

TRANSNET SOC LTD

[Registration No. 1990/000900/30]

REQUEST FOR PROPOSAL [RFP - SERVICES]

FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN AS AND WHEN REQUIRED BASIS

RFP NUMBER GSM 15/05/1264
ISSUE DATE: 01 September 2015
CLOSING DATE: 22 September 2015
CLOSING TIME: 12:00
BID VALIDITY PERIOD: 120 Business days from Closing Date

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FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN AS AND WHEN REQUIRED BASIS

Section 1: NOTICE TO BIDDERS

1 INVITATION TO BID

Responses to this RFP [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**].

DESCRIPTION	FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN AS AND WHEN REQUIRED BASIS
BID FEE AND BANKING DETAILS	This RFP is issued free of charge
INSPECT / COLLECT / DOCUMENTS FROM DOWNLOAD	Procurement Office, Room 801 08 th Floor The Carlton Centre 15 Commissioner Street Johannesburg 2001 NATIONAL TREASURY PORTAL OR www.etenders.gov.za
ISSUE DATE AND COLLECTION DATE DEADLINE	Collection date deadline is applicable to physical collection and will be Between 09:00 and 15:00 from 01 September 2015 until 10 September 2015.
EMAIL ADDRESS FOR COMMUNICATION	All bidders who intend to submit a response to this RFP must submit their contact details to phumza.ngoma@transnet.net on or before 10 September 2015.
COMPULSORY/NON COMPULSORY BRIEFING SESSION	None Refer to paragraph 2 for details.
CLOSING DATE	12:00 on Tuesday 22 September 2015 Bidders must ensure that bids are delivered timeously to the correct address. As a general rule, if a bid is late or delivered to the incorrect address, it will not be accepted for consideration.
VALIDITY PERIOD	120 Business Days from Closing Date Bidders are to note that they may be requested to extend the validity period of their bid, at the same terms and conditions, if the internal evaluation process has not been finalised within the validity period.

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

2 FORMAL BRIEFING

A formal briefing session will not be held but should Respondents have specific queries they should email these to the Transnet employee(s) indicated in paragraph 6 [Communication] below:

3 PROPOSAL SUBMISSION

Proposals must be submitted in a sealed envelope addressed as follows:

The Secretariat, Transnet Acquisition Council

RFP No: GSM/15/05/1264

Description: FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN AS AND WHEN REQUIRED BASIS

Closing date and time: 22 September 2015 at 12:00

Closing address *[Refer to options in paragraph 4 below]*

All envelopes must reflect the return address of the Respondent on the reverse side.

4 DELIVERY INSTRUCTIONS FOR RFP

4.1 Delivery by hand

If delivered by hand, the envelope is must be deposited in the Transnet tender box which is located at the main entrance of the Office Block, Carlton Centre, 150 Commissioner Street, Johannesburg, and must be addressed as follows:

THE SECRETARIAT
TRANSNET ACQUISITION COUNCIL
CARLTON CENTRE
TENDER BOX
OFFICE BLOCK FOYER
150 COMMISSIONER STREET
JOHANNESBURG 2001

- a) The measurements of the "tender slot" are 400mm wide x 100mm high, and Respondents must please ensure that response documents or files are no 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, each such envelope to be addressed as required in paragraph 3 above.
- b) It should also be noted that the above tender box is located at the street level outside the main entrance in Commissioner Street and is accessible to the public 24 hours a day, 7 days a week.

4.2 Dispatch by courier

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

THE SECRETARIAT
TRANSNET ACQUISITION COUNCIL
48TH FLOOR
CARLTON CENTRE
OFFICE BLOCK
150 COMMISSIONER STREET
JOHANNESBURG

4.3 If responses are not delivered as stipulated herein, such responses will not be considered.

4.4 No email or faxed responses will be considered, unless otherwise stated herein.

- 4.5 The responses to this RFP will be opened as soon as possible after the closing date and time. Transnet shall not, at the opening of responses, disclose to any other company any confidential details pertaining to the Proposals / information received, i.e. pricing, delivery, etc. The names and locations of the Respondents will be divulged to other Respondents upon request.
- 4.6 Envelopes must not contain documents relating to any RFP other than that shown on the envelope.

5 BROAD-BASED BLACK ECONOMIC EMPOWERMENT AND SOCIO-ECONOMIC OBLIGATIONS

As described in more detail in the attached BBBEE Claim Form and as prescribed in terms of the Preferential Procurement Policy Framework Act (PPPFA), Act 5 of 2000 and its Regulations, Respondents are to note that Transnet will allow a "preference" to companies who provide a valid B-BBEE Verification Certificate.

The value of this bid is estimated to exceed R1 000 000 (all applicable taxes included); and therefore the **90/10** system shall be applicable.

Respondents are required to complete Section 8 [the B-BBEE Preference Point Claim Form] and submit it together with proof of their B-BBEE Status as stipulated in the Claim Form in order to obtain preference points for their B-BBEE status.

Note: Failure to submit a valid and original B-BBEE certificate or a certified copy thereof at the Closing Date of this RFP will result in a score of zero being allocated for B-BBEE.

5.1 B-BBEE Joint Ventures or Consortiums

Respondents who would wish to respond to this RFP as a Joint Venture [**JV**] or consortium with B-BBEE entities, must state their intention to do so in their RFP submission. Such Respondents must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If such a JV or consortium agreement is unavailable, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by Transnet through this RFP process. This written confirmation must clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to Transnet.

Respondents are to note the requirements for B-BBEE compliance of JVs or consortiums as required by Section 8 [the B-BBEE Preference Point Claim Form] and submit it together with proof of their B-BBEE Status as stipulated in the Claim Form in order to obtain preference points for their B-BBEE status.

Note: Failure to submit a valid and original B-BBEE certificate for the JV or a certified copy thereof at the Closing Date of this RFP will result in a score of zero being allocated for B-BBEE.

5.2 Subcontracting

Transnet fully endorses Government's transformation and empowerment objectives and when contemplating subcontracting Respondents are requested to give preference to companies which are Black Owned, Black Women Owned, Black Youth Owned, owned by Black People with Disabilities, EMEs and QSEs including any companies designated as B-BBEE Facilitators¹.

If contemplating subcontracting, please note that a Respondent will not be awarded points for B-BBEE if it is indicated in its Proposal that such Respondent intends subcontracting more than 25% [twenty-five percent]

¹ The Minister of the Department of Trade and Industry has the power to designate certain Organs of State or Public Entities as B-BBEE Facilitators. For example, the South African National Military Veterans' Association (SANMVA) has been designated as a B-BBEE Facilitator. As such they will be treated as having rights of ownership held 100% by Black People, 40% by Black Women and 20% by Black designated groups.

of the value of the contract to an entity/entities that do not qualify for at least the same points that the Respondent qualifies for, unless the intended subcontractor is an EME with the capability to execute the contract.

A person awarded a contract may not subcontract more than 25% [twenty-five percent] 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 subcontracted to an EME that has the capability and ability to execute the subcontract.

In terms of Section 8 of this RFP [the B-BBEE Preference Point Claim Form] Respondents are required to indicate the percentage of the contract that will be sub-contracted as well as the B-BBEE status of the subcontractor/s.

5.3 B-BBEE Improvement Plan

Transnet encourages its Service Providers to constantly strive to improve their B-BBEE rating. Whereas Respondents will be allocated points in terms of a preference point system based on its B-BBEE scorecard to be assessed as detailed in paragraph 5.1 above, in addition to such scoring, Transnet also requests that Respondents submit a B-BBEE improvement plan. Respondents are therefore requested to indicate the extent to which they will maintain or improve their B-BBEE status over the contract period.

Respondents are requested to submit their B-BBEE Improvement Plan as an additional document with their Proposals by completion of **Annexure D** appended hereto. [Refer to Section 11 and Annexure D for further instructions]

5.4 Supplier Development Initiatives

Historically in South Africa there has been a lack of investment in infrastructure, skills and capability development and inequality in the income distribution and wealth of a significant portion of the population. There have been a number of Government initiatives developed to address these challenges. In particular, the New Growth Path [NGP] and New Development Plan [NDP] aligns and builds on previous policies to ensure the achievement of Government's development objectives for South Africa.

Transnet fully endorses and supports Government's economic policies through its facilitation of Supplier Development [SD] initiatives. Hence Respondents are required to submit their commitments with regard to Supplier Development Initiatives over the duration of this contract.

As a prequalification criterion to participate in this bid, Respondents are required to provide a commitment that the monetary value of all SD initiatives to be undertaken by them will not be less than the percentages expressed below of the total contract value. The classifications are as follows:

Company B-BBEE Classification	Minimum SD commitment	Selection
Exempted Micro Enterprise (EME)	10% (ten percent)	
Qualifying Small Enterprise (QSE)	20% (twenty percent)	
Large Enterprise (LE)	30% (thirty percent)	

Respondents are required to select one of the options above in accordance with their B-BBEE classification.

Supplier Development Initiatives as outlined in the Supplier Development Value Summary will be focusing on:

- Skills development
- Job Creation

- Job Preservation
- Small business promotion

*All Respondents must refer to Section 9 for instructions and complete Section 10 [**Declaration of Supplier Development Commitments**] as this is a mandatory returnable document. In addition, Respondents are required to submit SD Value Summary, **Annexure C** as this is required as essential returnable documents.*

The commitments made by the successful Respondents will be incorporated as a term of the contract and monitored for compliance.

6 COMMUNICATION

- 6.1 For specific queries relating to this RFP, an RFP Clarification Request Form should be submitted to [Pumza Nqoma – pumza.nqoma@transnet.net] before **12:00 on 10 September 2015**, substantially in the form set out in Section 12 hereto. In the interest of fairness and transparency Transnet's response to such a query will then be made available to the other Respondents who have collected RFP documents. For this purpose Transnet will communicate with Respondents using the contact details provided to the Secretariat on issue of the bid documentation to the Respondent. Kindly ensure that you provide the Secretariat with the **correct** contact details, as Transnet will not accept responsibility for being unable to contact a bidder who provided incorrect contact details.
- 6.2 After the closing date of the RFP, a Respondent may only communicate with the Secretariat of the Transnet Acquisition Council, at telephone number 011 308 3528/3522, email TAC.SECRETARIAT@transnet.net or facsimile number 011 308 3967 on any matter relating to its RFP Proposal.
- 6.3 Respondents are to note that changes to its submission will not be considered after the closing date. Respondents are warned that a Proposal will be liable to disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer or employee of Transnet in respect of this RFP between the closing date and the date of the award of the business. Furthermore, Respondents found to be in collusion with one another will be automatically disqualified and restricted from doing business with Transnet in the future.

7 CONFIDENTIALITY

- 7.1 All information related to this RFP is to be treated with strict confidence. In this regard Respondents are required to certify that they have acquainted themselves with the Non-Disclosure Agreement. All information related to a subsequent contract, both during and after completion thereof, will 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 Transnet's business, written approval to divulge such information must be obtained from Transnet.

8 INSTRUCTIONS FOR COMPLETING THE RFP

- 8.1 Proposals must be submitted in duplicate hard copies [1 original and 1 copy] and must be bound.
- 8.2 Sign one set of original documents [sign, stamp 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 must be a copy of the original signed Proposal.
- 8.3 Both sets of documents are to be submitted to the address specified in paragraph 4 above, and Bidders must ensure that the original and copies (where applicable) are identical in all respects as Transnet will not accept any liability for having disqualified a bidder for failing to provide a mandatory returnable document in either the original or the copy of the RFP albeit that it was included in the other.

- 8.4 A CD copy of the RFP Proposal must be submitted. Please provide files in MS Word / Excel format, not PDF versions, noting that the signed original set will be legally binding.
- 8.5 **All returnable documents tabled in the Proposal Form [Section 4] must be returned with your Proposal.**
- 8.6 Unless otherwise expressly stated, all Proposals furnished pursuant to this RFP shall be deemed to be offers. Any exceptions to this statement must be clearly and specifically indicated.
- 8.7 Any additional conditions must be embodied in an accompanying letter. Subject only to RFP Appendix (ii) - General Bid Conditions [Alterations made by the Respondent to Bid Prices], alterations, additions or deletions must not be made by the Respondent to the actual RFP documents.

9 COMPLIANCE

The successful Respondent [hereinafter referred to as the **Service Provider**] shall be in full and complete compliance with any and all applicable laws and regulations.

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

- 10.1 modify the RFP's Services and request Respondents to re-bid on any such changes;
 - 10.2 reject any Proposal which does not conform to instructions and specifications which are detailed herein;
 - 10.3 disqualify Proposals submitted after the stated submission deadline [Closing Date];
 - 10.4 not necessarily accept the lowest priced Proposal or an alternative bid;
 - 10.5 reject all Proposals, if it so decides;
 - 10.6 withdraw the RFP on good cause shown;
 - 10.7 award a contract in connection with this Proposal at any time after the RFP's closing date;
 - 10.8 award a contract for only a portion of the proposed Services which are reflected in the scope of this RFP;
 - 10.9 split the award of the contract between more than one Service Provider, should it at Transnet's discretion be more advantageous in terms of, amongst others, cost or developmental considerations;
 - 10.10 make no award of a contract;
 - 10.11 should a contract be awarded on the strength of information furnished by the Respondent, which after conclusion of the contract, is proved to have been incorrect, Transnet reserves the right to cancel the contract.
- Transnet reserves the right to undertake post-tender negotiations [PTN] with selected Respondents or any number of short-listed Respondents, such PTN to include, at Transnet's option, any evaluation criteria listed in this RFP document.

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 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.

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

FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN AS AND WHEN REQUIRED BASIS

Section 2: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS

1 BACKGROUND

Transnet recognizes that an Employee Assistance Programme is a vital business tool in enhancing productivity and improving performance.

An Employee Assistance Programme with a Human Capital agenda has seen Transnet investing significantly in this function. The ultimate objective of an Employee Assistance Programme is to improve employee health, well-being and safety, and thereby ensure a positive impact on overall productivity and performance.

Transnet's commitment to "Delivering freight reliably" will be the strategic business focus and as a company Transnet is poised towards contributing significantly to the growth of the economy of our Country.

2 EXECUTIVE OVERVIEW

Transnet seeks to appoint one service provider to render a world class and innovative Employee Assistance Programme which will adhere to the quality, standards and norms of the industry in an evolving and flexible fashion.

The service provider will render services across all five Operating Divisions (ODs) of Transnet (TPT: Transnet Port Terminals, TNPA: Transnet National Ports Authority, TRE: Transnet Engineering, TFR: Transnet Freight Rail and TPL: Transnet Pipe Lines) as well as the three (3) Transnet Specialist Business Units (SBUs) TCP: Transnet Capital Projects, TP: Transnet Properties and TCC: Transnet Corporate Centre) totalling 56 000 employees. The duration of the contract will be for a period of three years with an option of extending for one year and with the understanding to implement the following:

- An Employee Assistance Programme that has evolved beyond the basic standards of typical Employee Assistance Programme.
- Interventions that will be targeted at the business of Transnet, supported by business intelligence.
- An Employee Assistance Programme which will be aligned to Transnet's organizational branding and competitive edge. The Employee Assistance Programme must be strategic, effective, integrated and premised on strong partnerships and accountability.
- The Transnet programme will evolve further over time so the service provider needs to be flexible to adapt to changing needs and ad-hoc services may be requested within this contract, given the changing needs of the business.
- An ability to demonstrate services in line with human capital practices, such as coaching, team interventions and organizational health and culture requirements.

Transnet has five operating divisions, three group support services divisions and the programme will have to be rendered across all of them.

The selected service provider should thus be able to:

- Engage with the different operating divisions in a meaningful way by customizing services and products to the business requirements of each operating division.

- The selected service provider will partner with individual operating divisions, whilst not losing the focus of transversal contract.
- The Employee Assistance Programme will be viewed as a business imperative and will have to seek to enhance business practices and processes through customized solutions.

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 economies of scale.
- Transnet must achieve user needs through the service provider ensuring maximum accessibility to the service through different media.
- Transnet must achieve significant risk reduction through the implementation of this investment in human capital management.
- Transnet must reduce costs by streamlining its acquisition of service or goods.

SPECIMEN

3 SCOPE OF REQUIREMENTS

Please note a capitated fee refers to a fee per month times the number of eligible employees, irrespective of the services rendered whilst a fee for service refers to a fee for services only as rendered.

The scope of work will include the following:

The following framework will apply to the scope of requirements:

Counselling Services	Awareness Education Training	Health, Wellness & Risk Management	Consulting	Lifestyle Management	Programme Management	Marketing and communication	Organizational Health
Capitated fee	Hybrid of a capitated and fee for service	Hybrid of a capitated and fee for service	Fee for service	Capitated fee	Capitated fee	Capitated fee and fee for service	Fee for service
<ul style="list-style-type: none"> Telephone. Face-to-face (CISD). Group Counselling (CISD). On-site counselling services 	<ul style="list-style-type: none"> Awareness sessions. Managerial training. Personal mastery. Employee education sessions. Coaching for executives and managers. Team interventions which would include assessment and diagnosis and actual intervention. 	<ul style="list-style-type: none"> Executive wellness. Wellness days. HRAs. HCT Assisting in managing diet, nutrition, exercise, weight management and general lifestyle choices. Assist in management of chronic diseases Support to Management i.t.o. health risks. Behavioural risk assessments. (Capitated fee for TFR whilst fee for service for other OD's) Disease management services for 	<ul style="list-style-type: none"> Specialized projects related to business will be part of the fee for service. Advice and support in terms of establishment of wellness centres/ cafeterias as and when required. Demonstrate an ability to assist with children's problems either through a network of experts or internal resources. Demonstrate the support process for employees with psychiatric conditions/mental illnesses. <p>-</p>	<ul style="list-style-type: none"> Financial management Legal services Pre-retrenchment support programme. Pre-retirement programme. 	<ul style="list-style-type: none"> Performance management. Provider expertise / risk etc. Q & A process Process flows Reporting + business intelligence. Governance forum. Participation. Complaints and compliments. Satisfaction – and other relevant surveys. ROI model. 	<ul style="list-style-type: none"> Marketing and communication strategy and plan. Wallet cards. Posters. Website. Brochures. Pamphlets. DVD's. Booklets and handbooks. 	<ul style="list-style-type: none"> Coaching to executives and managers. Team interventions Integration with various culture initiatives, such as the Bullying campaign and policy development.

		medically uninsured employees requiring ARVs.					
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SPECIMEN

Respondent's Signature

Date & Company Stamp

A: Counselling Services

- Toll free telephonic supportive counselling (24/7/365) for employees and families.
- Retention of the current Transnet toll free number.
- Model of 6 counselling sessions per employee per issue per year with the option to extended sessions as and when required on a pre-approval basis, basis, by the Operating Division EWP manager.
- Face to face counselling for employees and families. Ninety five percent (90%) of all cases will be face to face counselling.
- The service should be available in the eleven official languages and the national footprint of the service provider needs to be sound to accommodate Transnet employees at remote sites across the country. The availability of affiliates needs to match the Transnet geographical map.
- Trauma debriefing as per the business times of Transnet is important 24/7/365. After – hour access to this type of service is critical.
- Electronic on-line advisory services.
- Management advisory services.
- SMS call back system.
- On-site clinics. Operating divisions will with the assistance and support of the service provider prioritise the setting up of such clinics as per the Transnet protocol on size, number of employees, site and accessibility of service.
- Reports on individual formal referral cases will follow the following format:
 - Formal report after second session.
 - Final report after final session.
 - Regular progress feedback in between to EWP managers/managers/ referring agent. The latter may be in the form of an e-mail or telephone call.

B: Awareness, education and training

- These services would consist of briefing sessions, awareness sessions and education and training sessions.
- Briefing sessions refer to presentation on the EAP service and can be half an hour to one hour.
- Awareness sessions refer to the conducting of awareness on a variety of relevant topics and would be limited to one to two hours.
- An education or training session refers to training on any identified topic which is longer than two hours.
 - Briefing sessions will include employees, managers, HR, and relevant stakeholders.
 - Managerial training and training of all HR practitioners. All training material should be customised to the target group.
 - Training on various business needs and risks emanating from the business. These would include but not be limited to the marine cadet 'life – skill programme, diversity management, personal mastery and resilience enhancement, conflict resolution, women and gender and stress management.
 - Training on substance abuse, HIV/AIDS, trauma management and financial management would be a basic offering of this service.

C: Health, Wellness and Risk management

- Personalized health risk assessments which will form part of wellness day offering.
- Support and engagement with employees after health risk assessments as part of a follow-up plan.
- HCT to be conducted as a component of wellness days within and integrated model or as campaigns, as decided by the various operating divisions.
- Managing wellness days with the Transnet functionaries ranging from project planning, sourcing providers, engagement with on-site functionaries and managing the overall event.
- The overall wellness day management fall within this ambit.

- Working with medical schemes or other providers to assist employees in managing their health risks.
- Demonstration of an on-line system to track employees who have health risks and for subsequent follow-up.
- Referral should follow an integrated approach.

D: Executive Wellness

- Design or improve on current executive wellness programme.
- Do executive wellness assessments as per the Transnet standards
- Ensure an active follow through, engagement and after assessment support strategy for executives.
- The a-foregoing should be positioned within an active and well marketed communication strategy.

E: Behavioural Risk Assessments

- Behavioural risk assessments will form part of standard practice for safety critical jobs.
- Assessments on behavioural risks within the organization may also be requested if and where required, e.g for recruitment purposes or directly after an incident.
- These risk assessments should form the basis for project planning or should be aimed at a deeper understanding of organizational needs and change impacts.
- Recommended interventions based on trend analysis and the outcomes of assessment.
- Reporting to regulatory bodies where necessary.
- IP for any new developments remains the property of Transnet.

F: Consulting service to the work organization

- The Employee Wellness programme of Transnet has become an important business tool in enhancing performance and in assisting the business in retaining its competitive edge. This has been achieved mainly through the EAP being a major consultant to the business in designing and implementing solutions to business needs.
- Some examples of these are:
 - Marine cadet life-skills and support programme
 - Fatigue Management
 - Safety Behavioural Risk Assessments
- The Service provider would have to demonstrate a competence a competence is assisting Transnet with the above and would not be limited to the projects and programmes/solutions mentioned above.
- The expectation would be to assist in research, design, plan, implementation and monitoring of new projects required by the business.

G: Lifestyle Management Services

- Debt management and advocacy.
- Money management (Budgeting).
- Debt consolidation and assistance with debt recovery.
- Legal advice and guidance.
- Ability to engage with both blue collar workers and white collar workers.
- Workshops on money tips.

H: Marketing and Communication

- The creation and distribution of promotional material, which must be Transnet branded in line with the Corporate Identity guidelines.
- Promotional items will among other consist of:
 - Posters.

- Wallet cards.
- Brochures/pamphlets.
- Manager/supervisor, HR user guides (booklets and hand-outs).
- Production of DVD's on various EAP – related topics.
- Management of the website.
- SMSs
- E-mailers.
- Screen Savers.
- Articles
- The service provider would be involved in on-site marketing and communication of services, campaigns and road shows.
- Orientation sessions for managers and employees.
- Most importantly the service provider would have to demonstrate a marketing and communication expertise either internal to the company or as an outsourced competency.

I: Programme Management

- The provision of an overall key accounts manager for the Service Level Agreement as well as dedicated account managers per operating division.
- The service provider will have to orientate their call centre agents, account managers and relevant functionaries to the business of Transnet.
- The service provider should have relevant expertise to be deployed to the different Transnet projects.
- Performance management of provider functionaries is critical.
- A keen ability to self-manage and project management skills will be expected of all human resources deployed to the Transnet account.
- Demonstration of Quality assurance processes with all projects but in particular in the generation of reports, statistics, and trend analysis for Transnet.
- The mapping processes in alignment with Transnet standard operating procedures and aligned to other internal functional areas or other service providers, in order to provide seamless services to employees is essential.
- Complaints and compliments system, accessible to the Transnet Group EWP manager.
- The service provider should demonstrate a return on investment model which will underpin the quarterly review process of the SLA.
- Participation on various governance forums would be expected.
- Reports on relevant projects would be expected.
- Monthly reports, quarterly trend reports, as well as annual reports are basic requirement.
- Ad hoc reports may be requested as well as dash board reporting for various EXCO meetings.
- Employee satisfaction surveys will be expected after 6 months of the commencement of the SLA.

J: Key behaviour expected within the Transnet environment

- A keen ability to understand business partnering and an ability to engage with various internal stakeholders.
- The above would include HR, Safety and Risk, Occupational health and many others.
- Partnership behaviour would extend to working in co-operation with other service providers who manage components of the employee wellness function, in order to maximise on efficiencies. These could be related to disability, absenteeism management, HIV/AIDS disease management, amongst other.
- The service provider should become an integral member of the Transnet team by understanding the environment in which they are rendering services.

- The dynamics of transversal contract, value-managed at a Group level but operationally managed at Operating Divisional level should also be factored into planning.
- An understanding that the current EAP programme has evolved beyond the basic generic service offerings is key to this contract.
- Timeous corrective actions where required on projects, services and challenges.
- An ability to manage the function within tight organizationally imposed deadlines.

K: Organisational Health

- Coaching services for managers and executives to assist with new managers and where recommended as part of talent and performance management recommendations.
- Assisting managers in terms of coaching or performance.
- Team health which includes assessments, recommendations and where required implementation of actual interventions

General

Respondents are to note that Transnet requires a 1 (one) month hand over period at no charge commencing from the date of award of business.

Transnet also requires Respondents to be able to retain the current Employee Assistance Programme Toll Free contact number.

- Acceptance to above mentioned conditions (tick applicable box):

YES	
------------	--

NO	
-----------	--

4 GREEN ECONOMY / CARBON FOOTPRINT

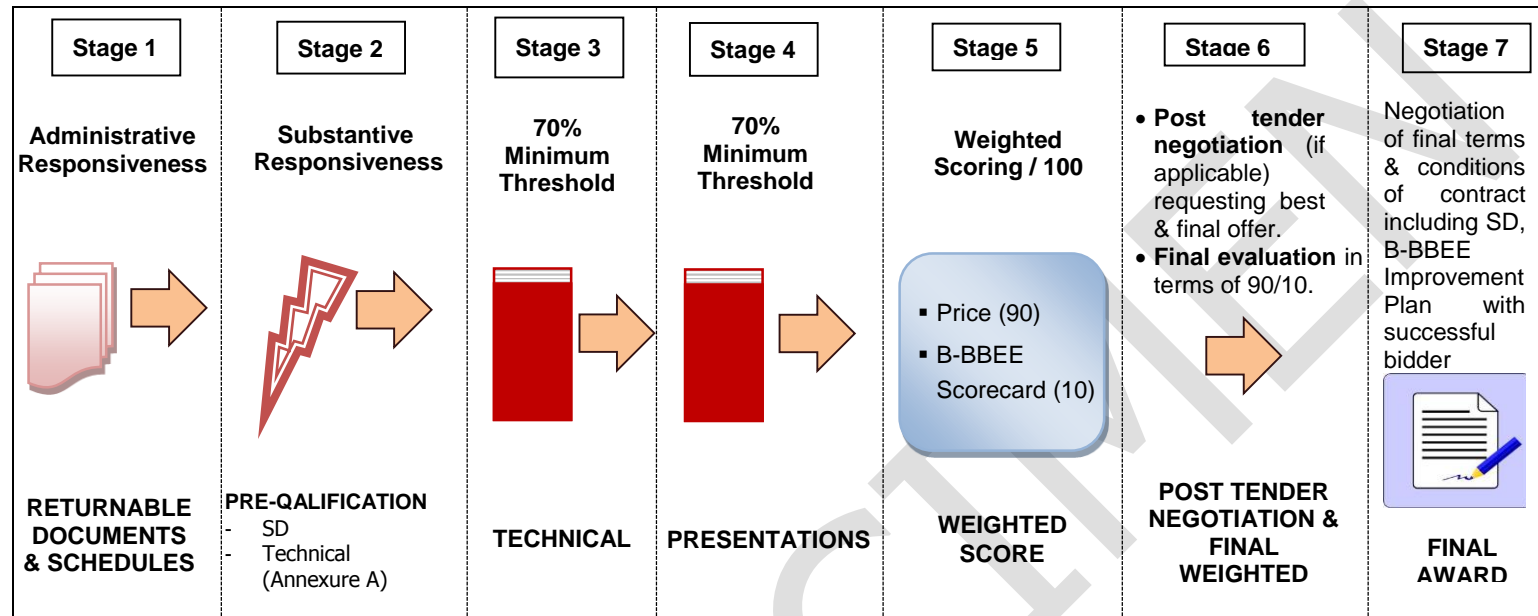
Transnet wishes to have an understanding of your company's position with regard to environmental commitments, including key environmental characteristics such as waste disposal, recycling and energy conservation. *Please submit details of your entity's policies in this regard.*

5 GENERAL SERVICE PROVIDER OBLIGATIONS

- 5.1 The Service Provider(s) shall be fully responsible to Transnet for the acts and omissions of persons directly or indirectly employed by them.
- 5.2 The Service Provider(s) must comply with the requirements stated in this RFP.

6 EVALUATION METHODOLOGY

Transnet will utilise the following methodology and criteria in selecting a preferred Service Provider, if so required:



6.1 STAGE ONE: Test for Administrative Responsiveness

The test for administrative responsiveness will include the following:

Administrative responsiveness check	RFP Reference
<ul style="list-style-type: none"> • Whether the Bid has been lodged on time 	<i>Section 1 paragraph 3</i>
<ul style="list-style-type: none"> • Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time 	<i>Section 4</i>
<ul style="list-style-type: none"> • Verify the validity of all returnable documents 	<i>Section 4, page 25</i>

The test for administrative responsiveness [Stage One] must be passed for a Respondent’s Proposal to progress to Stage Two for further pre-qualification

9.2 STAGE TWO: Test for Substantive Responsiveness to RFP

The test for substantive responsiveness to this RFP will include the following:

Check for substantive responsiveness	RFP Reference
1. Whether any general pre-qualification criteria set by Transnet, have been met	<i>Section 4 – validity period General Bid Conditions – RFP Appendix (ii) Sections 6</i>
2. Whether the Bid contains a priced offer	<i>Section 3</i>
3. Whether the Bid materially complies with the scope and/or specification given	<i>All Sections</i>
4. Whether the Bid contains a Prequalification commitment that the monetary value of all SD initiatives to be undertaken by the Respondent will not be less than EME [(10 percent)], QSE [20% (twenty percent)], LE [30% (thirty percent)] of the contract value. Supplier Development initiatives identified for this procurement transaction are: a) Skills development b) Job Creation c) Job Preservation d) Small Business Promotion	<i>Annexure B and Section 10</i>
5. Whether the Bid materially complies with the Technical Prequalification criteria included in Annexure A	<i>Annexure A</i>
5.1 Evidence of a Registration certificate with the Health Professions Council of South Africa (HPCSA) or the Social Services Council (SSC) for a minimum of 10 consultants proposed for the project team	<i>Annexure A</i>
5.2 Proof of registration as an organisation with the Employee Assistance Association of South Africa (EAPA-SA) for a period of not less than 2 years. Valid certificate from EAPA-SA must be submitted as evidence.	<i>Annexure A</i>
5.3 Minimum of 10 CVs of the proposed resource team demonstrating the relevant experience.	<i>Annexure A</i>
5.4 Respondents must have a National Footprint (country wide network of affiliates) to service employees in Transnet remote sites.	<i>Annexure A & Annexure F</i>
5.5 Respondents must be able to offer services in the eleven official languages.	<i>Annexure A & Annexure F</i>
5.6 Call Centre Capacity: Respondents must have a Call Centre (capacity) which is a physical location of defined seats with call centre agents with a minimum of 10 seats. Evidenced by call centre physical address, pictures/brochures and telephone number(s).	<i>Annexure A</i>

The test for substantive responsiveness [Stage Two] must be passed for a Respondent's Proposal to progress to Stage Three for further evaluation

9.3 STAGE THREE: Minimum Threshold of 70% for Technical Criteria

Test Minimum Threshold for Technical

The test for the Technical and Functional threshold will include the following:

Evaluation Criteria	Weightings	Scoring Guideline
1. Technical Capacity and Capability: Respondents must provide a detailed methodology and approach on how the required services will be provided to 56 000 employees and 11 000 contractors at Transnet. The methodology and approach must be aligned to the scope of requirements detailing the following:		
1.1 Counselling services - Counselling services as per the outlined framework and taking into consideration the thresholds as determined in a costing model	15%	0. Non-responsive 1. High level methodology and approach submitted with little to no detail provided on deliverables 2. Methodology and approach submitted with brief descriptions provided for all the deliverables 3. Methodology and approach submitted with detailed information provided for all the deliverables
1.2 Health & Risk Management - Health and Risk management services with a demonstration of IT capability for follow up support and engagement	15%	0. Non-responsive 1. High level methodology and approach submitted with little to no detail provided on deliverables 2. Methodology and approach submitted with brief descriptions provided for all the deliverables 3. Methodology and approach submitted with detailed information provided for all the deliverables
1.3 Organisational Health services	5%	0. Non-responsive 1. High level methodology and approach submitted with little to no detail provided on deliverables 2. Methodology and approach submitted with brief descriptions provided for all the deliverables 3. Methodology and approach submitted with detailed information provided for all the deliverables
1.4 Consultation services - Consulting services to the organisation requiring an understanding of the business of Transnet.	5%	0. Non-responsive 1. High level methodology and approach submitted with little to no detail provided on deliverables 2. Methodology and approach submitted with brief descriptions provided for all the deliverables 3. Methodology and approach submitted with detailed information provided for all the deliverables
1.5 Awareness Education Training - Education and awareness with a demonstrated hybrid costing model	5%	0. Non-responsive 1. High level methodology and approach submitted with little to no detail provided on deliverables 2. Methodology and approach submitted with brief descriptions provided for all the deliverables 3. Methodology and approach submitted with detailed information provided for all the deliverables
1.6 Lifestyle Management - Lifestyle management services which includes legal and financial services but is not limited to this.	5%	0. Non-responsive 1. High level methodology and approach submitted with little to no detail provided on deliverables 2. Methodology and approach submitted with brief descriptions provided for all the deliverables 3. Methodology and approach submitted with detailed information provided for all the deliverables

Evaluation Criteria	Weightings	Scoring Guideline
<p>1.7 Programme Management - Highlight QA processes, ROI model, internal performance and project management capability as well as the ability to deliver on satisfaction surveys. Partnership model with the business as a whole and with separate operating divisions will also be considered. The provision of business intelligence as a output of reporting is critical. Capacity (team size and skills to ensure effective service delivery)</p>	10%	<ol style="list-style-type: none"> 0. Non-responsive 1. High level methodology and approach submitted with little to no detail provided on deliverables 2. Methodology and approach submitted with brief descriptions provided for all the deliverables 3. Methodology and approach submitted with detailed information provided for all the deliverables
<p>2 Reporting: Respondents must provide samples of report(s) previously generated. Sample report(s) to be provided for each of the following aspects:</p> <ul style="list-style-type: none"> • Reports on individual formal referral cases; • Quality assurance processes - generation of statistics and trend analysis reports • Monthly, quarterly trend reports, Ad-hoc, dashboard reports for various Executive Committee (EXCO) meetings as well as annual reports; • Employee satisfaction surveys; and • Demonstration of Return on Investment model. 	15%	<ol style="list-style-type: none"> 0. Non-responsive 1. Sample report(s) provided satisfying only 1-2 of the required aspects 2. Sample report(s) provided satisfying only 3-4 of the required aspects 3. Sample report(s) provided satisfying all of the required aspects
<p>3 Marketing and Communication Respondents must provide the following:</p> <ol style="list-style-type: none"> a) <u>Category 1:</u> Examples of posters, wallet cards, brochures, pamphlets, booklets, handbooks and any other branded communication material utilized at other companies; b) <u>Category 2:</u> Example of a communication strategy and plan that has been drafted and implemented at a company similar to Transnet; c) <u>Category 3:</u> Example of a marketing strategy and plan that has been drafted and implemented at a company similar to Transnet; 	5%	<ol style="list-style-type: none"> 1. Only example(s) for one category (either 1, 2, or 3) was submitted. 2. Example(s) for 2 of the 3 categories was submitted. 3. Example(s) of all 3 categories was submitted.
<p>4.1 Resources previous experience: Respondents must provide CVs of key resources to be assigned to this project (minimum of 10 Resources). CVs to demonstrate relevant experience in the following areas:</p> <ul style="list-style-type: none"> • Awareness Education Training; • Health & Risk Management; • Consultation services; • Lifestyle Management; • Programme Management; • Advisory services 	5%	<ol style="list-style-type: none"> 0. <3 years' relevant experience of the team in 1 of the required areas 1. 3 – 5 years relevant experience of the team in 1-2 of the required areas 2. 5 – 7 years relevant experience of the team in 3-5 of the required areas 3. 7 – 9 years relevant experience of the team in 6-8 of the required areas 4. >9 years relevant experience of the team in all arears

Evaluation Criteria	Weightings	Scoring Guideline
<ul style="list-style-type: none"> • Communication/marketing • Reporting; • Organisational Health <p><i>(Experience will be evaluated and scored on an average of the combined total number of years of the proposed team of resources assigned to this project)</i></p>		
<p>4.2 Resources previous experience: Respondents must provide CVs of key resources to be assigned to this project (minimum of 10 Resources). CVs to demonstrate relevant experience in the following areas:</p> <ul style="list-style-type: none"> • Awareness Education Training; • Health & Risk Management; • Consultation services; • Lifestyle Management; • Programme Management; • Advisory services • Communication/marketing • Reporting; • Organisational Health <p><i>(Experience will be evaluated and scored on the overall experience demonstrated by the proposed team of resources in the required areas)</i></p>	5%	<ul style="list-style-type: none"> 0. Non-responsive 1. CVs of team satisfying 1-2 of the required areas 2. CVs of team satisfying 3-5 of the required areas 3. CVs of team satisfying 6-8 of the required areas 4. CVs of team satisfying all of the required areas
<p>5.1 Company previous experience Respondents must provide their clients' signed and authenticated reference letters demonstrating relevant experience in the following areas on previous projects:</p> <ul style="list-style-type: none"> a) Counselling services; b) Awareness Education Training; c) Health & Risk Management; d) Consultation services; e) Lifestyle Management; f) Programme Management; g) Communication/marketing; h) Reporting; i) Organisational Health 	5%	<ul style="list-style-type: none"> 0. <3 years' relevant experience of the company 1. 3 – 6 years relevant experience demonstrated by reference letter(s) 2. 6 – 8 years relevant experience demonstrated by reference letter(s) 3. 8 – 10 years relevant experience demonstrated by reference letter(s) 4. >10 years relevant experience demonstrated by reference letter(s)

Evaluation Criteria	Weightings	Scoring Guideline
<p>5.2 Company previous experience</p> <p>Respondents must provide their clients' signed and authenticated reference letters demonstrating relevant experience in the following areas on previous projects:</p> <ul style="list-style-type: none"> a) Counselling services; b) Awareness Education Training; c) Health & Risk Management; d) Consultation services; e) Lifestyle Management; f) Programme Management; g) Communication/marketing; h) Reporting; i) Organisational Health 	5%	<ul style="list-style-type: none"> 0. Non-responsive 1. Reference letter(s) satisfying 1-2 of the required areas 2. Reference letter(s) satisfying 3-5 of the required areas 3. Reference letter(s) satisfying 6-8 of the required areas 4. Reference letter(s) satisfying all of the required areas
	100%	

Respondents are encouraged to structure responses in accordance with criteria as listed above.

The minimum threshold for technical/functionality [Stage Three] must be met or exceeded for a Respondent's Proposal to progress to Stage Four for further evaluation

Transnet reserves the right to lower the threshold for Technical from 70% [seventy percent] to 60% [sixty percent] should no Bidder pass the predetermined minimum threshold in respect of Technical.

9.4 STAGE FOUR: Test Minimum Threshold for Technical Criteria (Technical Criteria: Presentations- 70%)

Respondents will be required to conduct a presentation. (Respondents must provide PowerPoint presentations for this stage).

The parameters outlined below need to be covered in the Presentation.

Evaluation Criteria	Weightings	Scoring Guideline
<p>1. Return on investment model</p> <p>This should include method for calculating return on investment, presenting a business case, reference to output, outcome and impact variables as well as review of value.</p> <p>Benchmarks, standards and utilization rates should be covered in this section.</p>	15%	<ul style="list-style-type: none"> 1. High level methodology and approach presented with little to no detail provided 2. Methodology and approach presented with brief descriptions provided for all areas mentioned in the evaluation criteria 3. Methodology and approach presented with detailed information provided for all areas mentioned in the evaluation criteria
<p>2. Model of partnership with the client</p> <p>Structuring of the provider human resources according to Transnet structure as well as the highlighting of key principle of partnerships should apply. Leadership within the service provider and how risk mitigation will ensure leadership changes do not affect service delivery. Handover and migration between providers as well as orientation of affiliate networks to the organisation needs to be addressed. Processes to manage conflict between provider and client are also essential in this section.</p>	25%	<ul style="list-style-type: none"> 1. High level methodology and approach presented with little to no detail provided 2. Methodology and approach presented with brief descriptions provided for all areas mentioned in the evaluation criteria 3. Methodology and approach presented with detailed information provided for all areas mentioned in the evaluation criteria
<p>3. Marketing and communication</p>	20%	<ul style="list-style-type: none"> 1. High level approach presented with little to no detail provided

Evaluation Criteria	Weightings	Scoring Guideline
Describe whether marketing and communication capability is internal or external and how this impacts service delivery. Describe any employee wellness project and the approach that will be taken with marketing and communication with reference to marketing and communication strategy and following an integrated approach. Also discuss some challenges experienced with clients in this regard and how they were resolved.		<ol style="list-style-type: none"> Approach presented with brief descriptions provided for all areas mentioned in the evaluation criteria Approach presented with detailed information provided for all areas mentioned in the evaluation criteria
<p>4. Internal project management capability of the provider</p> <p>Describe internal project management competence and how this will align to Transnet's integrated vision of employee wellness. A discussion on the provider's ability to project manage across different projects and components within the provider company is essential.</p> <p>Lastly, reference to provider's project management systems and how this will interface with Transnet.</p>	30%	<ol style="list-style-type: none"> High level methodology and approach presented with little to no detail provided Methodology and approach presented with brief descriptions provided for all areas mentioned in the evaluation criteria Methodology and approach presented with detailed information provided for all areas mentioned in the evaluation criteria
<p>5. Value added services in-terms of managing chronic diseases</p> <p>Demonstration of start to end processes in assisting clients with chronic diseases. Partnerships with other providers or the medical schemes are critical in this section as well as the discussion of an on-line system of support and tracking of high risk individuals.</p>	10%	<ol style="list-style-type: none"> Approach presented with little to no detail provided Approach presented with brief descriptions provided for all areas mentioned in the evaluation criteria Approach presented with detailed information provided for all areas mentioned in the evaluation criteria
Total Weighted Score	100%	

The minimum threshold for Step Four evaluation criteria of 70% must be met or exceeded for a Respondent's proposal to progress to Stage Five for final evaluation.

Transnet reserves the right to lower the threshold for Presentations from 70% [seventy percent] to 60% [sixty percent] should no Bidder pass the predetermined minimum threshold in respect of Technical.

9.5 STAGE FIVE: Evaluation and Final Weighted Scoring

a) Price Criteria [Weighted score 90 points]:

Evaluation Criteria	RFP Reference
Commercial offer	Section 3

Transnet will utilise the following formula in its evaluation of Price:

$$PS = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where:

- Ps = Score for the Bid under consideration
 Pt = Price of Bid under consideration
 $Pmin$ = Price of lowest acceptable Bid

b) **Broad-Based Black Economic Empowerment criteria** [Weighted score 10 points]

- B-BBEE - current scorecard / B-BBEE Preference Points Claims Form

Preference points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table indicated below:

B-BBEE Status Level of Contributor	Number of Points [Maximum 10]
1	10
2	9
3	8
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

9.6 **SUMMARY: Applicable Thresholds and Final Evaluated Weightings**

Threshold	Minimum Percentage [%]
Technical	70%
Presentations	70%

Evaluation Criteria	Final Weighted Scores
Price	90
B-BBEE - Scorecard	10
TOTAL SCORE:	100

10 STAGE SIX: Post Tender Negotiations (if applicable)

- Transnet reserves the right to conduct post tender negotiations with a shortlist of Respondent(s). The shortlist could comprise of one or more Respondents. Should Transnet conduct post tender negotiations, Respondents will

be requested to provide their best and final offers to Transnet based on such negotiations. A final evaluation will be conducted in terms of 90/10.

- Negotiation sessions will be held after Stage 4, to extract the lowest price and highest SD commitment.
- Price negotiations will be entered into, with the shortlisted bidders. The aim of the price negotiations will be to obtain the most cost effective pricing and obtain a common price structure between all bidders.

11 STAGE SEVEN: Final Contract Award

Transnet will negotiate the final terms and condition the contract with the successful Respondent. This may include aspects such as Supplier Development, the B-BBEE Improvement Plan, price and delivery. Thereafter the final contract will be awarded to the successful Respondent.

NB: Transnet reserves the right to perform a due diligence on the successful Respondent(s) site/office/call centre prior to the award of the final contract. This is necessary to validate all information provided by the successful Respondent(s)

IMPORTANT NOTICE TO RESPONDENTS

Transnet has appointed a Procurement Ombudsman to investigate any **material complaint** in respect of RFPs exceeding R5million [five million S.A. Rand] in value. Should a Respondent have any material concern regarding an RFP process which meets this threshold, a complaint may be lodged with the Ombudsman for further investigation. The Ombudsman reserves the right to refer the complaint to an external service provider for investigation.

It is incumbent on the Respondent to familiarise himself/herself with the Terms of Reference OF the Ombudsman which are available for review at Transnet's website 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.

For transactions below the abovementioned threshold, a complaint may be lodged with the Chief Procurement Officer of the relevant Transnet Operating Division/Specialist Unit.

Respondents are to 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

FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN AS AND WHEN REQUIRED BASIS

CLOSING VENUE: 48th Floor, Carlton Centre, 150 Commissioner Street, Johannesburg

CLOSING DATE: 22 September 2015

CLOSING TIME: 12:00 pm

VALIDITY PERIOD: 120 Business days

Section 3: PRICING AND DELIVERY SCHEDULE

Respondents are required to complete the tables below:

Please read this in conjunction with Page 12 (Scope of Requirements). The column on detail should correlate with the parameters as outlined on Page 12 (Scope of Requirements).

Table A – Capitated Fee

No	Description of Service	Estimated number of Employees / Sessions over 36 months	Unit Cost per employee / session (excl. VAT)	Total Cost per Month (excl. VAT)	Total Cost over 36 months (excl. VAT)
1	Counselling services including Lifestyle Management services, children's problems and psychiatric conditions/mental illnesses	30 000 employees			
2	Briefing, Awareness and Education sessions	300 sessions			
3	Health, wellness and safety risk management				
3.1	Behavioural risk assessments for Transnet Freight Rail, School of Security and Maritime School of Excellence	30 000 employees			
4	Programme Management				
5	Marketing and Communication Services (including input into internal marketing media)				
5.1	Wallet cards and brochures – 1 (one) each per employee per annum	56 000 employees			
5.2	Quarterly newsletters	12			

Respondent's Signature

Date & Company Stamp

5.3	Posters – 2 (two) sets per annum. (A set contains 3 (three) different sized posters)	70 sites			
6	Reporting (including ad-hoc reporting)				
Sub Total (excl. VAT)					R
Discount(s)					R
Total Cost (excl. VAT)					R

Table B – Fee for Service

No.	Description of Service	Estimated Volume (over 36 months)	Fee for Service (excl. VAT)	Total Cost over 36 months (excl. VAT)
1	Organisational Health - Coaching services	150		
2	Awareness, education and training			
2.1	Training workshops	250		
3	Health, wellness and safety risk management			
3.1	Health risk assessments	15 000		
3.2	Wellness days	300		
3.3	Executive wellness assessments	360		
3.4	Behavioural risk assessments for the remainder of Transnet Operating Divisions (ODs) and Specialist Business Units (SBUs)	500		
4	Consulting services			
4.1	Specialised projects related to business requirements	60		
4.2	Advice and support in terms of establishments of wellness centres/cafeterias	2		
5	Marketing and Communication services			
5.1	Design, development, printing and distribution of booklets	600		
5.2	Design, development, printing and distribution of guides	150		
5.3	Design, development, printing and distribution of pamphlets	3 000		
5.2	Design, development and production of DVDs	50		
Sub Total (excl. VAT)				R

Respondent's Signature

Date & Company Stamp

No.	Description of Service	Estimated Volume (over 36 months)	Fee for Service (excl. VAT)	Total Cost over 36 months (excl. VAT)
Discount(s)				R
Total Cost (excl. VAT)				R

Table C – Total Cost

Total Cost – Table A (Capitated Fee)	R
Total Cost – Table B (Fee for Service)	R
Grand Total over 36 months (A+B) (excl. VAT)	R

Table D – Escalation Percentages (Informative purposes)

Description		Escalation percentage (%) (Year 2)	Escalation percentage (%) (Year 3)
Capitated Fee	Unit cost per employee/session		
	Monthly fee		
Fee for Service			

Notes to Pricing:

- a) Prices must be quoted in South African Rand, exclusive of VAT.
- b) Disbursements must be included in the total cost over the 36 month period.
- c) Respondents are required to complete all columns/spaces in the pricing tables illustrated above. Any column/space left blank will render the pricing submission incomplete which may result in a Respondent's disqualification.
- d) To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this pricing schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being declared non responsive.
- e) 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.

1 DISCLOSURE OF PRICES TENDERED

- 1.1 Respondents must indicate below whether Transnet may disclose their tendered prices and conditions to other Respondents:

YES	
------------	--

NO	
-----------	--

2 RISK

Respondents must elaborate on the control measures put in place by their entity, which would mitigate the risk to Transnet pertaining to potential non-performance by a Service provider, in relation to:

2.1 Quality and specification of Services delivered:

2.2 Continuity of supply:

2.3 Compliance with the Occupational Health and Safety Act, 85 of 1993:

SIGNED at _____ on this ____ day of _____ 20__

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____
Name _____

2 _____
Name _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN AS AND WHEN REQUIRED BASIS

Section 4: PROPOSAL FORM AND LIST OF RETURNABLE DOCUMENTS

I/We _____
 [name of entity, company, close corporation or partnership] of [full address]

Carrying on business trading/operating 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, dated _____ to enter into, sign execute and complete any documents relating to this proposal and any subsequent Agreement.

The following list of persons are hereby authorised to negotiate on behalf of the abovementioned entity, should Transnet decide to enter into Post Tender Negotiations with shortlisted bidder(s).

FULL NAME(S)	CAPACITY	SIGNATURE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I/We hereby offer to supply the abovementioned Services at the prices quoted in the schedule of prices in accordance with the terms set forth in 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 of Contract - Services;
- (ii) General Bid Conditions – Services; and
- (iii) Any other standard or special conditions mentioned and/or embodied in this Request for Proposal.

I/We accept that unless Transnet should otherwise decide and so inform me/us in the letter of award/intent, 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 Transnet decide that a formal contract should be signed and so inform me/us in a letter of intent [the **Letter of Intent**], this Proposal [and, if any, its covering letter and any subsequent exchange of correspondence] together with Transnet's Letter of Intent, shall constitute a binding contract between Transnet and me/us until the formal contract is signed.

 Respondent's Signature

 Date & Company Stamp

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 supply of Services within 4 [four] weeks thereafter, Transnet 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 3 (three) years only with the option to extend for a further 1 (one) year.

Furthermore, I/we agree to a penalty clause/s to be negotiated with Transnet, which will allow Transnet to invoke a penalty against us for non compliance with material terms of this RFP including the delayed delivery of the Services due to non-performance by ourselves, failure to meet Supplier Development and B-BBEE Improvement Plan commitments. A penalty of up to 100% of the outstanding portion of the Supplier Development commitment will be applied and Transnet reserves the right to set this off against any payment due to the Respondent. In addition, I/we agree that non compliance with any of the material terms of this RFP, including those mentioned above, will constitute a material breach of contract and provide Transnet with cause for cancellation.

ADDRESS FOR NOTICES

The law of the Republic of South Africa shall govern any contract created by the acceptance of this RFP. The *domicilium 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 authorised representative in the Republic of South Africa who has the power of attorney 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 such contract.

Respondent to indicate the details of its *domicilium citandi et executandi* hereunder:

Name of Entity: _____

Facsimile: _____

Address: _____

NOTIFICATION OF AWARD OF RFP

As soon as possible after approval, the successful Respondent [**the Service provider**] will be informed of the acceptance of its Proposal. Unsuccessful Respondents will be advised in writing of the name of the successful Service provider and the reason as to why their Proposals have been unsuccessful, for example, in the category of price, delivery period, quality, B-BBEE status or for any other reason.

VALIDITY PERIOD

Transnet requires a validity period of 120 Business Days [from closing date – 15 September 2015] against this RFP.

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 & Company Stamp

RETURNABLE DOCUMENTS

All Sections, as indicated in the footer of each page, must be signed, stamped and dated by the Respondent. **Returnable Documents** means all the documents, Sections and Annexures, as listed in the tables below.

a) Mandatory Returnable Documents

Failure to provide all Mandatory Returnable Documents at the closing date and time of this tender will result in a Respondent's disqualification. Bidders are therefore urged to ensure that all these documents are returned with their Proposals.

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

MANDATORY RETURNABLE DOCUMENTS	SUBMITTED [Yes/No]
ANNEXURE A : Technical pre-qualification criteria	
ANNEXURE B : Supplier Development Pre-Qualification Criteria	
ANNEXURE E : Technical Questionnaire	
ANNEXURE F : National footprint and Official languages. (This should include a detailed approach and physical addresses to ensure that the bidder will be able to reach all Transnet Operating Divisions.)	
SECTION 3 : Pricing and Delivery Schedule	
SECTION 10 : Declaration of Supplier Development Commitments	
Minimum of 10 CVs of the proposed resource team demonstrating the relevant experience	
Detailed Methodology and Approach on how the required services will be provided to Transnet in the following areas: <ul style="list-style-type: none"> • Counselling Services • Organisational Health Services • Awareness education training; • Health and Wellness Risk Management; • Consultation Services; • Lifestyle Management Services; and • Programme Management 	
Proof of registration as an organisation with the Employee Assistance Association of South Africa (EAPA-SA) for a period of not less than 2 years. Valid certificate from EAPA-SA must be submitted as evidence.	
Bidders must provide evidence of a Registration certificate with the Health Professions Council of South Africa (HPCSA) or the Social Services Council (SSC) for a minimum of 10 consultants proposed for the project team	
Section 2 – Scope of Work	
Sample of reports previously generated	
Authentic reference letter(s) signed by client(s) demonstrating relevant experience	
Samples and/or examples of the following Marketing and Communication requirements:	

MANDATORY RETURNABLE DOCUMENTS	SUBMITTED [Yes/No]
<ul style="list-style-type: none"> • <u>Category 1</u>: Poster, wallet card, brochure, pamphlet, booklet, handbook and any other branded communication material utilized at other companies (only 1 sample of each to be submitted); • <u>Category 2</u>: Communication strategy and plan that has been drafted and implemented at a company similar to Transnet; and • <u>Category 3</u>: Marketing strategy and plan that has been drafted and implemented at a company similar to Transnet. 	

b) Essential Returnable Documents

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

Failure to provide all essential Returnable Documents may result in a Respondent's disqualification at Transnet's sole discretion. Bidders are therefore urged to ensure that all these documents are returned with their Proposals.

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

ESSENTIAL RETURNABLE DOCUMENTS & SCHEDULES	SUBMITTED [Yes/No]
Receipt for payment of RFP documents [paragraph 1]	
SECTION 4 : Proposal Form and List of Returnable documents	
<ul style="list-style-type: none"> - Valid and original, or a certified copy, of your entity's B-BBEE Accreditation Certification as per the requirements stipulated in the B-BBEE Claims Form Section 7. - Note: failure to provide these required documents at the closing date and time of the RFP will result in an automatic score of zero being allocated for preference 	
<ul style="list-style-type: none"> - 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 	
<ul style="list-style-type: none"> - Latest Financial Statements signed by your Accounting Officer or latest Audited Financial Statements for the previous 2 years 	
SECTION 5 : Vendor Application Form	
<ul style="list-style-type: none"> - Original cancelled cheque or bank verification of banking details 	
<ul style="list-style-type: none"> - Certified copies of IDs of shareholder/directors/members [as applicable] 	
<ul style="list-style-type: none"> - Certified copies of the relevant company registration documents from Companies and Intellectual Property Commission (CIPC) 	
<ul style="list-style-type: none"> - Certified copies of the company's shareholding/director's portfolio 	
<ul style="list-style-type: none"> - Entity's letterhead 	
<ul style="list-style-type: none"> - Certified copy of valid VAT Registration Certificate 	
Original and valid Tax Clearance Certificate [Consortia / Joint Ventures must submit a separate Tax Clearance Certificate for each party]	
SECTION 6 : RFP Declaration and Breach of Law Form	
SECTION 8 : B-BBEE Preference Claim Form	
ANNEXURE C : Supplier Development Value Summary	

ESSENTIAL RETURNABLE DOCUMENTS & SCHEDULES	SUBMITTED [Yes/No]
ANNEXURE D : B-BBEE Improvement Plan	

SPECIMEN

Respondent's Signature

Date & Company Stamp

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 RFP. 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.

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 RFP, including those contained in any printed form stated to form part hereof, including but not limited to the documents stated below and Transnet SOC Ltd 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.

Bidders furthermore agree that Transnet SOC Ltd shall recognise no claim from them for relief based on an allegation that they have overlooked any RFP/contract condition or failed to take it into account for the purpose of calculating their offered prices or otherwise.

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

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

- 1 General Bid Conditions*
- 2 Terms and Conditions of Contract for the supply of Services to Transnet*
- 3 Supplier Integrity Pact*
- 4 Non-disclosure Agreement*
- 5 Specifications and drawings included in this RFP
- 6 Supplier Development initiatives included in this RFP
- 7 Vendor Application Form* and all supporting documents (first time vendors only)

Alternatively, for all existing vendors, please provide vendor number(s) here:

Transnet Operating Division	Unique Vendor Number	Yes / No

In the Yes/No column above, please confirm that all the information e.g. company address and contact details, banking details etc. are still correct as at the time of allocation of the vendor number(s).

*(available on Transnet’s website or upon request)

SIGNED at _____ on this _____ day of _____ 20____

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____

Name _____

2 _____

Name _____

SIGNATURE OF RESPONDENT’S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

**FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO
TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN
AS AND WHEN REQUIRED BASIS**

Section 5: VENDOR APPLICATION FORM

Respondents are to furnish the following documentation and complete the Vendor Application Form below:

1. **Original** cancelled cheque **OR** letter from the Respondent's bank verifying banking details [**with bank stamp**]
2. **Certified copy** of Identity Document(s) of Shareholders/Directors/Members [*where applicable*]
3. **Certified copies** of the relevant company registration documents from Companies and Intellectual Property Commission (CIPC)
4. **Certified copies** of the company's shareholding/director's portfolio
5. **Original** letterhead confirm physical and postal addresses
6. **Original** valid SARS Tax Clearance Certificate [RSA entities only]
7. **Certified** copy of VAT Registration Certificate [RSA entities only]
8. **A valid and original** B-BBEE Verification Certificate / sworn affidavit **or certified copy** thereof meeting the requirements for B-BBEE compliance as per the B-BBEE Codes of Good Practice;
9. **Certified copy** of valid Company Registration Certificate [if applicable]

Note: No contract shall be awarded to any South African Respondent whose tax matters have not been declared by SARS to be in order.

Vendor Application Form

Entity's trading name						
Entity's registered name						
Entity's Registration Number or ID Number if a Sole Proprietor						
Form of entity [√]	CC	Trust	Pty Ltd	Limited	Partnership	Sole Proprietor
How many years has your entity been in business?						
VAT number [if registered]						
Entity's telephone number						
Entity's fax number						
Entity's email address						
Entity's website address						
Bank name			Branch & Branch code			
Account holder			Bank account number			
Postal address						

Respondent's Signature

Date & Company Stamp

		Code	
Physical address			
		Code	
Contact person			
Designation			
Telephone			
Email			
Annual turnover range [last financial year]	< R5 m	R5 - 35 m	> R35 m
Does your entity provide	Products	Services	Both
Area of delivery	National	Provincial	Local
Is your entity a public or private entity	Public	Private	
Does your entity have a Tax Directive or IRP30 Certificate	Yes	No	
Main product or services [e.g. Stationery/Consulting]			

Complete B-BBEE Ownership Details:

% Black ownership		% Black women ownership		% Disabled Black ownership		% Youth ownership	
Does your entity have a B-BBEE certificate	Yes		No				
What is your B-BBEE status [Level 1 to 9 / Unknown]							
How many personnel does the entity employ	Permanent		Part time				

If you are an existing Vendor with Transnet please complete the following:

Transnet contact person	
Contact number	
Transnet Operating Division	

Duly authorised to sign for and on behalf of Entity / Organisation:

Name		Designation	
Signature		Date	

**FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO
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Section 6: RFP 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 RFP Clarification purposes;
2. we have received all information we deemed necessary for the completion of this Request for Proposal [**RFP**];
3. we have been provided with sufficient access to the existing Transnet facilities/sites and any and all relevant information relevant to the Services 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 RFP from Transnet sources, other than information formally received from the designated Transnet contact(s) as nominated in the RFP documents;
5. we are satisfied, insofar as our entity is concerned, that the processes and procedures adopted by Transnet 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
6. 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.
7. 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.
8. 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:

Indicate nature of relationship with Transnet:

[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]

9. 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.
10. 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.
11. We further accept that Transnet reserves the right to reverse an award of business 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.

BREACH OF LAW

12. We further hereby certify that *I/we* (the bidding entity and/or any of its directors, members or partners) **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:

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____

For and on behalf of _____ duly authorised hereto	AS WITNESS:
Name:	Name:
Position:	Position:
Signature:	Signature:
Date:	Registration No of Company/CC
Place:	Registration Name of Company/CC

FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN AS AND WHEN REQUIRED BASIS

Section 7: RFP CLARIFICATION REQUEST FORM

RFP No: GSM /15/05/1264

RFP deadline for questions / RFP Clarifications: Before 12:00 on 15 September 2015

TO: Transnet SOC Ltd
ATTENTION: The Tender Administrator
EMAIL: pumza.nqoma@transnet.net
DATE: _____
FROM: _____

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

REQUEST FOR RFP CLARIFICATION

Multiple horizontal lines for writing the request for clarification.

**FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO
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Section 8: B-BBEE PREFERENCE POINTS CLAIM FORM

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

1. INTRODUCTION

- 1.1 A total of 10 preference points shall be awarded for B-BBEE Status Level of Contribution.
- 1.2 Failure on the part of a Bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System [**SANAS**] or a Registered Auditor approved by the Independent Regulatory Board of Auditors [**IRBA**] or an Accounting Officer as contemplated in the Close Corporation Act [**CCA**] together with the bid will be interpreted to mean that preference points for B-BBEE Status Level of Contribution are not claimed.
- 1.3 Transnet 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 Transnet.

2. GENERAL DEFINITIONS

- 2.1 **"all applicable taxes"** include value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **"B-BBEE status 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;
- 2.4 **"Bid"** means a written offer in a prescribed or stipulated form in response to an invitation by Transnet for the provision of goods, works or services;
- 2.5 **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 [Act No. 53 of 2003];
- 2.6 **"comparative price"** means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration;
- 2.7 **"consortium or joint venture"** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract;
- 2.8 **"contract"** means the agreement that results from the acceptance of a bid by Transnet;
- 2.9 **"EME"** means any enterprise with an annual total revenue of R5 [five] million or less as per the 2007 version of the B-BBEE Codes of Good Practice and means any enterprise with an annual total revenue of R10 [ten] million or less as per the Revised Codes of Good Practice issued on 11 October 2013 in terms of Government Gazette No. 36928;
- 2.10 **"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 and 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;

- 2.11 **"functionality"** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **"non-firm prices"** means all prices other than "firm" prices;
- 2.13 **"person"** includes reference to a juristic person;
- 2.14 **"QSE"** means any enterprise with an annual total revenue between R5 [five] million and R35 [thirty five] million as per the 2007 version of the B-BBEE Codes of Good Practice and means any enterprise with an annual total revenue of between R10 [ten] million and R50 [fifty] million as per the Revised Codes of Good Practice issued on 11 October 2013 in terms of Government Gazette No. 36928
- 2.15 **"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;
- 2.16 **"subcontract"** means the primary contractor's assigning or leasing or 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;
- 2.17 **"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 Empowerment Act and promulgated in the Government Gazette on 9 February 2007;
- 2.18 **"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
- 2.19 **"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.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The Bidder obtaining the highest number of total points for the evaluation criteria as enumerated in Section 2 of the RFP will be awarded the contract, unless objective criteria justifies the award to another bidder.
- 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 will be rounded off to 2 [two] decimal places.
- 3.4 In the event of equal points scored, the Bid will be awarded to the Bidder 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 will be the one scoring the highest score for functionality.
- 3.6 Should two or more Bids be equal in all respect, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

- 4.1 In terms of the Preferential Procurement Regulations, 2011, preference points shall 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 [Maximum 10]
1	10
2	9
3	8
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

- 4.2 Bidders who qualify as EMEs in terms of the 2007 version of the Codes of Good Practice must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EME's with B-BBEE Status Level Certificates.
- 4.3 Bidders who qualify as EMEs in terms of the Revised Codes of Good Practice issued on 11 October 2013 in terms of Government Gazette No. 36928 are only required to obtain a sworn affidavit on an annual basis confirming that the entity has an Annual Total Revenue of R10 million or less and the entity's Level of Black ownership.
- 4.4 In terms of the 2007 version of the Codes of Good Practice, Bidders other than EMEs 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 IRBA or a Verification Agency accredited by SANAS.
- 4.5 The Department of Trade and Industry recently revised the Codes of Good Practice on 11 October 2013 [Government Gazette No. 36928]. The Revised Codes will replace the Black Economic Empowerment Codes of Good Practice issued on 9 February 2007. The Revised Codes provide for a transitional period ending 30 April 2015. During the transitional period, companies may elect to be measured in terms of the Revised Codes or the 2007 version of the Codes. Companies which are governed by Sector-specific Codes will be measured in terms of those Sector Codes.
- 4.6 As such, Transnet will accept B-BBEE certificates issued based on the Revised Codes. Transnet will also continue to accept B-BBEE certificates issued in terms of the 2007 version of the Codes provided it was issued before 1 May 2015. Thereafter, Transnet will only accept B-BBEE certificates issued based on the Revised Codes.
- 4.7 In terms of the Revised Codes of Good Practice, Bidders who qualify as QSEs must comply with all the elements of B-BBEE for the purposes of measurement. QSEs that are at least 51% or 100% Black owned 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. Large enterprises 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 IRBA or a Verification Agency accredited by SANAS.
- 4.8 A trust, consortium or joint venture will qualify for points for its B-BBEE status level as a legal entity, provided that the entity submits its B-BBEE status level certificate.

- 4.9 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 4.10 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialised scorecard contained in the B-BBEE Codes of Good Practice.
- 4.11 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 subcontracting more than 25% [twenty-five per cent] of the value of the contract to any other enterprise that does not qualify for at least the same number of points that such a Bidder qualifies for, unless the intended subcontractor is an EME that has the capability and ability to execute the subcontract.
- 4.12 A person awarded a contract may not subcontract more than 25% [twenty-five per cent] 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 subcontracted to an EME that has the capability and ability to execute the subcontract.
- 4.13 Bidders are to note that in terms of paragraph 2.6 of Statement 000 of the Revised Codes of Good Practice issued on 11 October 2013 in terms of Government Gazette No. 36928, any representation made by an entity about its B-BBEE compliance must be supported by suitable evidence or documentation. As such, Transnet reserves the right to request such evidence or documentation from Bidders in order to verify any B-BBEE recognition claimed.

5. B-BBEE STATUS AND SUBCONTRACTING

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

B-BBEE Status Level of Contributor _____ = _____ [maximum of 10 points]

Note: Points claimed in respect of this paragraph 5.1 must be in accordance with the table reflected in paragraph 4.1 above 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 in the case of an EME or QSE.

5.2 Subcontracting:

Will any portion of the contract be subcontracted? YES/NO [delete which is not applicable]

If YES, indicate:

- (i) What percentage of the contract will be subcontracted?
- (ii) The name of the subcontractor
- (iii) The B-BBEE status level of the subcontractor
- (iv) Is the subcontractor an EME? YES/NO

5.3 Declaration with regard to Principal/Primary Company/Firm

- (i) Name of Company/Firm.....
- (ii) VAT registration number.....
- (iii) Company registration number.....
- (iv) Type of Company / Firm [TICK APPLICABLE BOX]
- Partnership/Joint Venture/Consortium
- One person business/sole propriety
- Close Corporations
- Company (Pty) Ltd
- (v) Describe Principal Business Activities

.....
.....
(vi) Company Classification [TICK APPLICABLE BOX]

- Manufacturer
- Supplier
- Professional Service Provider
- Other Service Providers, e.g Transporter, etc

(vii) Total number of years the company/firm has been in business.....

BID DECLARATION

I/we, the undersigned, who warrants that he/she is duly authorised to do so on behalf of the company/firm, certify that points claimed, based on the B-BBEE status level of contribution indicated in paragraph 4 above, qualifies the company/firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct.
- (ii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 6 above, the contractor may be required to furnish documentary proof to the satisfaction of Transnet that the claims are correct.
- (iii) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, Transnet 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) restrict the Bidder or contractor, its shareholders and directors, and/or associated entities, or only the shareholders and directors who acted in a fraudulent manner, from obtaining business from Transnet for a period not exceeding 10 years, after the *audi alteram partem* [hear the other side] rule has been applied; and/or
 - (e) forward the matter for criminal prosecution.

WITNESSES:

1.

2.

SIGNATURE OF BIDDER

DATE:.....

COMPANY NAME:

ADDRESS:.....

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Section 9: SUPPLIER DEVELOPMENT INITIATIVES

1.1 Aim and Objectives

Historically in South Africa there has been a lack of investment in infrastructure, skills and capability development and an inequality in the income distribution and wealth of a significant portion of the population. There have been a number of Government initiatives developed to address these challenges. In particular, the New Growth Path [NGP] and New Development Plan [NDP] aligns and builds on previous policies to ensure the achievement of Government's development objectives for South Africa. Transnet fully endorses and supports Government's New Growth Path policy.

The key focuses of the NGP include:

- increasing employment intensity of the economy
- addressing competitiveness
- balancing spatial development of rural areas and poorer provinces
- reducing the carbon intensity of the economy
- creating opportunities in improving regional and global cooperation
- enabling transformation that benefits a wider range of social actors in society e.g. workers, rural communities, youth and women

Transnet, as a State Owned Company [SOC], plays an important role to ensure these objectives are achieved. Therefore, the purchasing of goods and services needs to be aligned to Government's objectives for developing and transforming the local supply base. Transnet's mission is to transform its supplier base by engaging in targeted supplier development initiatives to support localisation and industrialisation whilst providing meaningful opportunities for Black² South Africans with a particular emphasis on:

- Youth [16 to 35 year olds]
- Black women
- People with disabilities
- Small businesses
- Rural integration

1.2 Supplier Development [SD]

To facilitate the implementation of Supplier Development initiatives, Transnet has adapted an existing framework from the Department of Public Enterprises [DPE]. This framework allows for a basic set of principles to be applied to appropriately targeted SD initiatives. Supplier development initiatives aim to build local suppliers who are competitive through building capability and capacity. Hence the framework has been termed the Increased Competitiveness, Capability and Capacity Supplier Development Classification Matrix [IC³ Matrix]. Currently there are four quadrants of SD initiatives which Transnet considers according to the IC³ Matrix.

As a prequalification criterion to participate in this bid, Respondents are required to provide a commitment that the monetary value of all SD initiatives to be undertaken by them will not be less than 20% [twenty percent] of the contract value.

Accordingly, Respondents are required to provide a commitment of the Supplier Development initiative they will undertake during the contract period in the **Supplier Development Value Summary**. In addition, Transnet requires that all Respondents submit

² "Black" means South African Blacks, Coloureds and Indians, as defined in the B-BBEE Act, 53 of 2003

a **Supplier Development Plan** demonstrating how they will discharge their commitments made in the Supplier Development Value Summary. The contract which will be concluded with the successful bidder will incorporate the SD undertakings made in the abovementioned documents as a term of the contract.

- a) For a detailed understanding of the IC³ Matrix, the respective SD initiatives and their objectives, please refer to the "Supplier Development Guidelines" appended hereto as Appendix (i). This document must be used as a guideline to complete the SD Plan.
- b) The following Supplier Development [**SD**] focus areas have been identified, namely:
- c) Supplier Development Value Summary presents a binding commitment on the part of the successful Respondent.

Category	Description
New Skills development	Skills transfer & skills education which will occur as a result of the award of contract
Job Creation/Preservation	Number of jobs created or preserved resulting from the award of contract
Enterprise and Supplier Development	Encouragement for growth and the expansion of emerging local firms, through procurement and support mechanisms

Green economy / carbon footprint: The potential reduction of the economy's carbon intensity [i.e. creation of a greener economy] should be regarded as a key priority within all the above SD Categories and for all proposed SD initiatives

1.3 Additional contractual requirements

Should a contract be awarded through this RFP process, the successful Respondent(s) [hereinafter referred to as **the Supplier**] will be contractually committed, *inter alia*, to the following conditions:

- a) The Supplier will be required to submit a **Supplier Development Implementation Plan** within 45 [forty-five] calendar days from the signature date of a Letter of Intent [**LOI**]. This Implementation Plan represents additional detail in relation to the SD Plan providing an explicit breakdown of the nature, extent, timelines and monetary value of the SD commitments which the Supplier proposes to undertake and deliver during the term of the contract. Specific milestones, timelines and targets will be recorded to ensure that the Implementation Plan is in line with Transnet's SD objectives and that implementation thereof is completed within the term of the contract.
- b) The Implementation Plan may require certain additions or updates to the initial SD Plan in order to ensure that Transnet is satisfied that development objectives will be met.
- c) The Supplier will need to ensure that the relevant mechanisms and procedures are in place to allow for access to information to measure and verify the Supplier's compliance with its stated SD commitments.
- d) The Supplier will be required to provide:
 - (i) monthly status updates to Transnet for each SD initiative. [Detailed requirements will be provided by Transnet];
 - (ii) quarterly status reports for Transnet and the DPE. [Detailed reporting requirements will be provided by Transnet]; and
 - (iii) a final Supplier Development report, to be submitted to Transnet prior to the expiry date of the contract, detailing delivery, implementation and completion of all SD components plus auditable confirmation of the Rand value contribution associated with each such SD commitment.
- e) All information provided by the Supplier in order to measure its progress against its stated targets will be auditable.
- f) The Supplier will be required to submit this Implementation Plan to Transnet in writing, within 45 [forty-five] calendar days after signature of a Letter of Intent [**LOI**], where after both parties must reach an agreement [signed by both parties] within 20 [twenty] calendar days. Transnet will reserve the right to reduce or increase the number of days in which the Supplier must submit its Implementation Plan if it is deemed reasonable, based on the degree of complexity of the SD initiative.

- g) The contract will be conditional on agreement being reached by the parties on the Implementation Plan submitted by the Supplier. Therefore failure to submit or thereafter to agree to the Implementation Plan within the stipulated timelines will result in the non-award of such a contract or termination thereof.
- h) Failure to adhere to the milestones and targets defined in an Implementation Plan may result in the invocation of financial penalties, to be determined at Transnet's discretion, as well as providing Transnet cause to terminate the contract in certain cases where material milestones are not being achieved.

1.4 **Supplier Development Returnable Documents**

Attached herewith is the following documentation:

- **Declaration of Supplier Development Commitments – Section 10 & Annexure B [mandatory]**
- **SD Value Summary – Annexure C [essential]**

Respondents are to note whether the abovementioned documents are listed as mandatory or essential returnable documents in Section 4 to this RFP as failure to submit, or to submit an incomplete mandatory returnable document will result in disqualification of your Proposal.

Failure to submit an essential returnable document may result in disqualification of your Proposal.

FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN AS AND WHEN REQUIRED BASIS

Section 10: DECLARATION OF SUPPLIER DEVELOPMENT COMMITMENTS

I/We _____

Hereby **agree** to commit that not less than 10% / 20% / 30% (circle the applicable percentage in line with your selection in Section 1, paragraph 5.4) of the contract value will be spent cumulatively on Supplier Development Initiatives. This pre-qualification criterion must be discharged against the following Supplier Development categories as outlined in the Supplier Development Value Summary [Annexure C]:

- Skills development
- Job Creation
- Job Preservation
- Small Business Promotion

I/We do hereby certify that the Supplier Development commitments made in relation to this RFP are solely in relation to this transaction and are not duplicated in relation to any other contracts that I/we have secured with any other organ of state including other State Owned Companies.

Furthermore, I/we do hereby declare that this undertaking also applies to any other contracts that I may have secured with Transnet including other Transnet Operating Divisions/Specialist Units. For the purposes of verification of this undertaking, the following is a list of contracts with Supplier Development commitments that I/we have secured with Transnet:

SIGNED at _____ on this _____ day of _____ 20____

SIGNATURE OF WITNESS

SIGNATURE OF RESPONDENT

**FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAMME TO
TRANSNET FOR A PERIOD OF THREE (3) YEARS WITH THE OPTION TO EXTEND FOR A FURTHER ONE (1) YEAR ON AN
AS AND WHEN REQUIRED BASIS**

Section 11: B-BBEE IMPROVEMENT PLAN

Transnet encourages its Suppliers to constantly strive to improve their B-BBEE rating and requests that Respondents submit a B-BBEE improvement plan. Respondents are therefore requested to indicate whether they will maintain or improve their BBEE status over the contract period.

Additional contractual requirements

Should a contract be awarded through this RFP process, the successful Respondent(s) may be contractually committed, *inter alia*, to the following conditions:

- a) The original B-BBEE Improvement Plan may require certain additions or updates in order to ensure that Transnet is satisfied that developmental objectives will be met.
- b) The Supplier will need to ensure that the relevant mechanisms and procedures are in place to allow Transnet access to information to measure and verify the Supplier's compliance with its stated B-BBEE Improvement commitments.
- c) The Supplier will be required to provide:
 - (i) quarterly status reports for Transnet; and
 - (ii) a final B-BBEE Improvement Plan report, to be submitted to Transnet prior to the expiry date of the contract, detailing delivery, implementation and completion of all B-BBEE Improvement components.
- d) All information provided by the Supplier in order to measure its progress against its stated targets will be auditable.

Respondents are requested to submit their B-BBEE Improvement Plan as an **essential document** with their Proposals by completion of **Annexure D** appended hereto. [*Refer Annexure D for further instructions*]