of a tender document. This amount is not refundable. No tenders will be sold after 15:00 on 6 August 2010 deadline.

Queries relating to the administrative issues of these documents may be addressed to:

Ms. Helena Mauger
Tel No. 011-584-0604
Fax No. 011-773 7717
E mail: Helena.Mauger@transnet.net

or

Mr. A.P. Erasmus
Tel: no. 011-584-9231
Fax no. 011 308 3867



Queries relating to technical information may be addressed to:

Mr. Frans Nel

Tel No: 011-773-8853 or cellular 083-286-5074

E mail: Francois.Nel@transnet.net

A compulsory site meeting is not deemed necessary.

Transnet reserves the right to accept the whole or any part of a tender. Transnet also reserves the right to negotiate terms and conditions with all, or a short-listed group of contenders, or the preferred Tenderer, should it be deemed necessary.

This tender closes punctually at **10h00 on Tuesday, 10 August 2010.**

Tenders may only be submitted on the tender documentation that is issued.

Tenderers are warned that a tender will be liable to disqualification should any attempt be made by a Tenderer either directly or indirectly to canvass any officer(s) or employees of Transnet Limited in respect of a tender between the date the tender is submitted and the date of the award. A Tenderer may, however, at any time communicate with the Chairperson of the Transnet Freight Rail Acquisition Council, at telephone no. 011 544-9486 on any matter relating to his tender.

Envelopes must not contain documents relating to any tender other than that shown on the envelope. *No slips are to be attached to the tender documents. Any additional conditions must be embodied in an accompanying letter. Alterations, additions or deletions must not be made by the Tenderer to the actual tender documents.* Tenders submitted by Tenderers must be neatly bound and the inclusion of loose documents must be avoided.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

Compliance of tender(s) with Transnet's requirements is the sole responsibility of the Tenderer and any costs incurred in subsequent modifications to or replacement of equipment accepted by Transnet Limited in good faith on the grounds of certified compliance with specified standards by the contractor and in fact found to be inadequate in such respects, will be to the relevant Tenderer's account



BROAD-BASED BLACK ECONOMIC EMPOWERMENT (BBBEE)

Transnet fully endorses and supports the Government's Broad-based Black Economic Empowerment Programme and it is strongly of the opinion that all South African Business Enterprises have an equal obligation to redress the imbalances of the past.

Transnet will therefore prefer to do business with local business enterprises who share these same values. Transnet consequently urges Respondents (large enterprises and QSE's - see below) to have themselves accredited by any one of the various Accreditation Agencies available, who do their BBBEE ratings in accordance with the latest Codes (i.e. those promulgated on 9 February 2007) and whose names appear on the present ABVA (Association of BEE Verification Agencies) – "List of Full Members" as displayed on the ABVA website (www.abva.co.za).

Although no agencies have been accredited, as yet, by SANAS (SA National Accreditation System), Transnet will, in the interim, accept rating certificates of Respondents who have been verified by any of the listed accreditation agencies.

1.1.1 Enterprises will be rated by such accreditation agencies based on the following:-

1. Large Enterprises (i.e. annual turnover >R35million):

- Rating level based on all seven elements of the BBBEE scorecard.

2. Qualifying Small Enterprises – (QSE) (i.e. annual turnover >R5million but <R35million):

- Rating based on any four of the elements of the BBBEE scorecard.

3. Emerging Micro Enterprises – (EME) (i.e. annual turnover <R5m) are exempted from being rated/verified):

- Automatic rating of Level 4 BBBEE irrespective of race of ownership, i.e. 100% BBBEE recognition.
- Black ownership >50% or Black Women ownership >30% automatically qualifies as Level 3 BBBEE, i.e. 110% BBBEE recognition.
- EME's should only provide documentary proof of annual turnover (i.e. audited financials) plus proof of Black Ownership >50% or Black Woman ownership >30%.

In view of the high emphasis which Transnet places on Broad-based Black Economic Empowerment, Transnet will allow certain preference points for BBBEE in the evaluation of all responses. Depending upon the value of the ensuing business award (i.e. below or in excess of R2m), the 80/20 or 90/10 point preference systems will be utilized where BBBEE will count out of 20 or 10 respectively in the evaluation process.



1.1.2 In addition to the above, Respondents who wish to enter into a Joint Venture or subcontract portions of the contract to BBBEE companies, must state in their Proposals the percentage of the total contract value that will 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 subcontractor/s, as well as a breakdown of the distribution of the aforementioned percentage must also be furnished.

1.1.3 Each Respondent is required to furnish proof of the above to Transnet. Failure to do so will result in a score of zero being allocated for BBBEE. QSE and Large Enterprises must provide their BBBEE certificate and detailed scorecard. EME's must provide confirmation from their Auditor/Accounting Officer confirming their latest annual turnover and black ownership.

Turnover: Kindly indicate your company's annual turnover for the past year? R_____

If annual turnover <R5m, please attach audited financials.

If annual turnover >R5m please attach accreditation certificate by an ABVA accreditation agency (registered as a "Full Member")

Transnet at its sole discretion may decide to allow certain price preferences in order to uplift the historically disadvantaged in terms of the PPPFA (Act 5 of 2000).

Transnet insists on honesty and integrity beyond reproach at all times and will not tolerate any form of improper influencing, bribery, corruption, fraud, or any other unethical conduct on the part of bidders/Transnet employees. If, in the opinion of Transnet's Chief Operating Officer, a tenderer/contractor/supplier has or has caused to be promised, offered or given to any Transnet employee, any bribe, commission, gift, loan, advantage or other consideration, Transnet shall be entitled to revoke the tender / contract by following its internal policies that govern the Exclusion process. In such an event Transnet will be entitled to place any Tenderer/Contractor/Supplier who has contravened the provisions of Transnet's business ethics on its List of Excluded Tenderers. This List will also be distributed to all other State Owned Enterprises and Government Departments.

Transnet invites its valued suppliers to report any allegations of fraud, corruption or other unethical activities to Transnet Tip-offs Anonymous, at any of the following addresses/contract numbers :-

- **Toll free anonymous hotline – 0800 003 056**
- **Email – Transnet@tip-offs.com**
- **Fax number – 0800 007 788**
- **Freepost DN 298, Umhlanga Rocks, 4320**

Confidentiality is guaranteed.



“PREVIEW COPY ONLY”