

**TRANSNET FREIGHT RAIL,**

a division of **TRANSNET SOC LTD**

Registration Number 1990/000900/30

[hereinafter referred to as **Transnet**]

**REQUEST FOR QUOTATION [RFQ] No BLE 3023/2019**

**RFQ FOR THE CALIBRATION POSITIVE DISPLACEMENT METRES IN DIFFERENT AREAS WITHIN SWTARKOPS; CAMBRIDGE; VOORBAAI; WORCESTER; BELLVILLE; SALADANAH; KLAWER; UPPINGTON; SISHEN; BEACONSFIELD; BLOEMFONTEIN; DE AAR**

**ISSUE DATE: 25 OCTOBER 2019**  
**CLOSING DATE: THURSDAY, 07 NOVEMBER 2019**  
**CLOSING TIME: 10:00**  
**VALIDITY PERIOD: 20 MARCH 2020 (90 Working Days)**

**PREQUALIFICATION CRITERIA - ONLY RESPONDENTS FALLING IN THE FOLLOWING CATEGORIES MAY RESPOND TO THIS RFP:**

- **BBBEE STATUS LEVEL 4 OR BETTER (1 BEING BETTER)**

**Section 1****NOTICE TO BIDDERS**

Responses to this RFQ [hereinafter referred to as a **Bid** or a **Proposal**] are requested from persons, companies, close corporations or enterprises [hereinafter referred to as an **Entity, Respondent** or **Bidder**].

<b>DESCRIPTION</b>	<b>RFQ FOR THE CALIBRATION POSITIVE DISPLACEMENT OF FLOWMETERS IN DIFFERENT AREAS WITHIN SWARTKPOS, CAMBRIDGE, VOORBAAI, WORCESTER, BELLVILLE, SALDANAH, KLAVER, UPPINGTON, SISHEN, BLOEMFONTEIN &amp; DE AAR</b>
<b>COLLECTION / INSPECTION OF DOCUMENTS</b>	<p>The document will be available on the NT eTender portal from <b>28 October 2019</b> until <b>06 November 2019</b>.</p> <p>If Bidders intend to download the bid off the Portal, they are required to indicate their intention to respond to this bid by <b>06 November 2019</b> by sending an email with their contact details to the following address: <a href="mailto:Susan.DeJongh@transnet.net">Susan.DeJongh@transnet.net</a>. This is to ensure that any required communication (e.g. addenda to the bid) in relation to this bid reaches those intending to respond.</p> <p><i>NOTE - Transnet will not be held liable if Bidders do not respond by this date and do not receive the latest information regarding this Bid as a result thereof.</i></p>
<b>BIDS COLLECTED FROM TFR TENDER OFFICE</b>	<p>If a bidder requires a hard copy bid document, the following steps apply:</p> <ol style="list-style-type: none"> <li>i. <b>Pay a R100 bid fee</b> Account Name: Transnet Freight Rail Account: Standard Bank Account number: 203158598 Branch code: 004805 Reference: <b>BLE 3023/2019</b></li> <li>ii. <b>Make arrangements</b> to collect the bid document. Prior arrangements must be made one (1) day in advance and the bid document may be collected between <b>09:00</b> and <b>15:00</b> from <b>28 October 2019</b> until <b>06 November 2019</b>.</li> <li>iii. <b>06 November 2019</b>.</li> <li>iv. <b>Collect</b> the RFQ from the following address, bringing along proof of payment <b>THE CHAIRPERSON, TRANSNET FREIGHT RAIL, ACQUISITION COUNCIL, TRANSNET PARK BUILDING, 1<sup>ST</sup> FLOOR, ROBERT SOBUKWE ROAD, BELLVILLE 7535</b></li> <li>v. The last day this document can be collected from the TFR office is</li> <li>vi. <b>06 November 2019</b></li> </ol>
<b>CLOSING DATE</b>	<p><b>10:00 on Thursday 07 November 2019</b> This bid shall close punctually at the following address: <b>The Chairperson, Transnet Freight Rail Acquisition Council, Transnet Park Building, Ground Floor, Robert Sobukwe Road, Bellville, 7535 OR The Secretariat, Acquisition Council, Ground Floor, Salkor Building, Orex Road, Saldanha, 7395.</b></p> <p>As a general rule, if a bid is late or delivered to the incorrect address, it will not be accepted for consideration.</p>
<b>VALIDITY PERIOD</b>	<p><b>90 Business Days from Closing Date</b> <b>End of validity period: 20 March 2020</b></p> <p><i>NOTE - Bidders may be requested to extend the validity period of their bid, on the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be deemed to remain valid until a final contract has been concluded.</i></p> <p><i>With regard to the validity period of short-listed bidders, please refer to Section 1, paragraph</i></p>

**1 Responses to RFQ**

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

**2 Broad-Based Black Economic Empowerment [B-BBEE]**

Transnet fully endorses and supports the Government's Broad-Based Black Economic Empowerment Programme and it would therefore prefer to do business with local business enterprises who share these same values. As explained in more detail in the B-BBEE Claim Form (Section 6), Transnet will award preference points to companies who provide proof of their B-BBEE status using either the latest version of the generic Codes of Good Practice or Sector Specific Codes (if applicable).

Given the estimated value of the bid, the **80/20** system shall be applicable.

Respondents are required to complete Section 6 and submit it together with valid proof of their B-BBEE Status as stipulated in the Claim Form in order to obtain preference points for their B-BBEE status.

Respondents are required at all times to comply with the latest B-BBEE legislation and/or instruction notes as issued from time to time by the DTI.

**Note: Failure to submit valid and original (or certified copy of) proof of the Respondent's compliance with the B-BBEE requirements stipulated in Section 6 of this RFQ (the B-BBEE Preference Points Claim Form) at the Closing Date of this RFQ, will result in a score of zero being allocated for B-BBEE.**

**3 PREQUALIFICATION****3.1 B-BBEE Status Level 4 or better (1 being better)**

Transnet has set a prequalification criterion that only BBBEE Status Level 4 or better (1 being better) may participate in this RFQ process. A bid that fails to meet this pre-qualifying criterion will be regarded as an unacceptable bid.

**3.2 Prequalification criteria for Preferential Procurement**

Respondents are to note that they are eligible to participate in this RFQ should they meet one or more of the prequalification criteria for preferential procurement stipulated in paragraphs 2.1

**4 COMMUNICATION**

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

For specific queries relating to this RFQ (prior to the tender closing), the tender administrator can be contacted directly, while also informing the secretary of the Acquisition Council of the communication.

**Tender Administrator**

Name: Mandisa Liwani                      Email: Mandisa.Liwani@transnet.net  
Telephone: 021 940 1840  
and

**Secretary of the Acquisition Council**

Name: Susan DeJongh                      Email: SusanDeJongh@transnet.net

Telephone: 021 940 3340

After the closing date of the RFQ, a Bidder may only communicate with the Rail Secretariat of the Transnet Freight Rail Acquisition Council, on any matter relating to its RFQ Proposal.

**Name:** Susan DeJongh                      **Email:** Susan.DeJongh@transnet.net  
**Telephone:** 021 940 3340

## 5 Legal Compliance

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

## 6 Changes to Quotations

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

## 7 Pricing

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

## 8 Prices Subject to Confirmation

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

## 9 Binding Offer

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

## 10 Disclaimers

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 Proposals. In particular, please note that Transnet reserves the right to:

- 10.1 modify the RFQ's goods / service(s) and request Bidders to re-bid on any changes;
- 10.2 reject any Quotation which does not conform to instructions and specifications which are detailed herein;
- 10.3 disqualify Quotations submitted after the stated submission deadline;
- 10.4 not necessarily accept the lowest priced Quotation or an alternative bid;
- 10.5 reject all Quotations, if it so decides;
- 10.6 place an order in connection with this Quotation at any time after the RFQ's closing date;
- 10.7 award only a portion of the proposed goods / service/s which are reflected in the scope of this RFQ;
- 10.8 split the award of the order/s between more than one Supplier/Service Provider should it at Transnet's discretion be more advantageous in terms of, amongst others, cost or developmental considerations;
- 10.9 make no award at all;
- 10.10 validate any information submitted by Bidders in response to this bid. This would include, but is not limited to, requesting the Bidders to provide supporting evidence. By submitting a bid, Bidders hereby irrevocably grant the necessary consent to Transnet to do so;

- 10.11 request audited financial statements or other documentation for the purposes of a due diligence exercise;
- 10.12 not accept any changes or purported changes by the Bidder to the bid rates after the closing date and/or after the award of the business, unless the contract specifically provides for it;
- 10.13 award the business to the next highest ranked bidder, should the preferred bidder fail to sign or commence with the contract within a reasonable period after being requested to do so, provided that the preferred bidder is still prepared to provide the required goods at the quoted price.
- Under such circumstances, the validity of the bids of the next ranked bidder(s) will be deemed to remain valid, irrespective of whether the next ranked bidder(s) were issued with a Letter of Regret. Bidders may therefore be requested to advise whether they would still be prepared to provide the required goods at their quoted price, even after they have been issued with a Letter of Regret;
- 10.14 not clarify the price as submitted in case of arithmetical errors, given time restrictions;
- 10.15 cancel the contract and/or place the Bidder on Transnet's list of Restricted Suppliers, should a contract be awarded on the strength of information furnished by the Bidder, which after conclusion of the contract, is proved to have been incorrect;
- 10.16 award business to the highest scoring bidder/s unless objective criteria justifies the award to another bidder; and/or
- 10.17 undertake post-tender negotiations [PTN] with selected Bidders or any number of short-listed Bidders. Such PTN can include, at Transnet's option, any evaluation criteria listed in this RFQ document. In the event of any Bidder being notified of such short-listed/preferred bidder status, his bid, as well as any subsequent negotiated best and final offers (BAFO), will automatically be deemed to remain valid during the negotiation period and until the ultimate award of business.

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

## **11 Specification/Scope of Work**

Refer to Section 3 (PRICE SCHEDULE) more detailed

## **12 Legal review**

A Proposal submitted by a Respondent will be subjected to review and acceptance or rejection of its proposed contractual terms and conditions by Transnet's Legal Counsel, prior to consideration for an award of business.

## **13 National Treasury's Central Supplier Database**

Respondents are required to self-register on National Treasury's Central Supplier Database (CSD), which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. Transnet is required to ensure that price quotations are invited and accepted from prospective bidders listed on the CSD. Business may not be awarded to a Respondent who has failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD. The CSD can be accessed at <https://secure.csd.gov.za/>. Details on CSD registration to be provided in Section 7 (Tax Compliance Status).

**14 Protection of Personal Data**

In responding to this bid, Transnet acknowledges that it may obtain and have access to personal data of the Respondents. Transnet agrees that it shall only process the information disclosed by Respondents in their response to this bid for the purpose of evaluating and subsequent award of business and in accordance with any applicable law. Furthermore, Transnet will not otherwise modify, amend or alter any personal data submitted by Respondents or disclose or permit the disclosure of any personal data to any Third Party without the prior written consent from the Respondents. Similarly, Transnet requires Respondents to process any personal information disclosed by Transnet in the bidding process in the same manner. The detailed mutual duties of Transnet and the Respondents to protect personal information is contained in paragraph 37 of the General Bid Conditions.

**Transnet urges its clients, suppliers and the general public to report any fraud or corruption to**

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

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 SWTARKOPS; CAMBRIDGE; VOORBAAI; WORCESTER; BELLVILLE; SALDANAH; KLAWER;  
 UPPINGTON; SISHEN; BEACONSFIELD; BLOEMFONTEIN; DE AAR**

**CLOSING VENUE: THE SECRETARIAT, TRANSNET ACQUISITION COUNCIL, GROUND FLOOR,  
 TRANSNET PARK BUILDING, ROBERT SOBUKWE ROAD, BELLVILLE OR THE SECRETARIAT,  
 ACQUISITION COUNCIL, GROUND FLOOR, SALKOR BUILDING, OREX ROAD, SALDANAH, 7395**

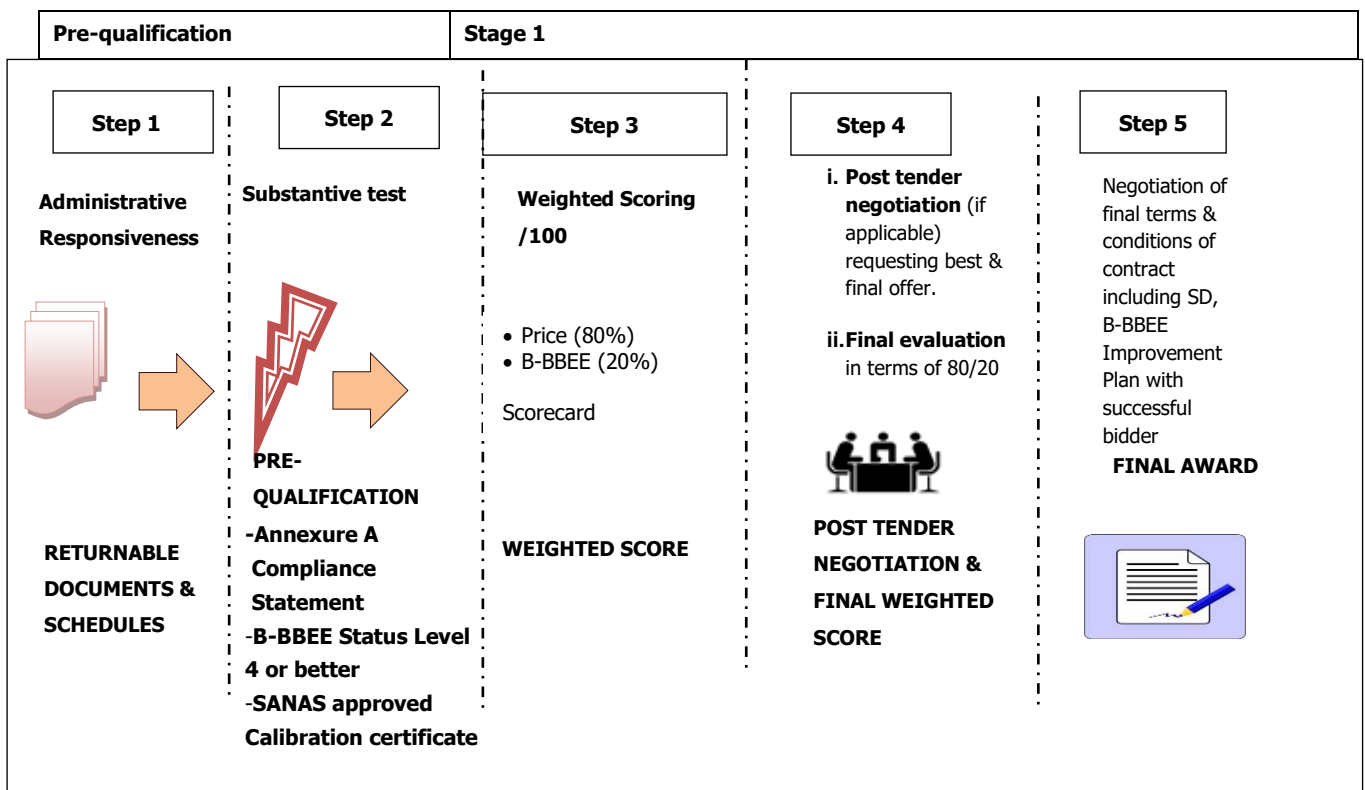
**CLOSING DATE & TIME: THURSDAY 07 NOVEMBER AT 10:00**

**VALIDITY PERIOD: 20 MARCH 2020**

**SECTION 2  
 EVALUATION CRITERIA AND RETURNABLE DOCUMENTS**

**1 EVALUATION METHODOLOGY**

Transnet will utilise the following methodology and criteria in selecting a preferred Supplier/s, if so required:



NB: Evaluation of the various stages will normally take place in a sequential manner. However, in order to expedite the process, Transnet reserves the right to conduct the different stages of the evaluation process in parallel. In such instances, the evaluation of bidders at any given stage must not be interpreted to mean that bidders have necessarily passed any previous stage(s).

## 2 Evaluation Criteria

Transnet will utilise the following criteria [not necessarily in this order] in choosing a Supplier/Service Provider, if so required:

<b>Criterion/Criteria</b>	<b>Explanation</b>
<b>Administrative responsiveness</b>	<ul style="list-style-type: none"> <li>• Submission of Mandatory Documents / Schedules</li> <li>• Submission of Essential Documents / Schedules</li> <li>• Submission of other Documents / Schedules</li> <li>• All pages of the bid submission is signed by the Bidder</li> </ul>
<b>Substantive responsiveness</b>	<ul style="list-style-type: none"> <li>• Whether the Bid conforms to all the terms, conditions, scope and/or specification of the bid document/s without material deviations or qualifications.</li> <li>• Whether the supplier is registered on the NT Central Supplier Database (CSD)</li> <li>• Whether the Bid contains a price</li> <li>• Whether all pre-qualification eligibility criteria set have been met:               <ul style="list-style-type: none"> <li>– <b>Annexure A</b> Clause by Clause Compliance to Specification (<b>Mandatory</b>)</li> <li>– Minimum BBEE Level of 4 or better(1 Being better) (<b>Mandatory</b>)</li> <li>– SANAS approved calibration certificate (<b>Mandatory</b>)</li> </ul> </li> <li>• Validity of Mandatory Documents / Schedules</li> <li>• Compliance to Transnet Specifications</li> </ul> <p><b>FAILURE TO DULY COMPLETE AND SUBMIT THE ABOVE MENTIONED DOCUMENTS WITH YOUR RFQ WILL RENDER YOUR SUBMISSION NON – RESPONSIVE</b></p>
<b>Functionality Threshold</b>	<p>As prescribed in terms of the Preferential Procurement Policy Framework Act (PPPFA), Act 5 of 2000 and its Regulations, Respondents are to note that functionality is included as a threshold with a prescribed percentage threshold of <b>60%</b>.</p> <p><b>Previous/Current relevant experience with contactable references</b></p> <p><b>Delivery Lead Time</b></p>
<b>Final weighted evaluation based on 80/20 preference point</b>	<ul style="list-style-type: none"> <li>• Pricing and price basis [firm]</li> <li>• B-BBEE status of company - Preference points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table indicated in <b>Section 6</b>: B-BBEE Claim Form.</li> </ul>



Technical Criteria	Weightings (%)	Scoring guideline
<b>Technical Capability</b>		
1. Previous/Current relevant experience with contactable references  <ul style="list-style-type: none"> <li>- Company name</li> <li>- Contact person</li> <li>- Duration of work</li> </ul>	50%	5 = 5 or more similar services (Calibration positive displacement flowmeters)  4 = 4 similar services (Calibration positive displacement flowmeters)  3 = 3 similar services (Calibration positive displacement flowmeters)  2 = 2 similar services (Calibration positive displacement flowmeters)  1 = 1 or less similar services done (Calibration positive displacement flowmeters)  0= No relevant experience was provided
2. Delivery lead-time from date of Purchase Order  Baseline program indicating:  <ul style="list-style-type: none"> <li>- The start date</li> <li>- The Finish date</li> </ul>	50%	5 = Less than or equal to 3 weeks of delivery lead time from receipt of Purchase Order  4 = 4-6 weeks of delivery lead time from receipt of Purchase Order  3 = 7-9 weeks of delivery lead time from receipt of Purchase Order  2 = 10-12 weeks of delivery lead time from receipt of Purchase Order  1 = 13-14 weeks of delivery lead time from receipt of Purchase Order  0 = More than or equal to 15 weeks of delivery lead time from receipt of Purchase Order
	<b>100%</b>	

Functionality is included as a threshold with a prescribed percentage threshold of **60%**.

**Bidders who do not meet the prescribed minimum threshold of 60% will be disqualified.**

Transnet reserves the right to lower the threshold for Technical from **60% to 50%** if no Bidders pass the predetermined minimum threshold.

### 3 Validity Period

Transnet requires a validity period of **90 [ninety] Business Days i.e. 20 MARCH 2020** from the closing date of this RFQ.

Bidders are to note that they may be requested to extend the validity period of their bid, on the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s),

the validity of the successful bidder(s)' bid will be deemed to remain valid until a final contract has been concluded.

With regard to the validity period of short-listed bidders, please refer to Section 1, paragraph 9.

**4 Returnable Documents**

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

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

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

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

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

<b>Mandatory Returnable Documents</b>	<b>Submitted [Yes or No]</b>
SECTION 3 : Quotation Form with price	
ANNEXURE A – Duly completed Clause-by-clause schedule. (Completed & Submitted)	
SANAS approved calibration certificate	
Proof of B-BBEE Status Level 4 or better (1 being better)	

- b) **Essential Returnable Documents**

In addition to the requirements of section (a) above, Bidders are further required to submit with their Proposals the following **Essential Returnable Documents** as detailed below.

- ***If Essential Returnable Documents are used for purposes of scoring a bid, failure to submit these documents by the closing date and time of this bid will not automatically result in a Bidder's disqualification. However, Bidders will receive an automatic score of zero for the applicable evaluation criterion.***
- ***If Essential Returnable Documents are not related to evaluation criteria, failure to provide these documents may result in a respondent's disqualification.***
- ***Bidders are therefore urged to ensure that all these documents are returned with their Proposals.***

<b>ESSENTIAL RETURNABLE DOCUMENTS USED FOR SCORING</b>	<b>SUBMITTED [Yes or No]</b>
Submission of Written contactable References	
Submission of Delivery Lead Time	
<b>ESSENTIAL RETURNABLE DOCUMENTS</b>	<b>SUBMITTED [Yes or No]</b>
Valid and original (or a certified copy) proof of Bidder's compliance to B-BBEE requirements stipulated in Section 6 of this RFQ	
In the case of Joint Ventures, a copy of the Joint Venture Agreement or written confirmation of the intention to enter into a Joint Venture Agreement	
Tax Clearance Certificate or electronic access PIN obtained from SARS's new Tax Compliance Status (TCS) system [Consortia / Joint Ventures must submit a separate Tax Clearance Certificate/PIN for each party]	
SECTION 4: Certificate of Acquaintance with RFQ Documents	
SECTION 5: RFQ Declaration and Breach of Law Form	
SECTION 6: B-BBEE Preference Claim Form	
SECTION 7: SBD1 (Tax Compliance Status)	
PROOF OF CSD REGISTRATION	

## **5 CONTINUED VALIDITY OF RETURNABLE DOCUMENTS**

The successful Respondent will be required to ensure the validity of all returnable documents, including but not limited to its Tax Clearance Certificate and valid B-BBEE Verification Certificate, for the duration of any contract emanating from this RFQ. Should the Respondent be awarded the contract [**the Agreement**] and fail to present Transnet with such renewals as and when they become due, Transnet shall be entitled, in addition to any other rights and remedies that it may have in terms of the eventual Agreement, to terminate such Agreement forthwith without any liability and without prejudice to any claims which Transnet may have for damages against the Respondent.

### **SECTION 3**

#### **QUOTATION FORM AND CERTIFICATE OF ACQUAINTANCE WITH RFQ DOCUMENT**

I/We \_\_\_\_\_

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

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

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

I/We accept that unless Transnet should otherwise decide and so inform me/us, this Quotation [and, if any, its covering letter and any subsequent exchange of correspondence], together with Transnet's acceptance thereof shall constitute a binding contract between Transnet and me/us. I/We further agree that if, after I/we have been notified of the acceptance of my/our Quotation, I/we fail to deliver the said goods/service/s within the delivery lead-time quoted, Transnet may, without prejudice to any other legal remedy which it may have, cancel the order and recover from me/us any expenses incurred by Transnet in calling for Quotations afresh and/or having to accept any less favourable offer.

### **Requirement on Scope of work**

Calibrate positive displacement flowmeters and issue a SANAS approved calibration certificate indicating at least:

1. Opening and closing meter reading ( per iteration)
2. Error before calibration (per iteration).
3. Error after calibration (per iteration).

The service provider needs to submit a valid SANAS certificate of accreditation for volume measuring instruments in accordance with SANS 10378:2012.

The service provider will need to provide a SANAS approved calibration certificate for each depot where flow meters are calibrated.

The contractor should indicate in advance when they would be on site so that Transnet can make the necessary arrangements to not disrupt operations. Furthermore, Transnet needs to arrange for a delivery truck to be on site so that the decanting (offloading) meters can be calibrated.

The contractor should submit a baseline work program indicating ***the start date, finish date*** and the dates of which they will be at each depot. Any changes to the baseline work program should be indicated at least three days in advance.

The contractor should inform the Depot Engineering Manager or the Chief Engineering Technician upon their arrival on site, and should only start calibration once the depot Engineering Manager or the Chief Engineering Technician has granted permission to do so.

All meters are positive displacement flow meters with mechanical counters (unless otherwise stated). The working fluid is Diesel and the flow rate range at all the depots are 300 – 900 LPM. The maximum operating pressure at all the depots is 10 bar.

Meters should not be uninstalled/removed for calibration unless permission is granted by the Depot Engineering Manager or the Chief Engineering Technician.

All diesel should be returned back into the storage tanks at the depot.

Where calibrations are not done, a report indicating the following should be submitted:

- Reason for calibration not taking place.
- Findings.
- Recommendations

### **Environmental, Health and Safety Plan**

Valid letter of good standing

A safety plan to be submitted in accordance with the OHSA 1993, Transnet Freight Rail Rail's health, and safety specification TFR-ISM-RN-R&C-FM009

Risk assessment

Construction safety file index

Construction safety work method statement

Fall protection plan

**CONTACT DETAILS**

<b>Designation</b>	<b>Name</b>	<b>Contact number</b>
Depot Engineering Manager	Conrad Basson	Tel: 021 940 3947 Cel: 083 286 5432
Chief Engineering Technician	Abel Njilo	Tel: 043 700 4485 Cel: 060 554 7406
Engineer	Zaid Abrahams	Tel: 021 940 3689 Cel: 062 430 6908

### Price Schedule 1

I/We quote as follows for the calibration positive displacement flowmeters as required, **excluding VAT**:

	Item	Specification	Estimated Qty	Unit price excl. VAT [ZAR]	Total price excl. VAT [ZAR]
1	<b>Swartkops</b>				
	Decanting	LC M80 with mechanical totalizer	1		
	Refuelling	LC M15 with mechanical totalizer	2		
2	<b>Cambridge</b>				
	Decanting	Calibrate temp. probe of the temp. Compensated meter: Veeder root EMR3	1		
		TCS 700-45SPA4CX with EMR3 display	1		
	Refuelling	LC M25 with mechanical totalizer	2		
3	<b>Voorbaai</b>				
	Decanting	Smith meter T-20 with mechanical totalizer	1		
	Refuelling	LC M25 with mechanical totalizer	2		
4	<b>Worcester</b>				
	Decanting (Rail)	LC M25 with mechanical totalizer	1		
	Refuelling	LC M25 with mechanical totalizer	2		
5	<b>Bellville</b>				
	Decanting	Brooks brodie B-62D with mechanical totalizer	1		

	Refuelling	LC M25 with mechanical totalizer	2		
<b>6</b>	<b>Saldanha</b>				
	Decanting	LC M25 with contrec flow computer 500	1		
	Refuelling	LC M15 with contrec flow computer 500	3		
<b>7</b>	<b>Klaver</b>				
	Decanting	LC M25 with mechanical totalizer	1		
	Refuelling	LC M25 with mechanical totalizer	2		
<b>8</b>	<b>Uppington</b>				
	Decanting	Positive displacement meter with mechanical counter	1		
	Refuelling	Positive displacement with mechanical counter	1		
<b>9</b>	<b>Sishen</b>				
	Refuelling	Positive displacement meter with mechanical counter	2		
<b>10</b>	<b>Beaconsfield</b>				
	Decanting	Positive displacement meter with mechanical counter	1		
	Refuelling	Positive displacement meter with mechanical counter	1		
<b>11</b>	<b>De Aar</b>				
	Decanting	Positive displacement meter with mechanical counter	1		
	Refuelling	Positive displacement meter with mechanical counter	1		



12	<b>Bloemfontein</b>			
	Decanting	Positive displacement meter with mechanical counter	1	
	Refuelling	Positive displacement meter with mechanical counter	2	
<b>TOTAL PRICE, exclusive of VAT:</b>				
<b>15% VAT (if applicable)</b>				
<b>Total Inclusive of VAT (where applicable)</b>				

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

**Notes to Pricing:**

- a) Respondents are to note that if the price offered by the highest scoring bidder is not market-related, Transnet may not award the contract to that Respondent. Transnet may-
- (i) negotiate a market-related price with the Respondent scoring the highest points or cancel the RFQ;
  - (ii) if that Respondent does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the second highest points or cancel the RFQ;
  - (iii) if the Respondent scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the third highest points or cancel the RFQ.

If a market-related price is not agreed with the Respondent scoring the third highest points, Transnet must cancel the RFQ.

- b) All Prices must be quoted in South African Rand, exclusive of VAT
- c) To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this price schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being disqualified.
- d) Please note that should you have offered a discounted price(s), Transnet will only consider such price discount(s) in the final evaluation stage if offered on an unconditional basis.

## SECTION 4

### CERTIFICATE OF ACQUAINTANCE WITH RFQ DOCUMENTS

**By signing this certificate, the Respondent is deemed to acknowledge that he/she has made himself/herself thoroughly familiar with, and agrees with all the conditions governing this RFQ. This includes those terms and conditions contained in any printed form stated to form part hereof, including but not limited to the documents stated below. As such, Transnet will recognise no claim for relief based on an allegation that the Respondent overlooked any such condition or failed properly to take it into account in calculating tendered prices or any other purpose:**

1. Transnet's General Bid Conditions*
2. Standard RFQ Terms and Conditions for the supply of Goods or Services to Transnet
3. Transnet's Supplier Integrity Pact*
4. Non-disclosure Agreement*
5. Vendor Application Form* and all supporting documents (first time vendors only). Alternatively, for all existing vendors, please complete the table below under the heading "Existing vendors".
<b>Respondents are to note that the documents marked with a "*" are available on request or at the Transnet website (<a href="http://www.transnet.net">www.transnet.net</a>). Please click on "Business with Us", proceed to the tab "Tenders" and then click on "Standard Bid Documents".</b>

Existing vendors: existing vendors are required to confirm whether all the information (e.g. company address, contact details, banking details, etc.) relating to the existing vendor number is still correct at the time of submission of this bid or update their information in the table below:

Transnet Operating Division [e.g. TFR, TE, etc]	Vendor Number	Information still current [tick if applicable]	Information change [indicate detail of change/s & attach appropriate proof]

Should the Bidder find any terms or conditions stipulated in any of the relevant documents quoted in the RFQ unacceptable, it should indicate which conditions are unacceptable and offer alternatives by written submission on its company letterhead, attached to its submitted Bid. Any such submission shall be subject to review by Transnet's Legal Counsel who shall determine whether the proposed alternative(s) are acceptable or otherwise, as the case may be. A material deviation from the Standard terms or conditions could result in disqualification.

Bidders accept that an obligation rests on them to clarify any uncertainties regarding any bid to which they intend to respond, before submitting the bid. The Bidder agrees that he/she will have no claim based on an allegation that any aspect of this RFQ was unclear but in respect of which he/she failed to obtain clarity.

The bidder understands that his/her Bid will be disqualified if this Certificate of Acquaintance with RFQ documents included in the RFQ as a returnable document, is found not to be true and complete in every respect.

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**WITNESSES**

1.	Address
_____ Signature	
_____ Name	_____ Date

2.	Address
_____ Signature	
_____ Name	_____ Date

**RESPONDENT'S AUTHORISED REPRESENTATIVE**

_____ Signature	_____ Designation
_____ Name	_____ Date

## SECTION 5

### RFQ DECLARATION AND BREACH OF LAW FORM

NAME OF ENTITY: \_\_\_\_\_

We \_\_\_\_\_ do hereby certify that:

1. Transnet has supplied and we have received appropriate responses to any/all questions [as applicable] which were submitted by ourselves for RFQ Clarification purposes;
2. we have received all information we deemed necessary for the completion of this Request for Quotation [**RFQ**];
3. we have been provided with sufficient access to the existing Transnet facilities/sites and any and all relevant information relevant to the Supply of the Goods as well as Transnet information and Employees, and has had sufficient time in which to conduct and perform a thorough due diligence of Transnet's operations and business requirements and assets used by Transnet. Transnet will therefore not consider or permit any pre- or post-contract verification or any related adjustment to pricing, service levels or any other provisions/conditions based on any incorrect assumptions made by the Respondent in arriving at his Bid Price.
4. at no stage have we received additional information relating to the subject matter of this RFQ from Transnet sources, other than information formally received from the designated Transnet contact(s) as nominated in the RFQ documents;
5. we have complied with all Obligations of the Bidder/Supplier as indicated in paragraph 3 of the Transnet Supplier Integrity which includes but is not limited to ensuring that we take all measures necessary to prevent corrupt practices, unfairness and illegal activities in order to secure or in furtherance to secure a contract with Transnet;
6. we are satisfied, insofar as our entity is concerned, that the processes and procedures adopted by Transnet in issuing this RFQ and the requirements requested from Bidders in responding to this RFQ have been conducted in a fair and transparent manner; and
7. furthermore, we declare that a family, business and/or social relationship **exists / does not exist** [delete as applicable] between an owner / member / director / partner / shareholder of our entity and an employee or board member of the Transnet Group including any person who may be involved in the evaluation and/or adjudication of this Bid.
8. In addition, we declare that an owner / member / director / partner / shareholder of our entity **is / is not** [delete as applicable] an employee or board member of the Transnet Group.
9. If such a relationship as indicated in paragraph 6 and/or 7 exists, the Respondent is to complete the following section:

FULL NAME OF OWNER/MEMBER/DIRECTOR/  
PARTNER/SHAREHOLDER:

ADDRESS:

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Indicate nature of relationship with Transnet:

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*[Failure to furnish complete and accurate information in this regard will lead to the disqualification of a response and may preclude a Respondent from doing future business with Transnet]*

10. We declare, to the extent that we are aware or become aware of any relationship between ourselves and Transnet [other than any existing and appropriate business relationship with Transnet] which could unfairly advantage our entity in the forthcoming adjudication process, we shall notify Transnet immediately in writing of such circumstances.

#### **BREACH OF LAW**

11. We further hereby certify that *I/we **have/have not been*** [delete as applicable] found guilty during the preceding 5 [five] years of a serious breach of law, including but not limited to a breach of the Competition Act, 89 of 1998, by a court of law, tribunal or other administrative body. The type of breach that the Respondent is required to disclose excludes relatively minor offences or misdemeanours, e.g. traffic offences. This includes the imposition of an administrative fine or penalty.

Where found guilty of such a serious breach, please disclose:

NATURE OF BREACH:

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DATE OF BREACH: \_\_\_\_\_

Furthermore, I/we acknowledge that Transnet SOC Ltd reserves the right to exclude any Respondent from the bidding process, should that person or entity have been found guilty of a serious breach of law, tribunal or regulatory obligation.

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

<p><b>This person is hereto duly authorised to sign for and on behalf of the company</b></p>	<p><b>As Witness</b></p>
<p>Registration No of Company/ CC</p>	
<p>Registration Name of Company /CC</p>	
<p>Name</p>	<p>Name</p>
<p>Position</p>	<p>Position</p>
<p>Signature</p>	<p>Signature</p>
<p>Date</p>	<p>Date</p>
<p>Place</p>	<p>Place</p>

**SECTION 6: RFQ CLARIFICATION REQUEST FORM**

RFQ No: **BLE 3023/2019**

RFQ deadline for questions / RFQ Clarifications: Before **12:00 on 30 October 2019**

TO: Transnet SOC Ltd  
ATTENTION: Mandisa Liwani  
EMAIL: [Mandisa.Liwani@transnet.net]  
DATE: \_\_\_\_\_  
FROM: \_\_\_\_\_  
\_\_\_\_\_

RFQ Clarification No *[to be inserted by Transnet]*

<b>REQUEST FOR RFQ CLARIFICATION</b>
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\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date & Company Stamp

## SECTION 7

### B-BBEE PREFERENCE POINTS CLAIM FORM

This preference form must form part of all bids invited. It contains general information and serves as a claim for preference points for Broad-Based Black Economic Empowerment [B-BBEE] Status Level of Contribution.

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

#### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 The value of this bid is below R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contribution.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
<b>PRICE</b>	<b>80</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	<b>20</b>
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System [SANAS], or a sworn affidavit confirming annual turnover and level of black ownership in case of all EMEs and QSEs with 51% black ownership or more together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

#### 2. DEFINITIONS

- (a) **"all applicable taxes"** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- (b) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (c) **"B-BBEE status level of contributor"** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (d) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ



- of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- (e) **"Black designated group"** has meaning assigned to it in codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act.
  - (f) **"Black People"** meaning assigned to in Section 1 of Broad-Based Black Economic Empowerment Act.
  - (g) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
  - (h) **"CIPC"** means the Companies and Intellectual Property Commission, formerly known as CIPRO, the Companies and Intellectual Property Registration Office.
  - (i) **"comparative price"** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
  - (j) **"consortium or joint venture"** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
  - (k) **"contract"** means the agreement that results from the acceptance of a bid by an organ of state;
  - (l) **"co-operative"** means a co-operative registered in terms of section 7 of Cooperatives Act, 2005 (Act No. 14 of 2005)
  - (m) **"Designated Group"** means - i) Black designated groups; ii) Black People; iii) Women; iv) people with disabilities or v) Small enterprise, as defined in Section 1 of National Small Enterprise Act, (102 of 1996)
  - (n) **"Designated Sector"** means, sub-sector or industry or product designated in terms of regulation 8(1)(a)
  - (o) **"EME"** means an Exempted Micro Enterprise as defines by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
  - (p) **"firm price"** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
  - (q) **"functionality"** means the ability of a bidder to provide goods or services in accordance with specification as set out in the bid documents;
  - (r) **"Military Veteran"** has meaning assigned to it in Section 1 of Military Veterans Act, 2011 (Act No. 18 of 2011);
  - (s) **"National Treasury"** has meaning assigned to it in Section 1 of Public Finance Management Act, 1999 (Act No. 1 of 1999);
  - (t) **"non-firm prices"** means all prices other than "firm" prices;
  - (u) **"person"** includes a juristic person;
  - (v) **"People with disabilities"** meaning assigned to it in terms of Section 1 of Employment Equity Act, 1998 (Act No. 55 of 1998);
  - (w) **"Price"** includes all applicable taxes less all unconditional discounts.
  - (x) **"Proof of B-BBEE Status Level of Contributor"** i) the B-BBEE status level certificate issued by an unauthorised body or person; ii) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or iii) any other requirement prescribed in terms of the Broad- Based Black Economic Empowerment Act.
  - (y) **"Rural Area"** i) a sparsely populated area in which people farm or depend on natural resources, including villages and small towns that are dispersed through the area; or ii) an area including a large

settlement which depends on migratory labour and remittances and government social grants for survival, and may have traditional land tenure system.

- (z) **"QSE"** means a Qualifying Small Enterprise as defined by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (aa) **"rand value"** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- (bb) **"sub-contract"** means the primary contractor's assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- (cc) **"total revenue"** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- (dd) **"Township"** means an urban living area that any time from the late 19<sup>th</sup> century until 27 April 1994, was reserved for black people, including areas developed for historically disadvantaged individuals post 27 April 1994
- (ee) **"Treasury"** meaning assigned to it in Section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999)
- (ff) **"trust"** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- (gg) **"trustee"** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.
- (hh) **"Youth"** meaning assigned to it in terms of Section 1 of National Youth Development Agency Act, 2008 (Act No. 54 of 2008)

### 3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

### 4. POINTS AWARDED FOR PRICE

#### 4.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 points is allocated for price on the following basis:

**80/20**

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P<sub>s</sub> = Points scored for comparative price of bid under consideration

P<sub>t</sub> = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

**5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION**

5.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- 5.2 A bidder who qualifies as an EME in terms of the B-BBEE Act must submit a sworn affidavit confirming Annual Total Revenue and Level of Black Ownership. Furthermore, EMEs may also obtain a sworn affidavit from CIPC (formerly CIPRO) Self Service Terminals when registering a business or filing annual returns. In these instances, Transnet would require proof of turnover as well as proof of ownership. Sworn affidavits must substantially comply with the format that can be obtained on the DTI’s website at [www.dti.gov.za/economic\\_empowerment/bee\\_codes.jsp](http://www.dti.gov.za/economic_empowerment/bee_codes.jsp).
- 5.3 QSEs that are at least 51% Black owned or higher are only required to obtain a sworn affidavit on an annual basis confirming that the entity has an Annual Total Revenue of R50 million or less and the entity’s Level of Black ownership.
- 5.4 A Bidder other than EME or a QSE that is at least 51% Black owned must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by a Verification Agency accredited by SANAS.
- 5.5 A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level verification certificate for every separate bid.
- 5.6 Tertiary Institutions and Public Entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.
- 5.9 Bidders are to note that the rules pertaining to B-BBEE verification and other B-BBEE requirements may be changed from time to time by regulatory bodies such as National Treasury or the DTI. It is the Bidder’s responsibility to ensure that his/her bid complies fully with all B-BBEE requirements at the time of the submission of the bid.

**6. BID DECLARATION**

6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 5.1**

7.1 B-BBEE Status Level of Contribution: . = .....(maximum of 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or a sworn affidavit.

**8. SUB-CONTRACTING**

8.1 Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

YES		NO	
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8.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME.

*(Tick applicable box)*

YES		NO	
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v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME ✓</b>	<b>QSE ✓</b>
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<i>OR</i>		
Any EME		
Any QSE		

**9. DECLARATION WITH REGARD TO COMPANY/FIRM**

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

**9.4 TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation

- Company
  - (Pty) Limited
- [TICK APPLICABLE BOX]

9.5 **DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
.....

9.6 **COMPANY CLASSIFICATION**

- Manufacturer
  - Supplier
  - Professional service provider
  - Other service providers, e.g. transporter, etc.
- [ TICK APPLICABLE BOX ]

9.7 Total number of years the company/firm has been in business:.....

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If a bidder submitted false information regarding its B-BBEE status level of contributor, local production and content, or any other matter required in terms of the Preferential Procurement Regulations, 2017 which will affect or has affected the evaluation of a bid, or where a bidder has failed to declare any subcontracting arrangements or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) if the successful bidder subcontracted a portion of the bid to another person without disclosing it, Transnet reserves the right to penalise the bidder up to 10 percent of the value of the contract;
  - (e) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
  - (f) forward the matter for criminal prosecution.

<b>SIGNATURE(S) OF BIDDERS</b>
Signature
Name
Date
Signed at

<b>WITNESSES</b>
1. Witness signature
2. Witness signature

**SECTION 8: SBD1 (TAX COMPLIANCE STATUS)**

**PART A  
 INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	<b>BLE 3023/2019</b>	CLOSING DATE:	<b>07 NOVEMBER 2019</b>	CLOSING TIME:	<b>10H00</b>
DESCRIPTION	<b>FOR CALIBRATION POSITIVE DISPLACEMENT FLOWMETERS IN DIFFERENT AREAS</b>				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>Transnet Freight Rail Acquisition Council, Transnet Park Building</b>					
<b>Ground Floor, Robert Sobukwe Road, Bellville,7535 OR The Secretariat, Acquisition Council, Ground Floor, Salkor Building, Orex Road, Saldanah, 7395.</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	<b>Mandisa Liwani</b>		CONTACT PERSON		
TELEPHONE NUMBER	<b>021 940 1840</b>		TELEPHONE NUMBER		
FACSIMILE NUMBER	<b>N/A</b>		FACSIMILE NUMBER		
E-MAIL ADDRESS	<a href="mailto:Mandisa.Liwani@transnet.net">Mandisa.Liwani@transnet.net</a>		E-MAIL ADDRESS		
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
2.1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		2.2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</b>					

Respondent's Signature

Date & Company Stamp

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.  1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>  1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.  1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.  2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.  2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.  2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.  2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.  2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.  2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
 (Proof of authority must be submitted e.g. company resolution)

DATE: .....