



TENDER BRIEFING SESSION

Non-compulsory

TNPA/2023/11/0015/49564/RFP:

FOR THE ESTABLISHMENT OF AN APPROVED PANEL OF SERVICE PROVIDERS TO BE APPOINTED AS OPERATOR(S) OF LAST RESORT OF TNPA PORT TERMINAL/FACILITY OPERATIONS, FOR A PERIOD OF THREE (3) YEARS FOR AS AND WHEN REQUIRED, AS A TRANSITIONAL MECHANISM UNTIL NEW TERMINAL OPERATOR(S) ARE APPOINTED THROUGH THE SECTION 56 PROCESS

Date : 13 December 2023 10:00

Venue : Microsoft Teams

AGENDA

Agenda Item	
1. Welcome and Introduction	SCM
2. Meeting Rules	SCM
3. Background	End-User
4. Scope of Work	End-User
5. Tender Evaluation Methodology	SCM
5.1 Evaluation Steps	SCM
5.2 Technical Evaluation Criteria	End-User
5.3 Pricing and Delivery Schedule	SCM
5.4 Returnable Documents	SCM
6. Tender Submission	SCM
7. Questions & Answers	Attendees

1. WELCOME AND INTRODUCTION

Meeting Purpose and Objective

- The purpose of this meeting is to clarify the Request for Proposal: **RFP No TNPA/2023/11/0015/49564/RFP** advertised on the on the Transnet and National Treasury e-Tender Portals.
- The objective of this meeting is to ensure that Transnet National Ports Authority's objectives related to the service requirement is well understood.
- To report any fraud, tip-offs anonymous: **0800 003 056** or **transnet@tip-offs.com**

2. MEETING RULES

- Attendees to remain muted during the presentations.
- All questions to be raised after the presentation.
- Attendees must make use of the hand raise function on MS Teams to be acknowledged if they have a question to raise.
- TNPA will endeavor to answer all questions during the session, however all answers to be responded to in writing and issued with briefing session minutes.
- Questions to be sent via email to **TNPATenderenquiries1@transnet.net** by no later than Thursday, 18 January 2024 at 16:00pm.
- No information will be repeated during the session for the benefit of those who join the session late.



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BACKGROUND & SCOPE OF WORK



3. BACKGROUND

The Transnet National Port Authority (TNPA) is, by statute, mandated with the management and control of South Africa's eight commercial ports in accordance with the provisions of the National Ports Act 12 of 2005 (the Act) to achieve the objectives of the National Commercial Ports Policy which envisages a globally competitive South African ports system. TNPA oversees how land is used inside ports and can lease property on terms that it may determine. Section 11 (4) of the Act obliges the Authority to be an operator of last resort and must do everything reasonably necessary for the effective and economic management, planning, control, and operation of ports. In cases where an existing Terminal Operator's license is cancelled or suspended by the Authority under subsection 60 (1) of the Act, the Authority may, if it considers that such cancellation or suspension would materially affect the movement of cargo or passengers in a port:

- a) provide the port service or operate the port facility;
- b) engage any employee of the licensed operator, or any 3rd party, to carry out the functions; and
- c) recover any expenses from the licensed operator concerned.

3. BACKGROUND CONTINUES.....

Therefore, to ensure continuity of Port Operations, TNPA requires a Panel of service providers that would serve as Operators of Last Resort to bridge the gap in case of Termination of an existing Terminal Operator's a license or end of contract. These entities would take possession and effective control of the operation terminals or facilities at TNPA ports by concluding an Agreement on appropriate terms and conditions. The Agreements shall be an interim measure, until such time that a new Terminal Operator is appointed in terms of Section 56 of the Act.

TNPA seeks to establish a panel of experienced and capacitated Terminal Operators to step in and take over the operation of Port Terminals when TNPA terminates a Terminal Operator Licence (TOL) and or Terminal Operator Agreement (TOA). Terminal Operators of last resort will be required at short notice to provide interim terminal operations until the appointment a terminal operator through Section 56. The panel will be established to service all eight (8) Port Terminals inclusive of Durban, Cape Town, Richards Bay, Ngqura, Saldanha Bay, Port Elizabeth, East London and Mossel Bay. Expected outputs from the service provider would be to ensure the continued operation of the Terminal by using existing Terminal Infrastructure, and shipping lines that would benefit from efficient operations that allow them to move their goods to market quickly and at a lower cost

4. SCOPE OF REQUIREMENTS

The key deliverables entail the following:

- 4.1 The appointed Terminal Operators will provide “cargo handling services” in the operation and maintenance of these terminals for commodities such as containers liquid bulk, dry bulk and multi – purpose etc.
- 4.2 TNPA will, based on a diagnostic of the problems and the peculiarities at a particular terminal prepare a revised and detailed scope and invite Terminal Operators on the panel to submit competitive bids in response thereto.
- 4.3 In operating and maintaining these terminals, the appointed Terminal Operator will engage in, inter alia the following activities:
 - a) the import/export, transit storage, handling, and distribution of cargo on to and off the vessel with appropriate terminal equipment; organisation of traffic flow, including safe and adequate parking of all terminal related traffic;
 - b) distribution of cargo to inland customers through rail or road; and
 - c) maintain terminal infrastructure and equipment.
- 4.4 The period of interim operation as the Operator of last resort will be specified and detailed in the RFP that will be issued to the panel at Phase 2 of this process. All Respondents who meet the technical criteria will be placed on the approved Panel of Terminal Operators.
- 4.5 The Port specification will be issued with the Request for Quotation/Proposal once the need arises.



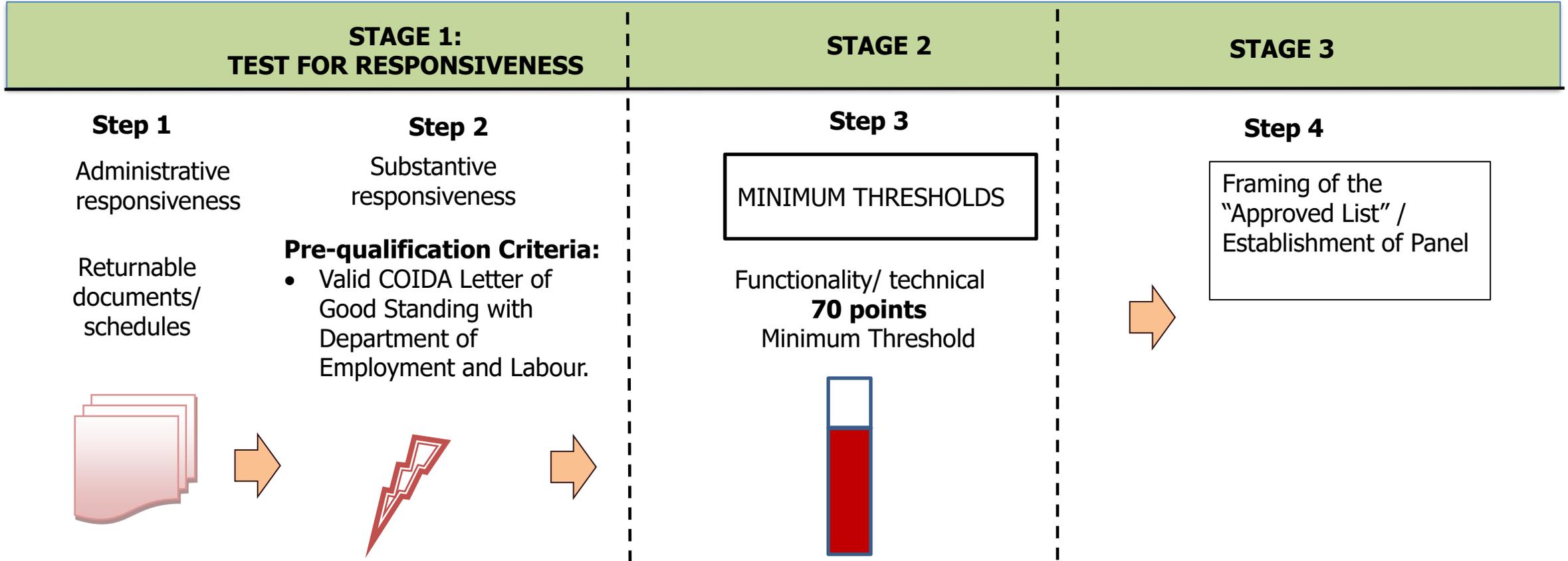
TENDER EVALUATION METHODOLOGY





5. EVALUATION METHODOLOGY

Transnet National Ports Authority will utilise the following methodology and criteria in selecting a preferred Service provider:



5.1 EVALUATION STEPS

Step 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</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 5</i>
<ul style="list-style-type: none"> Verify the validity of all returnable documents 	<i>Section 5</i>
<ul style="list-style-type: none"> Verify if the Bid document has been duly signed by the authorised respondent 	<i>All sections</i>

5.1 EVALUATION STEPS CONTINUES.....

Step Two: Test for Substantive Responsiveness

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

Check for substantive responsiveness	RFP Reference
<ul style="list-style-type: none"> Whether any general and legislation qualification criteria set by Transnet (All sections including: Section 2 paragraphs, 2.2, 10.2, General Bid Conditions clause 20), have been met 	<p><i>All sections including: Section 2 paragraphs, 2.2 and 10.2, General Bid Conditions clause 20</i></p>
<ul style="list-style-type: none"> Whether the Bid materially complies with the scope and/or specification given 	<p><i>All Sections</i></p>
<ul style="list-style-type: none"> Whether the Bidder has submitted a Valid COIDA Letter of Good Standing with Department of Employment and Labour 	<p><i>Section 5</i></p>
<ul style="list-style-type: none"> Whether any general and legislation qualification criteria set by Transnet (All sections including: Section 2 paragraphs, 2.2, 10.2, General Bid Conditions clause 20), have been met 	<p><i>All sections including: Section 2 paragraphs, 2.2 and 10.2, General Bid Conditions clause 20</i></p>

5.1 EVALUATION STEPS CONTINUES.....

Step Three: Minimum Threshold 70.00 points for Technical Criteria

- a) Only bidders that met all the Substantive Responsiveness checks will proceed to step three of technical evaluation. The technical evaluation will be conducted in out of 100 points. Bidders will be required to achieve a minimum threshold of 70 points to proceed to step four.
- b) The Technical Evaluation Criteria is attached to the RFP document as Annexure A.
- c) Respondents are to note that Transnet will round off final technical scores to the nearest 2 (two decimal places for the purposes of determining whether the technical threshold has been met. Respondent's compliance with the minimum functionality/technical threshold will be measured by their responses to Annexure A.
- d) Bidders are to note that on the second phase of this process, a detailed track record that covers volumes handled, productivity and maintenance of a terminal will be required in much detail.

5.1 EVALUATION STEPS CONTINUES.....

STEP Four: Framing of the "Approved List" Panel

- a) Respondents who meet the technical criteria will be placed on a Panel of Terminal Operators. An overarching framework agreement will be concluded with these Terminal Operators, following the acceptance of a TNPA letter of appointment by the qualifying Respondents.
- b) A Respondents' appointment to the Panel of Terminal Operators does not guarantee that the TNPA will make use of their services. As and when a need arises to make use of the services of the Panel of Terminal Operators, TNPA will issue a Request for Quotation/Proposal to Terminal Operators on the Panel to compete on evaluation based on Section 4, clause 2 as well as on price and Preference (B-BBEE) to ensure compliance to the requirements of the PPPFA.
- c) Immediately after approval to award the contract has been received, the successful preferred bidders will be informed of the acceptance of his/their Bid by way of a Letter of Award. Thereafter the final contract will be concluded with the successful Respondent.
- d) A Respondents' appointment to the Panel of Terminal Operators does not guarantee that the TNPA will make use of their services.

5.2 PRICING AND DELIVERY SCHEDULE

1. **PRICING AND DELIVERY SCHEDULE**

The pricing schedule is not applicable at this stage.

2. **DISCLOSURE OF CONTRACT INFORMATION**

Domestic Prominent Influential Persons (DPIP) Or Foreign Prominent Public Officials (FPPO):

Bidders to ensure full declaration.

3. **"AS AND WHEN REQUIRED" CONTRACTS/UTILIZATION OF THE PANEL**

- a) The Terminal Operators (service provider) appointed to the panel will be engaged from time to time as and when the need for Terminal Operator(s) arises and TNPA reserves the right to procure a Service Provider if and in instances where the required technical capacity is not available from the approved Panel of Services Providers.
- b) The Request for Quotation/Proposal will be issued to the applicable Terminal Operators on the Panel that had indicated preference to be appointed as Terminal Operator of Last Resort for a specific commodity(ies) and in a specific Port (s).
- c) The Terminal Operators in the panel will be required to meet all the evaluation criteria issued with Request for Quotations/Proposal (RFx's) and meet all bid requirements stipulated at the time.

5.2 PRICING AND DELIVERY SCHEDULE CONTINUES...



- d) The Terminal Operators are to note that upon issuing of the Request for Quotations/Proposal (RFXs), a detailed track record that covers volumes handled, productivity and maintenance of a terminal will be required in detail.
- e) The awarded Terminal Operator will enter into a short-term Terminal Operator Agreement with TNPA for a specific port where the services are required and Operate for a specific period of time until the designated Terminal Operator is acquired.
- f) Transnet reserves the right to utilize the panel until the last day of the panel contract duration, to render service beyond the expiry date of the Panel contract duration under the same terms and conditions as agreed upon.
- g) The Respondent to note that the terminal operations runs on a 24hour basis and over the weekends including public holidays to ensure continuity of port services.
- h) During the panel term, Transnet National Ports Authority (TNPA) will periodically require all service providers appointed to the panel to submit, updated company information and documentation (e.g., COIDA B-BBEE, CIPC, CSD, SARS tax compliance pin etc).
- i) TNPA reserves the right to conduct a refresh of the panel on a periodic basis.

5.3 RETURNABLE DOCUMENTS

a) Mandatory Returnable Documents

Respondents are required to submit with their bid submissions the following Mandatory Returnable Documents, and also to confirm submission of these documents by so indicating [Yes or No] in the tables below:

MANDATORY RETURNABLE DOCUMENTS	SUBMITTED [Yes/No]
Valid COIDA Letter of Good Standing with Department of Employment and Labour	

5.3 RETURNABLE DOCUMENTS CONTINUES...

b) Returnable Documents used for Scoring

Respondents are further required to submit with their Proposals the following **Returnable Documents Used for Scoring** and also to confirm submission of these documents by so indicating [Yes or No] in the table below:

RETURNABLE DOCUMENTS USED FOR SCORING	SUBMITTED [Yes or No]
Bidders' response to technical evaluation criteria Annexure A.	

5.3 RETURNABLE DOCUMENTS CONTINUES...

c) Essential Returnable Documents

Over and the above the requirements of section (a) and (b) mentioned above, Respondents are further required to submit with their Proposals the following Essential Returnable Documents and also to confirm submission of these documents by so indicating [Yes or No] in the table below:

ESSENTIAL RETURNABLE DOCUMENTS & SCHEDULES	SUBMITTED [Yes or No]
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	
SECTION 1: SBD1 Form	
SECTION 5: Proposal Form and List of Returnable documents	
SECTION 6: Certificate of Acquaintance with RFP, Terms & Conditions & Applicable Documents	
SECTION 7: RFP Declaration and Breach of Law Form	
SECTION 9: Protection of Personal Information	

5.3 RETURNABLE DOCUMENTS CONTINUES...

ESSENTIAL RETURNABLE DOCUMENTS & SCHEDULES	SUBMITTED [Yes or No]
SECTION 10: Port and Commodity Selection Form	
ANNEXURE B: Master Agreement	
ANNEXURE B1: Schedule of Requirements	
ANNEXURE C: Transnet General Bid Conditions	
ANNEXURE D: Supplier Integrity Pact	
ANNEXURE E: Non-Disclosure Agreement	
Valid B-BBEE certificate or Sworn- Affidavit as per DTIC guidelines	

5.3 RETURNABLE DOCUMENTS CONTINUES...

SECTION 10: PORT AND COMMODITY SELECTION FORM

Note: Respondents must indicate below, the commodity speciality/ies and the port/s they wish to be allocated to (by indicating “X” in the appropriate field in the table below). Bidders will be invited for subsequent Request for Quotations/Request for Proposals based on the respective selections as and when the need arises. The greyed-out areas reflect the services that are not applicable to that Port.

PORT TERMINALS	COMMODITIES					
	CONTAINERS	LIQUID BULK	BREAK BULK	DRY BULK	MULTI – PURPOSE	AUTOMOTIVE
RICHARDS BAY						
DURBAN						
EAST LONDON						
NGQURA						
PORT ELIZABETH						
CAPE TOWN						
SALDANHA BAY						
MOSSEL BAY						



TENDER SUBMISSION



6. TENDER SUBMISSION

Closing date: Wednesday, 24 January 2024

Time: 16:00 PM

Proposal submission

Transnet has implemented a new electronic tender submission system, the e-Tender Submission Portal, in line with the overall Transnet digitalization strategy where suppliers can view advertised tenders, register their information, log their intent to respond to bids and upload their bid proposals/responses on to the system.

a) The Transnet e-Tender Submission Portal can be accessed as follows:

- Log on to the Transnet eTenders management platform website/ Portal (<https://transnetetenders.azurewebsites.net>) Please use Google Chrome to access Transnet link/site);
- Click on "ADVERTISED TENDERS" to view advertised tenders;
- Click on "SIGN IN/REGISTER – for bidder to register their information (must fill in all mandatory information);
- Click on "SIGN IN/REGISTER" - to sign in if already registered;
- Toggle (click to switch) the "Log an Intent" button to submit a bid;
- Submit bid documents by uploading them into the system against each tender selected.
- No late submissions will be accepted. The bidder guide can be found on the Transnet Portal <https://transnetetenders.azurewebsites.net>

7. QUESTIONS AND ANSWERS



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THANK YOU

