



Transnet Request for Proposal No iCLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

**TRANSNET PORT TERMINALS  
an Operating Division of  
TRANSNETSOC LIMITED  
(Registration No. 1990/000900/06)**

**REQUEST FOR PROPOSAL ("RFP")**

**RFP NUMBER iCLM HQ 0828**

**PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER  
TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED  
OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE  
TOWN, NGQURA AND DURBAN  
FOR A PERIOD OF TWO (2) YEARS**

**ISSUE DATE : 05 December 2011**  
**CLOSING DATE : 20 December 2011**  
**CLOSING TIME : 10h00**

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

\_\_\_\_\_  
Respondent's Signature

1

\_\_\_\_\_  
Date and Company Stamp



Transnet Request for Proposal No iCLM HQ 0828  
 Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore  
 simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

## **RFP NUMBER iCLM HQ 0828**

### **PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

**FOR A PERIOD OF TWO (2) YEARS**

#### **SCHEDULE OF DOCUMENTS**

#### **Section**

- 1. Notice to Bidders**
- 2. Background, Overview and Scope of Requirements**
- 3. Proposal Form**
- 4. Resolution of Board of Directors (Respondent's Representative)**
- 5. Certificate of Acquaintance with RFP Documents**
- 6. Service Fees and Costs**
- 7. Statement of Services Successfully carried out by Tenderer**
- 8. General Tender Conditions (CSS5 – Services)**
- 9. Draft Professional Services Agreement (US7 – Services)**
- 10. Supplier Declaration Form**
- 11. Supplier Code of Conduct**
- 12. Non-Disclosure Agreement**
- 13. RFP declaration form**
- 14. Supplier Development:**
  - Annexure "A" – SD Guideline Document**
  - Annexure "B" – Supplier Development Returnable Document**



Transnet Request for Proposal No iCLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

## SECTION 1

### RFP NUMBER iCLM HQ 0828

#### **PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

#### **FOR A PERIOD OF TWO (2) YEARS**

#### **NOTICE TO BIDDERS**

- Proposals are requested from interested / selected persons, companies, close corporations or enterprises (hereinafter referred to as the "**Respondent(s)**") to supply the above-mentioned requirement to Transnet.

On or after 05 December 2011 the RFP documents may be inspected at, and are obtainable from the office of Transnet Port Terminals HQ, 3<sup>rd</sup> Floor, Kingsmead Office Park, Stalwart Simelane (Stanger Street), Durban, on proof of payment of an amount of R250,00 (incl. VAT) per set.

Payment in direct deposit to: Standard Bank  
 Account Name: Transnet Port Terminals  
 Account Number: 050280023  
 Branch Code: 040026  
 Branch Name: Kingsmead, Durban

**NOTE 1.1** This amount is not refundable. RFP documents will only be available until 15h00 on 12 December 2011.

Any additional information or clarification will be faxed or emailed to all potential Respondents, if necessary

- A formal briefing session will not be held but should Respondents have specific queries they should email these to the Transnet employee(s) indicated below:

Name : Mathombi Khoza  
 Division : Procurement  
 Email : Mathombi.khoza@transnet.net

---

Respondent's Signature

3

---

Date and Company Stamp



In the interest of fairness and transparency the said information will then be made available to the other Respondents who have collected RFP documents. For this purpose all Respondents need to indicate their intention to respond by informing the above-mentioned Transnet employee (per email only) of their contact numbers as soon as possible but before 14<sup>th</sup> December 2011

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

<b>RFP No</b>	<b>: iCLM HQ 0828</b>
<b>Description</b>	<b>:PROVISION OF MAINTENANCE, SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, , NGQURA AND DURBAN</b>
<b>Closing date and time</b>	<b>: 20 December 2011 at 10h00</b>
<b>Closing address (refer options paragraph 4 below)</b>	

#### 4. DELIVERY INSTRUCTIONS FOR THIS RFP

- 4.1 **If delivered by hand**, the envelope is to be deposited in the Transnet Port Terminals ("TPT") tender box which is located at the main entrance, at the main entrance, Kingsmead Office Park, Stalwart Simelane Street (Stanger Street) Durban, and should be addressed as follows:

**THE SECRETARIAT  
DIVISIONAL ACQUISITION COUNCIL  
TRANSNET PORT TERMINALS  
TENDER BOX (iCLM HQ 0828)  
KINGSMEAD OFFICE PARK  
STALWART SIMELANE (STANGER STREET)  
DURBAN**

The measurements of the "tender slot" are 305mm wide x 65mm 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.**

- 4.2 **If dispatched by courier**, the envelope must be addressed as follows and delivered to the Office of The Secretariat, Transnet Port Terminals Acquisition Council and a signature obtained from that Office:



**THE SECRETARIAT  
DIVISIONAL ACQUISITION COUNCIL  
TRANSNET PORT TERMINALS  
TENDER BOX (iCLM HQ 0828)  
KINGSMEAD OFFICE PARK  
STALWART SIMELANE (STANGER STREET)  
DURBAN**

5. Please note that this RFP closes punctually at 10:00 on Tuesday, 20 December 2011.
6. If responses are not posted or delivered as stipulated herein, such responses will not be considered and will be treated as "UNRESPONSIVE."
7. NO EMAIL OR FACSIMILE RESPONSES WILL BE CONSIDERED.
8. The responses to this RFP will be opened as soon as practicable after the expiry of the time advertised for receiving them.
9. Transnet shall not, at the opening of responses, disclose to any other company any confidential details pertaining to the Proposals / information received, i.e. service fees, deliverables, etc. The names and location of the Respondents will, however, be divulged to other Respondents upon request.
10. Envelopes must not contain documents relating to any RFP other than that shown on the envelope. All envelopes must reflect the return address of the Respondent on the reverse side.
11. No slips are to be attached to the response documents. Any additional conditions must be embodied in an accompanying letter. Subject only to clause 22 (*Alterations made by the Respondent to Tendered Prices*) of the General Tender Conditions, alterations, additions or deletions must not be made by the Respondent to the actual RFP documents.
12. **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 would therefore prefer to do business with local business enterprises who share these same values and who are prepared to contribute to meaningful BBBEE initiatives (including, but not limited to subcontracting and Joint Ventures) as part of their RFP responses. Transnet will 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 R30 000 (thirty thousand S.A. Rand) will be evaluated accordingly. All transactions below this threshold will, as far as possible, be set aside for Exempted Micro Enterprises (EMEs).



Consequently, when Transnet invites prospective suppliers to submit Proposals for its goods and services, it urges Respondents (Large Enterprises and QSE's - see below) to have themselves accredited by any one of the various Accreditation Agencies approved by SANAS (the South African National Accreditation Systems, under the auspices of the DTI)

In terms of Government Gazette No 32467, Notice No. 810 dated 31 July 2009, as from 1 February 2010 only BBBEE Accreditation Certificates issued by SANAS Approved verification agencies will be valid. However Accreditation Certificates issued before 1 February 2010, and which are still within their 1 year validity period, will still be acceptable, until its expiry date and provided the accreditation was done in accordance **with the latest Codes ( i.e. those promulgated on 9 February 2007)**

No certificate issued after 1 February 2010, by a Verification Agency not approved by SANAS or IRBA, will be acceptable as from that date.

12.1 Enterprises will be rated by such agency based on the following:

(a) **Large Enterprises (i.e. annual turnover >R35 million):**

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

(b) **Qualifying Small Enterprises – QSE (i.e annual turnover >R5 million but <R35 million):**

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

(c) **Exempted Micro Enterprises – EME (i.e. annual turnover <R5 million):**

- **EMEs are exempted from BBBEE accreditation**
- 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 qualify 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 if Black ownership >50% or Black Women ownership >30%

12.2 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 RFPs 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 sub-contractor(s), as well as a breakdown of the distribution of the aforementioned percentage must also be furnished with the RFP response to enable Transnet to evaluate / adjudicate all RFPs received on a fair basis.

12.3 The DTI has also contracted with B1SA (Pty) Ltd to create a national database of BBBEE enterprises. It will therefore be in the best interest of BBBEE enterprises, and they are accordingly encouraged to register themselves with B1SA (Pty) Ltd, immediately their SANAS or IRBA approved verification agency issues their verification certificate. Not only will their name and BBBEE recognition level be published on the National BBBEE Database but other potential clients in the private and public sector requiring



particular commodity/ service may source them from this National Database for possible future business opportunities.

- 12.4 **Respondents will be required to furnish proof of the above to Transnet. (i.e. a detailed scorecard as stipulated above in respect of Large Enterprises and QSEs, or proof of turnover in respect of EMEs). Failure to do so will result in a score of zero being allocated for BBBEE.**

**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 an accreditation certificate issued by an Accreditation Agency, together with all the relevant score sheets pertaining thereto.

### 13. SOCIO-ECONOMIC OBLIGATIONS FOR FOREIGN RESPONDENTS

Foreign Respondents' socio-economic obligations under this procurement programme will fall under the associated Government initiative, namely, the Competitive Supplier Development Programme ("CSDP") as developed by the Department of Public Enterprises, details of which are appended hereto at Annexure A.

### 14. 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 TPT in respect of this RFP 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 RFP to the TPT employee as indicated in clause 2 above, and may also at any time after the closing date of the RFP, communicate with the Secretariat of the Transnet Port Terminals Acquisition Council, at telephone number 031 308 8343 or fax no. 086 630 9722 on any matter relating to its RFP response.

### 15. RFP 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 at a location to be agreed.

### 16. INSTRUCTIONS FOR COMPLETING THE RFP

- (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:
  - Respondent's latest audited financial statements;
  - Respondent's Original valid Tax Clearance Certificate.
- (iv) All returnable documents (as listed under section 3) must accompany the original RFP



## 17. COMPLIANCE

The successful Respondent (hereinafter referred to as the "**Supplier**") shall be in full and complete compliance with any and all applicable State and Local Laws and Regulations.

## 18. ADDITIONAL NOTES:

- All returnable documents as indicated in the Proposal Form (Section 3) must be returned with the response
- Respondents are to note that Proposals in which firm prices are quoted for the duration of any resulting contract may receive precedence over prices which are subject to adjustment
- 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 (if not the authorised signatories) must also be submitted along with the Proposal together with their contact details.
- All prices must be quoted in South African Rands
- Transnet reserves the right to undertake post-tender negotiations with selected Respondents or any number of short-listed Respondents and may wish to visit the Respondent's place of work during this process.

**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 AFOREMENTIONED REQUIREMENTS  
MAY RESULT IN A PROPOSAL BEING REJECTED**

## 19. DISCLAIMERS

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

- modify the RFP's 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 RFP's closing date;
- award only a portion of the proposed Services which are reflected in the scope of this RFP;
- split the award of the contract between more than one Supplier;



Transnet Request for Proposal No ICLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

- make no award of a contract;
- reserves the right to verify any information supplied by a respondent;
- disqualify a Tender who is found to have colluded with any other Tenderer, or other party, in the RFP, and
- withdraw the tender on good cause at any stage of the tender process, including after the approval of the preferred Tenderer (s) upon written notification to the Tenderer (s).

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

## **20. LEGAL REVIEW**

Any Proposal submitted by a Respondent is subject to review and negotiation of the proposed contract by Transnet Port Terminals' Legal Counsel.

---

Respondent's Signature

---

Date and Company Stamp



Transnet Request for Proposal No iCLM HQ 0828  
Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore  
simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

Respondents to complete this section:

NAME OF RESPONDENT ..... PHYSICAL ADDRESS ..... .....
---

Respondent's contact person:	Name..... Designation..... Telephone..... Cell Phone..... Facsimile..... Email..... Website.....
------------------------------	--

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

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



Transnet Request for Proposal No iCLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

## SECTION 2

### RFP NUMBER iCLM HQ 0828

### **PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

### **FOR A PERIOD OF TWO (2) YEARS**

#### **BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS**

#### **1. BACKGROUND**

TPT is currently in the process of buying new tandem lift STS cranes. In order for these to be effectively used in operations, the crane operators will need to be trained in advance on how to operate tandem lift cranes and to operate the new model cranes. This requires that the current training simulators be upgraded with the latest versions of the software that includes this feature.

TPT would like that the following services be included in the maintenance and support contract:-

- Hardware and Software support and maintenance
- Hardware and Software remote monitoring
- Helpdesk
- Software upgrades
- Maintenance & Support reporting



## 2. EXECUTIVE OVERVIEW

TPT's Container Terminals currently procure their support requirements through a number of service providers. Our objective is to source all activity through a Preferred Supplier(s) capable of servicing TPT's Container Terminals in Cape Town, Ngqura and Durban Container Terminals.

TPT is seeking a partner(s) to provide solutions for its maintenance, software support and upgrades for rubber tyre gantry (RTG) and ship to shore (STS) simulators at the above mentioned terminals. It also seeks to improve its current processes for provision of these Services to its end user community throughout its locations.

The selected service provider(s) will share in the mission and business objectives of TPT. These mutual goals will be met by meeting contract requirements and new challenges in an environment of teamwork, joint participation, flexibility, innovation and open communications. In this spirit of partnership, TPT and its Supplier(s) will study the current ways they do business to enhance current practices and support processes and systems. Such a partnership will allow TPT to reach higher levels of quality, service and profitability.

Specifically, Transnet seeks to benefit from this partnership in the following ways:

- Transnet must receive reduced cost of acquisition and improved service benefits resulting from the Supplier's economies of scale and streamlined service processes.
- Transnet must achieve appropriate availability that meets user needs while reducing costs for both Transnet and the chosen Supplier(s).
- Transnet must receive proactive improvements from the Supplier with respect to provision of Services and related processes.
- Transnet's overall competitive advantage must be strengthened by the chosen Supplier's leading edge technology and service delivery systems.
- Transnet end users must be able to rely on the chosen Supplier's personnel for service enquiries, recommendations and substitutions.
- Transnet must reduce costs by streamlining its acquisition of Services, including managed service processes.



### 3. SCOPE OF REQUIREMENTS

#### MAINTENANCE AND SOFTWARE UPGRADES AND SUPPORT

The aim of this project is to provide maintenance and software support and upgrades for TPT's existing **Rubber Tyre Gantry (RTG) and Ship To Shore (STS)** simulators located at three of TPT's terminals namely:

- Cape Town Container Terminal
- Ngqura Container Terminal
- Durban Container terminal

#### The following items need to be checked once the tender has been awarded:

- The container that houses the simulator for wear and tear
- The door locks need to be replaced the front and rear doors
- The **computers 1 and 2** which are used by the instructor's station used during training sessions
- The communication devices
- The motion base
- The motors (all)
- The actuators ( all)
- The Couplings (all)
- Electrical wiring
- The host computer hardware
- The floor for damages
- The launch screens ( all on the motion base)
- The visual screens 6 of them but the right hand side screen has crack ( for viewing while training is taking underway also check the screens for scratches and damages
- The power junction box
- The consoles on which the controls are mounted brought closer to real crane as much as possible.
- Fittings
- Power supply
- Spares parts



- Any leaks

### **The air conditioning system**

The system needs to be checked and tested to make sure it works properly to protect all the electronics that make the simulator work without getting too hot, it has been causing some problems by screen freeze and motions failures, especially now that the simulator is operating 24 hours a day.

### **Electrical:**

Only SABS approved products only, including sockets and switches must be used

### **Enhancements (to be tailor made specific to each container terminal)**

- **Pre-loaded scenario** as well as an option of developing new training scenario as is currently the case.
- Looking at the simulated virtual environment to replicate each of the terminals. configurations
- Bring the simulator features closer to the real machine features.
- Change the stacking yard to replicate our stacks layouts and slots configurations as it is difficult to train trainees with the current configurations.
- Introduce vessel properties with more functions or options such as manipulations capabilities to change a training sessions (include things like extreme weather conditions inclusive of sea swells simulations, rainy conditions etc.
- Day and night working enhancements (include crane lights and vessel lighting)
- Enhancing the RDT screen used for RTG operator training as current one does not prepare trainees for the real working world.
- Handling of uncontainerised cargo such as break bulk cargo by use of attachments applicable to each of the cranes types should be simulated.
- Handling of hatch covers scenarios under all conditions, can we also have where hatch covers are landed on the quay surface?
- Simulate other machines working in the same vicinity to enhance trainee alertness of his surroundings e.g. STS and RTG.
- Move orders manipulation should be made easier to sequence.
- Tandem lift capability for the STS.



- 3 d capability to enhance realistic depth perception strengths
- Built – in eye and hand coordination capability this can also be used as screening for the recruitment process.

### **Software Upgrades**

Respondent should ensure that the software provided is upgraded to the latest available versions and thereafter, for the duration of the contract, that all new releases and upgrades are provided and installed on the simulators based on user sign-off and agreement (in accordance with the TPT change control procedures).

### **Software and Hardware Support - Helpdesk**

Respondent to provide remote telephonic or other types of support (helpdesk) to ensure that software and hardware faults can be logged and resolution tracked. Timeframes for various levels of faults to be agreed.

Helpdesk to be available during working hours Monday to Friday (South African time).

### **Skills Transfer**

Transfer of knowledge and skills in respect of planned maintenance programs over the life cycle of the training simulators

## **4. GENERAL INFORMATION**

The successful service provider shall be fully responsible to Transnet for the acts and omissions of persons directly or indirectly employed by them.

The service provider(s) must provide the identified information requested and comply with the requirements stated in the RFP.

## **5. EXCHANGE AND REMITTANCE**

The attention of the Respondents is specially directed to clause 7 (*Exchange and Remittance*) of the General Tender Conditions Form CSS5. The Respondent is also to note that the particulars of the exchange rate on which the Respondent has based its tendered price(s), is/are to be stipulated hereunder only if Transnet is requested by the Respondent to effect payment overseas direct to the Respondent's principal/supplier.



(a)	ZAR1.00 (South African currency) being equal to ..... (foreign currency). .....% in relation to tendered price(s) (.....) to be remitted overseas by Transnet.
(b)	..... (Name of country to which payment is to be made)
(c)	<b>Beneficiary details :</b> Name (Account holder) ..... Bank (Name and branch code)..... Swift code ..... Country
(d)	..... (Applicable date of Exchange Rate used)

**6. NATIONAL RAILWAY SAFETY REGULATOR ACT**

In compliance with the **National Railway Safety Regulator Act, 16 of 2002**, the successful Respondent (the "Supplier") shall ensure that the Services to be supplied to Transnet, under the terms and conditions of a contract between the parties, comply fully with the specifications as set forth in this RFP, and shall thereby adhere to railway safety requirements and/or regulations. Permission for the engagement of a subcontractor by the Supplier, as applicable, both initially and during the course of a contract, shall be subject to a review of the capability of the proposed subcontractor to comply with the specified railway safety requirements and/or regulations. The Supplier and/or its subcontractor shall grant Transnet access, during the term of the contract, to review any safety-related activities, including the coordination of such activities across all parts of the organisation.

**Accepted:**

<b>YES</b>	
------------	--

<b>NO</b>	
-----------	--

**7. SERVICE LEVELS**

- Experienced national account representative/s to work with Transnet’s sourcing/procurement department (no sales representatives are needed for individual department/locations). Additionally, there shall be a minimal number of people, fully informed and accountable for this agreement.
- Transnet will have quarterly reviews with the Supplier’s account representative on an ongoing basis.



- Transnet reserves the right to request that any member of the Supplier’s team involved on the Transnet account be replaced if deemed not to be adding value for Transnet.
- Supplier guarantees that it will achieve a 95% service level on the following measures. If the Supplier does not achieve this level as an average over each quarter, Transnet will receive a 1.5% rebate on quarterly fees payable in the next quarter:
  - On-time deliverables
- Supplier must provide a toll-free number or alternative number for customer service calls.
- Failure of the Supplier to comply with stated service level requirements will give Transnet the right to cancel the contract in whole, without penalty, giving 30 (thirty) days’ notice to the Supplier.

**Accepted:**

<b>YES</b>	
------------	--

<b>NO</b>	
-----------	--

**8. CONTINUOUS IMPROVEMENT INITIATIVES AND VALUE ADD**

Respondents shall indicate whether they are committed to participate in the continuous improvement initiatives of Transnet to reduce the overall cost of transportation within South Africa during the duration of the contract.

**Accepted:**

<b>YES</b>	
------------	--

<b>NO</b>	
-----------	--

If “yes”, please specify.

Respondents must briefly describe their commitment to the continuous improvement initiatives and give examples of specific areas and strategies where cost reduction initiatives can be introduced. Specific areas and proposed potential savings percentages should be included. Additional information can be appended to the Respondent’s Proposal if there is insufficient space available.

.....

.....

.....

.....



Transnet Request for Proposal No ICLM HQ 0828  
Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore  
simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

**9. RISK**

Respondents must elaborate on the control measures put in place by their company, which mitigate the risk to Transnet, pertaining to potential non-performance by a Supplier in relation to -

(i) quality of the Service(s) provided:

.....  
.....  
.....  
.....

(ii) continuity of provision of the Service(s) (refer clause 6.9 of Form US7)::

.....  
.....  
.....



(iii) compliance with the Occupational Health and Safety Act, 85 of 1993 (refer clause 8.1(f) of Form US7)

.....
.....
.....

(iv) compliance with the National Railway Safety Regulator Act, 16 of 2002 (refer clause 16 above)

.....
.....
.....

**10. REFERENCES**

Please indicate below the company names and contact details of existing customers whom Transnet may contact to seek third party evaluations of your current service levels:

Name of Company	Contact Person	Telephone number

**11. EVALUATION CRITERIA**

TPT will utilise the following criteria (not necessarily in this order) in choosing a Supplier, if so required:

**(i) Price Schedules**

**Tenderers shall submit their schedule of prices in accordance with the Pricing Tables contained in Section 6.**

Pricing (fees) - Whilst not the sole factor for consideration, competitive pricing will be critical in indicating how much you value Transnet’s business

**(ii) Previous Experience in Providing the Maintenance of Simulation Equipment**

**(iii) Size of Vendor's Customer Base**



- (iv) Reference Letters from Vendor's Customers**
- (v) Access to source code included in the 3 x simulators**
- (vi) Helpdesk available 8am-5pm weekdays SA Standard Time**
- (vii) Helpdesk logging via telephone, email or web**
- (viii) BBBEE status of company**
- (ix) Supplier Development**

## **12 Evaluation Methodology**

- 12.1 Phase 1: All Tenders will be evaluated by TPT in terms of the evaluation criteria stipulated in clauses 11 (i) – (ix) above. Incomplete Tenders will result in disqualification and it is therefore critical that all documentation requested in the RFP is submitted therewith;
- 12.3 Phase 2: The Tenderer's score will be tabulated, collated and ranked in accordance with the TPT's Balanced Scorecard. Thereafter, the Tenderer(s) will be recommended to the DAC for approval; and
- 12.4 Phase 3: After approval of the preferred list of Tenderer(s) by the DAC, post-tender negotiations will then be conducted with the preferred Tenderer(s), with a view to negotiating and finalising the terms and conditions of the Proposed maintenance and software support and upgrades for TPT's existing Rubber Tyre Gantry (RTG) and Ship To Shore (STS) simulators Professional Services Agreement, a copy is included as Section 9 of this RFP document. When finalized and after the business has been awarded by the DAC, a Professional Services Agreement will be concluded with the preferred Tenderer.

### **8.2 Point Preference System**

In view of the high emphasis which TPT places on BBBEE, TPT will allow a certain preference for BBBEE in the evaluation of the Tender and Supplier Development.

### **8.3 Principles for Awarding Business**

- i) **As indicated in clause 12.1-4 above, TPT will enter into post-tender negotiations with the preferred Tenderer(s) as approved by the DAC.**
- ii) As is elsewhere stated in these RFP documents, Tenderer(s) are advised and should note that any final award of business is entirely conditional upon and subject to the successful conclusion of a written contract between the preferred Tenderer(s) and TPT, which agreement will include such terms and conditions as TPT Management and the DAC may require or prescribe, but which shall have its foundation in the Proposed Professional Services Agreement (see Section 9).



Transnet Request for Proposal No iCLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

### SECTION 3

#### RFP NUMBER iCLM HQ 0828

#### **PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

#### **FOR A PERIOD OF TWO (2) YEARS**

#### **PROPOSAL FORM**

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

*(name of company, close corporation or partnership)*

of (full address) \_\_\_\_\_

\_\_\_\_\_

carrying on business under style or title of (trading as)

represented by \_\_\_\_\_

in my capacity as \_\_\_\_\_

being duly authorised thereto by a Resolution of the Board of Directors or Members or Certificate of Partners, as the case may be, dated \_\_\_\_\_ a certified copy of which is annexed hereto, hereby offer to supply the above-mentioned Services at the prices quoted in the schedule of Service Fees in accordance with the terms set forth in the accompanying letter(s) reference \_\_\_\_\_ and dated \_\_\_\_\_ (if any) and the documents listed in the accompanying schedule of RFP documents.

I/We agree to be bound by those conditions in Transnet's:

- (i) Terms and conditions that may be stipulated by the DAC
- (ii) General Tender Conditions, Form CSS5 – Services; and
- (iii) any other standard or special conditions mentioned and/or embodied in the Request for Proposal form; and;-

\_\_\_\_\_  
Respondent's Signature

21

\_\_\_\_\_  
Date and Company Stamp



Transnet Request for Proposal No iCLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

I/We accept that unless TPT should otherwise decide and so inform me/us in the facsimile or letter of acceptance, this Proposal (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.

Should TPT decide that a formal contract should be signed and so inform me/us in the facsimile or letter of acceptance, this Proposal (and, if any, its covering letter and any subsequent exchange of correspondence) together with TPT's letter of acceptance/intent, shall constitute a binding contract between TPT and me/us until the formal contract is signed.

I/We further agree that if, after I/we have been notified of the acceptance of my/our Proposal, I/we fail to enter into a formal contract if called upon to do so, or fail to commence the provision of the Services within 4 (four) weeks, TPT may, without prejudice to any other legal remedy which it may have, recover from me/us any expense to which it may have been put in calling for Proposals afresh and/or having to accept any less favourable Proposal.

I/We accept that any contract resulting from this offer will be for a period of two years only; and agree to a penalty clause to be negotiated with TPT, which will allow TPT to invoke a penalty (details to be negotiated) against us should the delivery of the Services be delayed due to non-performance by us.

The law of the Republic of South Africa shall govern the contract created by the acceptance of this RFP. The *domicillium citandi et executandi* shall be a place in the Republic of South Africa to be specified by the Respondent hereunder, at which all legal documents may be served on the Respondent who shall agree to submit to the jurisdiction of the courts of the Republic of South Africa. Foreign Respondents shall, therefore, state hereunder, the name of their accredited agent in the Republic of South Africa who is empowered to sign any contract which may have to be entered into in the event of their Proposal being accepted and to act on their behalf in all matters relating to the contract.

Respondent to indicate *domicillium citandi et executandi* hereunder:

---



---



---



---

#### **NOTIFICATION OF AWARD OF RFP**

As soon as possible after approval to award the contract/s, the successful Respondent (the Supplier) will be informed of the acceptance of its Proposal. Unsuccessful Respondents will be advised in writing of the name of the successful Supplier and the reason as to why their Proposals have been unsuccessful, for example, in the category of price, delivery period, quality, BBBEE status or for any other reason.

#### **VALIDITY PERIOD**

TPT desires a validity period of 3 (three) months (from closing date) against this RFP. It should be noted that Respondents may offer an earlier validity period, but that their Proposals may be disregarded for that reason. Should Respondents be unable to comply with this validity period, an alternative validity period must be stated hereunder:



Transnet Request for Proposal No iCLM HQ 0828  
Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore  
simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

This RFP is valid until \_\_\_\_\_ (State alternative validity period/date).

**TAX (VAT) REGISTRATION NUMBER**

The Respondent must state hereunder the tax registration number which is applicable to Value-Added Tax:

\_\_\_\_\_

**TAX CLEARANCE CERTIFICATE**

Respondents are required to forward a valid Original company's Tax Clearance Certificate with their Proposal.

Indicate tax clearance certificate expiry date: \_\_\_\_\_

**BANKING DETAILS**

BANK: \_\_\_\_\_

BRANCH NAME / CODE: \_\_\_\_\_

ACCOUNT HOLDER: \_\_\_\_\_

ACCOUNT NUMBER: \_\_\_\_\_

**NAME(S) AND ADDRESS / ADDRESSES OF DIRECTOR(S) OR MEMBER(S)**

The Respondent must disclose hereunder the full name(s) and address(s) of the director(s) or members of the company or close corporation (C.C.) on whose behalf the RFP is submitted.

(i) Registration number of company / C.C. ....

(ii) Registered name of company / C.C. ....

(iii) Full name(s) of director/member(s)      Address/Addresses      ID Number/s

.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



Transnet Request for Proposal No iCLM HQ 0828  
 Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore  
 simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

**REGISTRATION CERTIFICATE**

Respondents must submit a certified copy of their company’s Registration Certificate with their Proposal.

**NAME AND ADDRESS OF ACCREDITED AGENT**

Provide hereunder, if applicable, details of the accredited agent in the Republic of South Africa appointed as local representative by foreign Respondents and whose address shall be regarded as the Respondent’s domicilium citandi et executandi in terms of the Professional Services Agreement.

Name	.....
Address	..... .....

**CONFIDENTIALITY**

All information related to a subsequent contract, both during and after completion, is to be treated with strict confidence. Should the need however arise to divulge any information gleaned from provision of the Services, which is either directly or indirectly related to TPT’s business, written approval to divulge such information will have to be obtained from TPT.

**DISCLOSURE OF PRICES TENDERED**

Respondents must indicate here **whether TPT may disclose** their tendered prices and conditions to other Respondents:

<b>YES</b>		<b>NO</b>	
------------	--	-----------	--

**DECLARATION**

Respondents to declare hereunder whether any family and/or direct relationship exists between any of the owners / members / directors / partners / shareholders (unlisted companies) of the responding company and any employee or board member of the TPT:

<b>YES</b>		<b>NO</b>	
------------	--	-----------	--

If YES, please indicate below:

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

ADDRESS

\_\_\_\_\_  
 Respondent’s Signature

\_\_\_\_\_  
 Date and Company Stamp



Transnet Request for Proposal No ICLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

Indicate nature of relationship (if any):

*(Failure to furnish complete and accurate information in this regard may lead to the disqualification of a response and may preclude a Respondent from future business with TPT)*

### PRICE REVIEW

The successful Respondent(s) will be obliged to submit to an annual price review. TPT will be benchmarking this price offering(s) against the lowest price received as per the benchmarking exercise. If the Respondent's price(s) is/are found to be higher than the benchmarked price(s), then the Respondent shall match or better such price(s) within 30 days - failing which the Contract may be terminated at TPT's discretion or the particular item(s) or service(s) purchased outside the contract.

### RETURNABLE DOCUMENTS

Respondents are required to submit the following returnable documents with their responses (see tick):

<b>Notice to Tenderers – Section 1</b>	✓
<b>Background overview – Section 2</b>	✓
<b>Proposal Form – Section 3</b>	✓
<b>Resolution of Board of Directors (Respondent's Representative) - Section 4</b>	✓
<b>Certificate of Acquaintance with RFP Documents – Section 5</b>	✓
<b>Service Fees and Costs - Section 6</b>	✓
<b>Statement of Services successfully carried out by Tenderer</b>	✓
<b>General Tender Conditions - Form CSS5 – Section 8</b>	✓
<b>Draft Professional Services Agreement – Section 9</b>	✓
<b>Audited Financials for previous year</b>	✓
<b>Supplier Declaration Form – Section 10</b>	✓
<b>Supplier Code of Conduct – Section 11</b>	✓

Respondent's Signature

25

Date and Company Stamp



Transnet Request for Proposal No iCLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

<b>Non-Disclosure Agreement – Section 12</b>	✓
<b>RFP Declaration form – Section 13</b>	✓
<b>Supplier Development – Section 14</b>	✓
<b>Original Valid Tax Clearance Certificate</b>	✓
<b>VAT Registration Certificate</b>	✓
<b>Valid BBBEE Accreditation Certificate</b>	✓
<b>Original cancelled cheque and a letter from the bank</b>	✓
<b>Company’s Letterhead</b>	✓
<b>Public Liability</b>	✓
<b>Fixed price for one year</b>	✓
<b>Country-wide network (national footprint)</b>	✓
<b>Previous Experience in providing maintenance of simulation equipment</b>	✓
<b>Size of vendor’s customer database</b>	✓
<b>2 Reference letters from vendors customers</b>	✓
<b>Access to source code included in the 3 X simulators</b>	✓
<b>Helpdesk available 8am – 5pm weekdays South African standard time</b>	✓

**NOTE: Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 10, 11, 12, 13 and 14, as indicated in the footer of each page, must be signed and dated by the Respondent.**

\_\_\_\_\_  
Respondent’s Signature

26

\_\_\_\_\_  
Date and Company Stamp



Transnet Request for Proposal No ICLM HQ 0828  
Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore  
simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

**By signing the RFP documents, the Respondent is deemed to acknowledge that he / she has made himself / herself thoroughly familiar with all the conditions governing this RFP, including those contained in any printed form stated to form part hereof and TPT will recognise no claim for relief based on an allegation that the Respondent overlooked any such condition or failed properly to take it into account for the purpose of calculating tendered prices or otherwise.**

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

SIGNATURE OF WITNESSES:

ADDRESS OF WITNESSES:

1 \_\_\_\_\_

1 \_\_\_\_\_

2 \_\_\_\_\_

2 \_\_\_\_\_

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE:

NAME

DESIGNATION

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



Transnet Request for Proposal No iCLM HQ 0828  
 Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore  
 simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

**SECTION 4**

**RFP NUMBER iCLM HQ 0828**

**PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER  
 TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED  
 OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE  
 TOWN, NGQURA AND DURBAN**

**FOR A PERIOD OF TWO (2) YEARS**

**SIGNING POWER: RESOLUTION OF BOARD OF DIRECTORS**

NAME OF COMPANY/CLOSE CORPORATION/SOLE PROPRIETOR/PARTNERSHIP:

\_\_\_\_\_

It was resolved at a meeting of the Board of Directors held on \_\_\_\_\_ that

FULL NAME(S)	CAPACITY	SIGNATURE
--------------	----------	-----------

_____	_____	_____
_____	_____	_____
_____	_____	_____

in his/her capacity as indicated above is/are hereby authorised to enter into, sign, execute and complete any documents relating to Tenders, Proposals and/or Contracts for the Provision of Services.

FULL NAME \_\_\_\_\_

\_\_\_\_\_  
 SIGNATURE CHAIRMAN

FULL NAME \_\_\_\_\_

\_\_\_\_\_  
 SIGNATURE SECRETARY



Transnet Request for Proposal No iCLM HQ 0828  
 Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore  
 simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

## SECTION 5

### RFP NUMBER iCLM HQ 0828

### **PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

### **FOR A PERIOD OF TWO (2) YEARS**

#### **CERTIFICATE OF ACQUAINTANCE WITH RFP DOCUMENTS**

NAME OF COMPANY: \_\_\_\_\_

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

hereby certify that I/we acquainted myself/ourselves with all the documentation comprising this RFP and all conditions contained therein, as laid down by TPT for the carrying out of the proposed supply/service/works for which I/we submitted my/our response.

I/We furthermore agree that TPT shall recognise no claim from me/us for relief based on an allegation that I/we overlooked any RFP/contract condition or failed to take it into account for the purpose of calculating my/our offered prices or otherwise.

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 2011

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
 SIGNATURE OF RESPONDENT



Transnet Request for Proposal No iCLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

## SECTION 6

### RFP NUMBER iCLM HQ 0828

### PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN

FOR A PERIOD OF TWO (2) YEARS

#### SERVICE FEES AND COSTS

##### PRICING SCHEDULE/PROJECT FEES

<b>Cape Town Container Terminal</b>		
<b>Full Suite</b>	<b>Pricing per annum (ZAR)</b>	<b>Total Pricing for 24 months (ZAR)</b>
Maintenance	R	R
Support	R	R
Software upgrade	R	R
	Subtotal	R

<b>Ngqura Container Terminal</b>		
<b>Full Suite</b>	<b>Pricing per annum (ZAR)</b>	<b>Total Pricing for 24 months (ZAR)</b>
Maintenance	R	R
Support	R	R
Software upgrade	R	R

\_\_\_\_\_  
Respondent's Signature

30

\_\_\_\_\_  
Date and Company Stamp



Transnet Request for Proposal No iCLM HQ 0828  
 Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore  
 simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

	Subtotal	R
--	----------	---

<b>Durban Container Terminal</b>		
<b>Full suite Per Simulator</b>	<b>Pricing per annum (ZAR)</b>	<b>Total Pricing for 24 months (ZAR)</b>
Maintenance	R	R
Support	R	R
Software upgrade	R	R
	Subtotal	R

<b>Description</b>	<b>Cost (ZAR)</b>	<b>Total (once off) ZAR</b>
Management Fee		R
Enhancements (as per page 2 of scope of work)	Price per enhancement	R
Other costs and/or Discounts	To be itemized	R
<b>GRAND TOTAL</b>		R

\_\_\_\_\_  
 Respondent's Signature

\_\_\_\_\_  
 Date and Company Stamp



**SECTION 7**

**RFP NUMBER iCLM HQ 0828**

**PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

**FOR A PERIOD OF TWO (2) YEARS**

**STATEMENT OF SERVICES SUCCESSFULLY CARRIED OUT BY TENDERER**

Tenderers must insert in the space provided below and submit with their Tenderers, the following statement showing the works which they have successfully carried out which can be verified by TPT.

Further, each Tenderer has to submit at least Two (2) written references (letters) for verification by TPT of works successfully performed by them. The information must be supplied by accurately completing the table set out below, which the Tenderer hereby warrants is true and correct in every respect by virtue of his signature to this document.

For whom done	Nature of Service	Value of Service	Year Completed

TENDERER \_\_\_\_\_

DATE: \_\_\_\_\_ 2011

\_\_\_\_\_  
Respondent's Signature

\_\_\_\_\_  
Date and Company Stamp



Transnet Request for Proposal No iCLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

## **SECTION 8**

### **RFP NUMBER iCLM HQ 0828**

### **PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

**FOR A PERIOD OF TWO (2) YEARS**

### **GENERAL TENDER CONDITIONS - SERVICES**

**Refer Form CSS5 attached hereto.**

---

Respondent's Signature

33

---

Date and Company Stamp



Transnet Request for Proposal No iCLM HQ 0828

Provision of maintenance and software support and upgrades for Rubber Tyre Gantry (RTG) and Ship to Shore simulators at Transnet SOC Limited Operating as Transnet Port Terminals (TPT) at its Container Terminals in Cape Town, Ngqura and Durban

## **SECTION 9**

### **RFP NUMBER iCLM HQ 0828**

### **PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

**FOR A PERIOD OF TWO (2) YEARS**

**FOR THE PROVISION OF SERVICES TO TRANSNET**

**DRAFT PROFESSIONAL SERVICES AGREEMENT**

---

Respondent's Signature

34

---

Date and Company Stamp

**SECTION 10**

**RFP NUMBER iCLM HQ 0828**

**PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR  
RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET  
SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER  
TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

**FOR A PERIOD OF TWO (2) YEARS**

**SUPPLIER DECLARATION FORM**

**NB: DOCUMENT ATTACHED – PLEASE COMPLETE**

**SECTION 11**

**RFP NUMBER iCLM HQ 0828**

**PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

**FOR A PERIOD OF TWO (2) YEARS**

**SUPPLIER CODE OF CONDUCT**

**NB: DOCUMENT ATTACHED – PLEASE COMPLETE**

**SECTION 13**

**RFP NUMBER iCLM HQ 0828**

**PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

**FOR A PERIOD OF TWO (2) YEARS**

**NON-DISCLOSURE AGREEMENT ("NDA")**



**Complete and sign SECTION 14**

**RFP NUMBER iCLM HQ 0828**

**PROVISION OF MAINTENANCE AND SOFTWARE SUPPORT AND UPGRADES FOR RUBBER TYRE GANTRY (RTG) AND SHIP TO SHORE (STS) SIMULATORS AT TRANSNET SOC LIMITED OPERATING AS TRANSNET PORT TERMINALS (TPT) AT ITS CONTAINER TERMINALS IN CAPE TOWN, NGQURA AND DURBAN**

**FOR A PERIOD OF TWO (2) YEARS**

**RFP DECLARATION FORM**

NAME OF COMPANY: \_\_\_\_\_

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

1. TPT has supplied and we have received appropriate responses to any/all questions (as applicable) which were submitted by ourselves for bid clarification purposes;
2. we have received all information we deemed necessary for the completion of this Request for Proposal (RFP);
3. at no stage have we received additional information relating to the subject matter of this RFP from TPT sources, other than information formally received from the designated TPT contact(s) as nominated in the RFP documents;
4. we are satisfied, insofar as our company is concerned, that the processes and procedures adopted by TPT in issuing this RFP and the requirements requested from bidders in responding to this RFP have been conducted in a fair and transparent manner; and
5. furthermore, we acknowledge that a direct relationship exists between a family member and/or an owner / member / director / partner / shareholder (unlisted companies) of our company and an employee or board member of the TPT as indicated below: *[Respondent to indicate if this section is not applicable]*

FULL NAME OF OWNER/MEMBER/DIRECTOR/



PARTNER/SHAREHOLDER:

ADDRESS:

---



---



---

Indicate nature of relationship with TPT:

---



---



---

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

6. We declare, to the extent that we are aware or become aware of any relationship between ourselves and TPT (other than any existing and appropriate business relationship with TPT) which could unfairly advantage our company in the forthcoming adjudication process, we shall notify Transnet immediately in writing of such circumstances.
7. We accept that any dispute pertaining to this bid will be resolved through the Ombudsman process and will be subject to the Terms of Reference of the Ombudsman. The Ombudsman process must first be exhausted before judicial review of a decision is sought. (Refer "Important Notice to Respondents" overleaf).
8. We further accept that TPT reserves the right to reverse a tender award or decision based on the recommendations of the Ombudsman without having to follow a formal court process to have such award or decision set aside.

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

For and on behalf of ..... duly authorised thereto	AS WITNESS:
Name:	Name:
Position:	Position:

Signature:	Signature:
Date:	
Place:	

***IMPORTANT NOTICE TO RESPONDENTS***

- **Transnet has appointed a Procurement Ombudsman to investigate any material complaint in respect of RFPs exceeding R5,000,000.00 (five million S.A. Rands) in value. Should a Respondent have any material concern regarding an RFP process which meets this value threshold, a complaint may be lodged with Transnet's Procurement Ombudsman for further investigation.**
- **It is incumbent on the Respondent to familiarise himself/herself with the Terms of Reference for the Transnet Procurement Ombudsman, details of which are available for review at Transnet's website [www.transnet.net](http://www.transnet.net).**
- **An official complaint form may be downloaded from this website and submitted, together with any supporting documentation, within the prescribed period, to [procurement.ombud@transnet.net](mailto:procurement.ombud@transnet.net)**
- **For transactions below the R5,000,000.00 (five million S.A. Rand) threshold, a complaint may be lodged with the Chief Procurement Officer of the relevant Transnet Operating Division.**
- **All Respondents should note that a complaint must be made in good faith. If a complaint is made in bad faith, Transnet reserves the right to place such a bidder on its List of Excluded Bidders.**

**attached hereto**