

Mobility that Empowers the Economy



POST 2026 GAUTRAIN BRIEFING SESSION

The Maslow Hotel

28 November 2023





01

Historical perspective of the Gautrain

William Dachs
CEO: GMA

The Province and The GMA

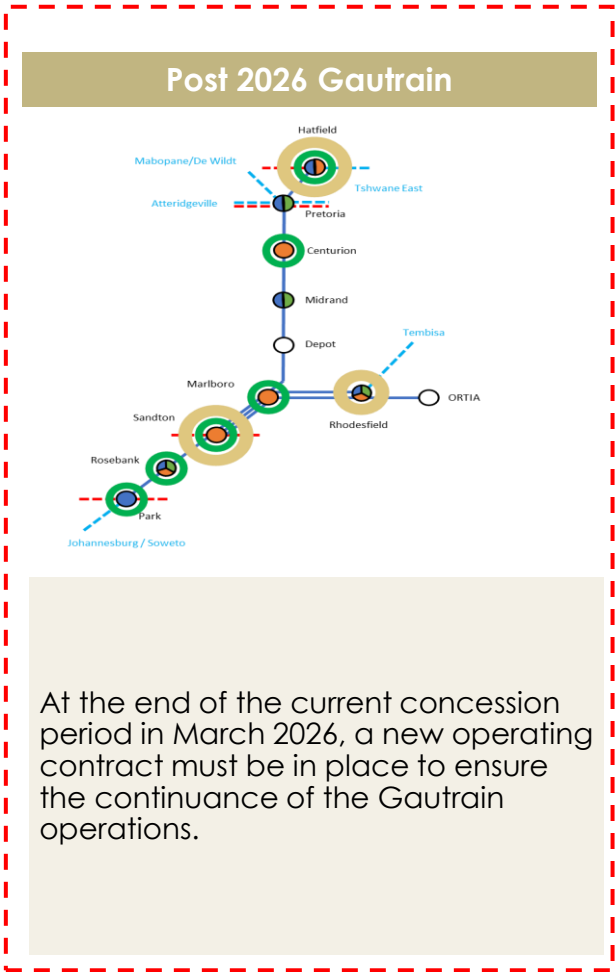
The GMA is the Agent of the Province of Gauteng

The GMA is a Schedule 3(c) public entity and is established in terms of the Gautrain Management Agency Act, of which it must:

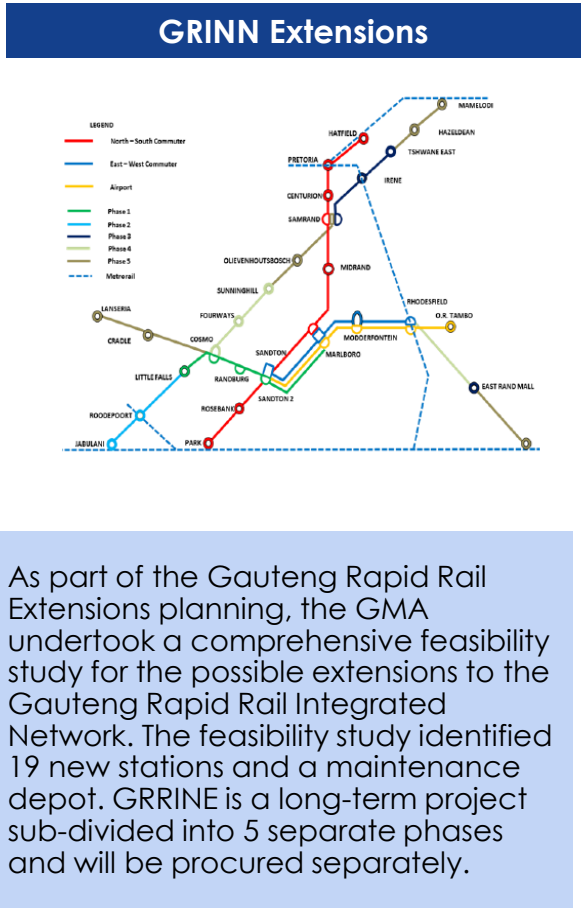
- act on behalf of the Province in **managing the relationship** between the Province and Concessionaires in terms of **Concession Agreement (CA)** and ensure that the interests of Province are protected
- **manage assets** relating to the Project and promote **their preservation and maintenance**
- **manage the finances** of the Project and the financial securities provided by Concessionaire
- liaise with and promote **co-operation between government structures** in all three spheres of government in relation to the project
- promote and **maximize the socio-economic development and BBBEE objectives** of the Province in relation to the Project
- monitor **the policy and legislative environment** of the Project; and
- enhance the **integration of the project with other transport services** and Public Transport Plans



Differences between the Post 2026 Gautrain & Future Gautrain Extensions



At the end of the current concession period in March 2026, a new operating contract must be in place to ensure the continuance of the Gautrain operations.



As part of the Gauteng Rapid Rail Extensions planning, the GMA undertook a comprehensive feasibility study for the possible extensions to the Gauteng Rapid Rail Integrated Network. The feasibility study identified 19 new stations and a maintenance depot. GRRINE is a long-term project sub-divided into 5 separate phases and will be procured separately.

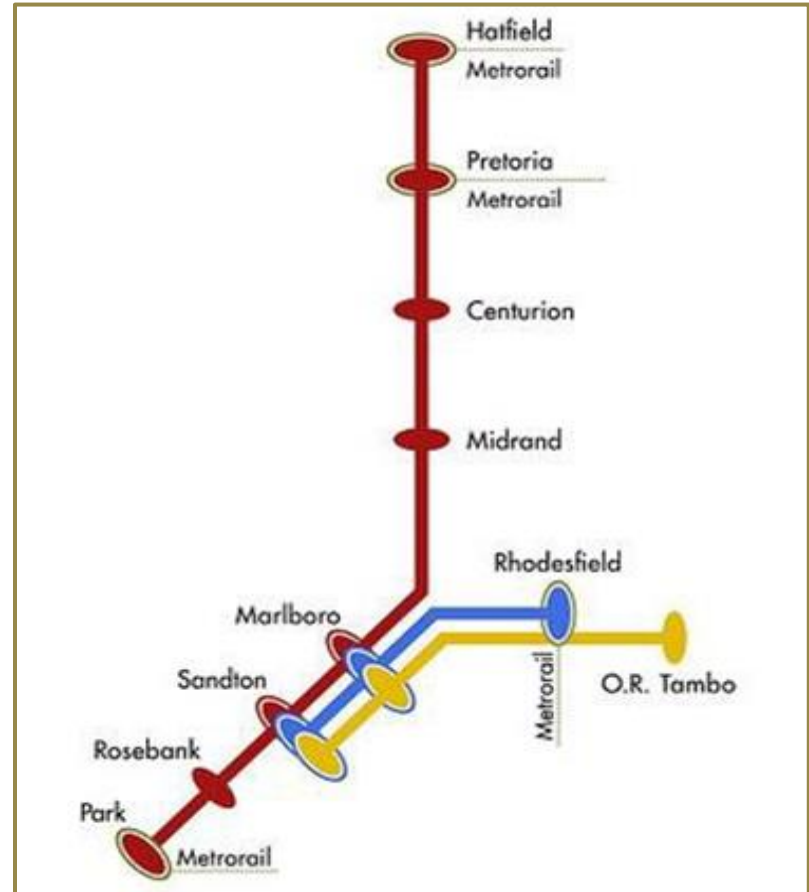


The Gautrain



Background

- Gautrain is an urban rapid rail project
- 80km route with 10 stations linking three cities in Gauteng and the airport
- It is a PPP with a Concession Agreement of the DBFOMT type
- Signed in 2006, it ends in March 2026



Objectives

Three interrelated and overlapping focus areas



Economic development



Public transport
delivery



Infrastructure and
urban development



Specific Objectives

- Stimulate economic growth, development, and job creation
- Achieve the Gauteng's goals related to SMMEs, tourism and BBBEE
- Promote business tourism through the link between Sandton and ORTIA
- Reduce severe traffic congestion in the Tshwane – Johannesburg corridor
- Promote the use of public transport
- Improve the image of public transport and attract more car users to public transport
- Provide links to the Tshwane Ring Rail Project
- Comprise a significant part of a holistic transport plan and network for Gauteng
- Link the main economic nodes in Gauteng
- Stimulate the renovation and upliftment of the Johannesburg and Tshwane Central Business Districts (CBDs)

Overview of the Gautrain Project

The Gautrain Project is South Africa's first and only rapid rail system

80km



80 route kilometres between the north and south of the Gauteng Province

96



96 rail cars (24 x4 EMUs)

10



10 Stations across the system

1



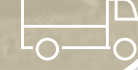
One bus and rail car depot

125



A fleet of 125 heavy haul busses

25



25 Midibuses

~1000



~1000 staff across operations and administration of the project

~670k



~670k passengers trips per month (60% of pre-Covid patronage)

Evolution of Gautrain

Part of Blue IQ

- Address a problem – economic shift from commodities to services and poor historical spatial form
- Use an opportunity – budget surplus from 2005-2008

Decisive intervention by government to

- Create new world class assets
- Change negative trends away from public transport and urban sprawl
- Grow sectors supporting a modern economy
- Stimulate private sector investment

National Government Role

- The Gautrain project received multiple approvals from the National Treasury and the Cabinet in the period 2000 to 2006
- National Department of Transport provided 50% of initial capital funding
- PPP Unit gave strong technical support but also oversight that increased confidence

Strong and Rational Response from Province in Gautrain Design

- Gauteng positioned Gautrain as economic value creator and public asset delivered via a PPP
- Created GMA as an entity designed to derive value and manage risks



The Gautrain

- Over 187 million passenger trips to date
- ± 6 800 trains per month
 - 10-minute headways during peak period
 - 20-minute headways during off-peak period
- 125 feeder & distribution Gautrain buses
- ± 11 000 parking bays
- 99% Availability and 98% Punctuality
- Less than 0,4% fare evasion
- Less than 1 security incidents / 1 million trips

RAIL SERVICE:
142 059 273 PASSENGER TRIPS



BUS:
43 220 459 PASSENGER TRIPS

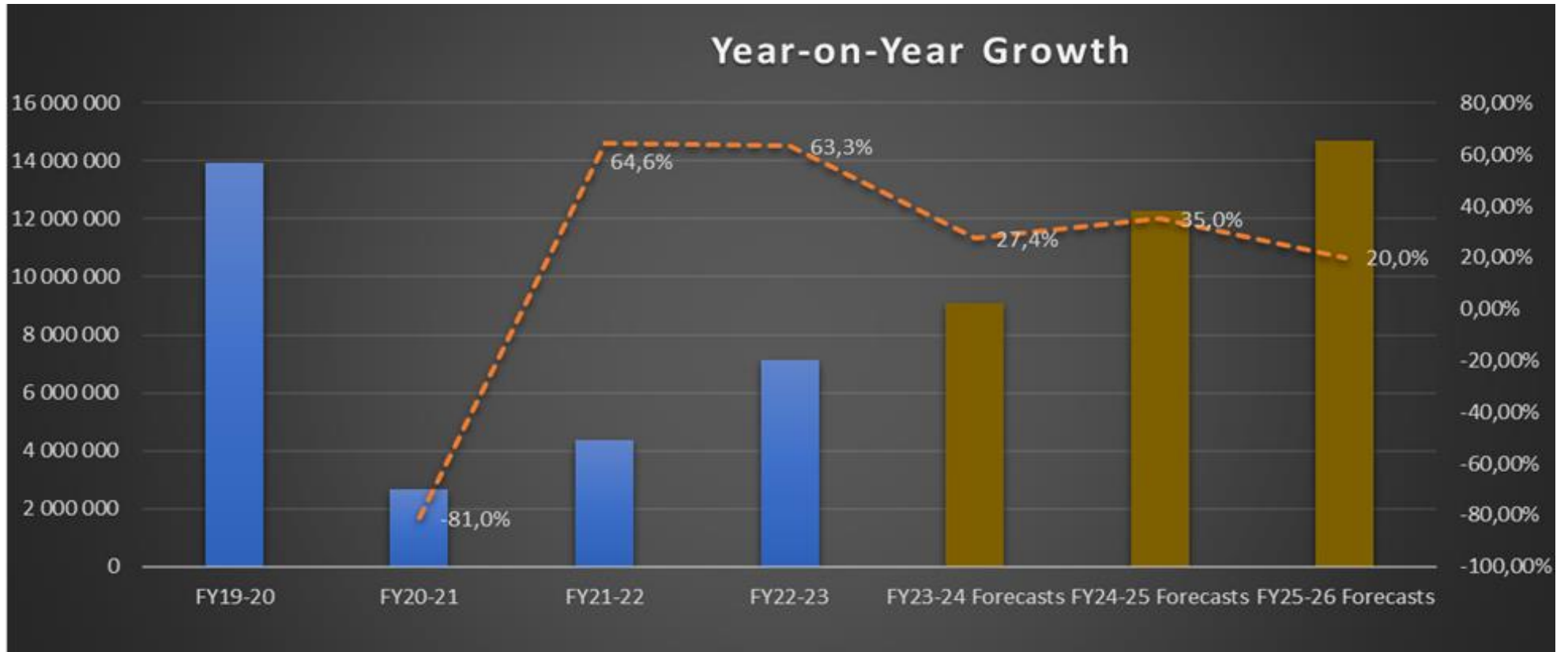


MIDI BUS:
2 834 686 PASSENGER TRIPS



**Passenger data as at 19 November 2023*

The Gautrain Ridership During and Post Covid



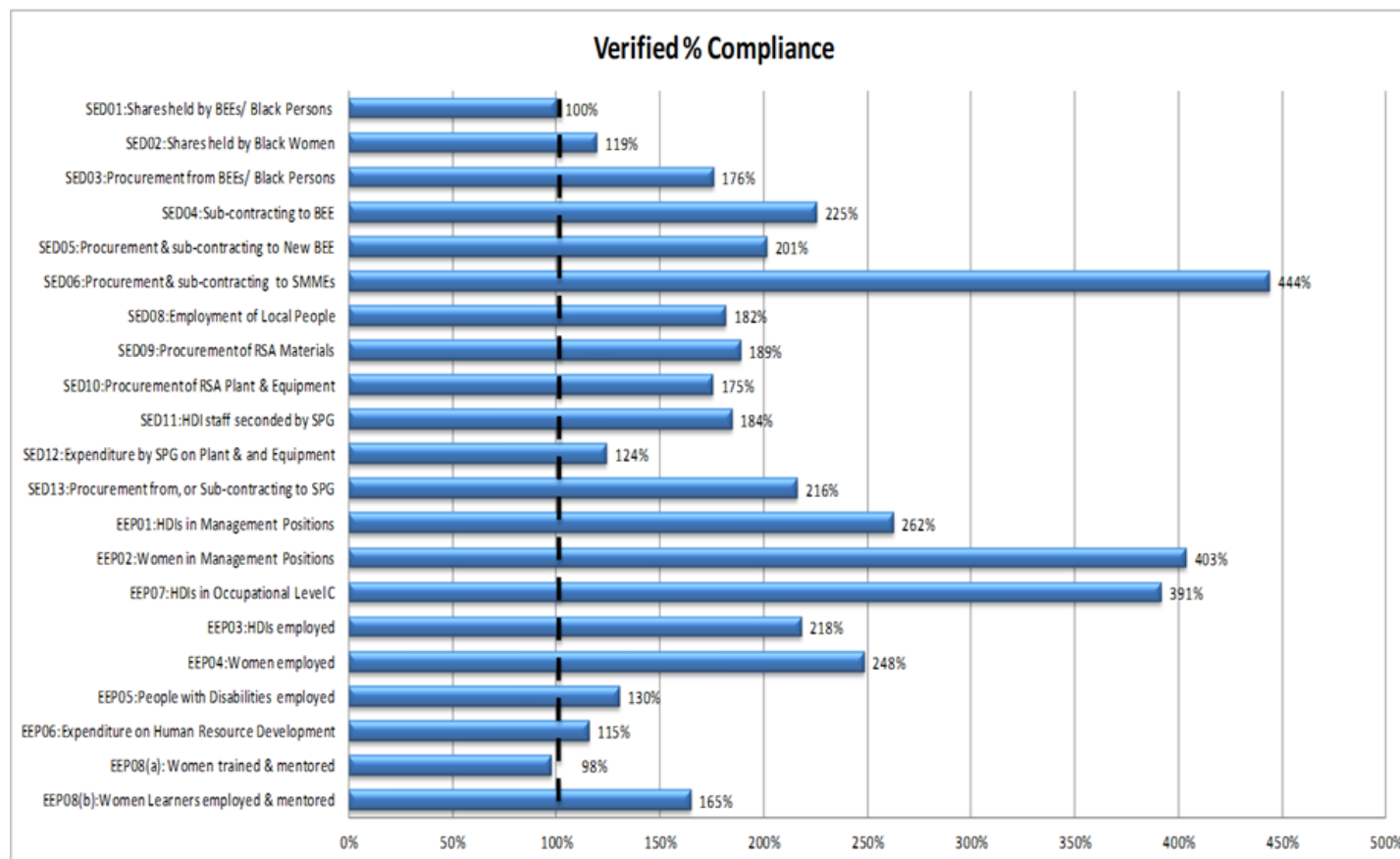
Gautrain as a PPP

PHASE	PHASE NAME AND PERIOD	PROVINCE SUPPORT
1	<p>PROCUREMENT</p> <p>Apr 2000 – Sep 2006</p> <p>Financial Close only in February 2007</p>	Transaction Advisors
2	<p>CONCESSION DEVELOPMENT</p> <p>28 Sep 2006 – 7 June 2012</p> <p>Plus defects/liability/retention period</p>	GMA staff and Provincial Support Team
3	<p>OPERATION & MAINTENANCE</p> <p>7 June 2012 – 28 March 2026</p>	GMA

Gautrain as a PPP

Targeted Socio-Economic Development

- Gautrain built into its PPP contracting 22 elements of socio-economic development
- These are contractually binding and have penalties for non-compliance
- All are independently verified each month
- Targeted at key elements of
 - Job creation
 - Local contracting and procurement
 - B-BBEE Elements

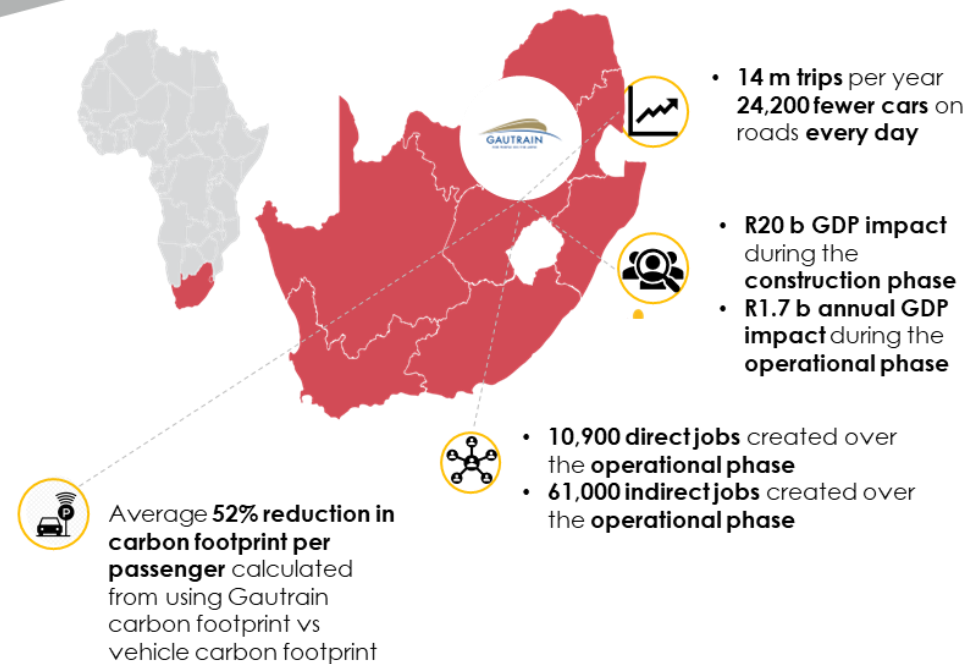


Economic Impact: Current Gautrain Achievements

Gautrain Economic Impact in the province and country

- The Gautrain continues to leverage off impact to date, and must maintain and improve its impact to the province, and country
- Gautrain promotes governments' socio-economic, transport, and climate objectives
- The Gautrain was conceived as a 100-year economic project, an existing R45bn asset providing an unrivalled foundation on which to generate immediate impact, driving short-term economic recovery and scaling long-term socio-economic development
- Gauteng's population is projected to grow to 20+ million people by 2050
- Rail must form part of an integrated public transport system that will enable sufficient urban socio-economic connectivity
- Gauteng and South Africa are committed to Sustainable Development Goals, reducing carbon emissions, and mitigating the impact of climate change. The Gautrain is a significant contributor to these objectives

Impact of Gautrain to date



02

Introduction to the Post 2026 Gautrain – Key Features & Timelines

Nhlahla Piet Sebola

Project Officer: Post 2026 Gautrain

Background



Context

The current Gautrain concession ends in March 2026 after 19 ½ years



Response

GMA and the Province have determined that the Gautrain **continue as a sustainable rapid rail service** that is **affordable** and **offers value for money** to Gauteng Province, and South Africa

Effect further improvements to the system with respect to **quality, capacity, accessibility, and sustainability**

With respect to its implementation, it follows **Treasury Regulation 16 under the Public Finance Management Act** governing Public-Private Partnerships

Background

Treasury Regulation 16 Steps

Context

Treasury Regulation 16



TA I Treasury Approval I	TA II A Treasury Approval IIA	TA IIB Treasury Approval IIB	TA III Treasury Approval III
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Inception

- Register project with the relevant treasury
- Appoint project officer
- Appoint transaction advisor

Feasibility Study

Prepare feasibility study

Status: COMPLETE 

- ✓ Project registered
 - **20 December 2020**
- ✓ TAI Received
 - **23 April 2023**

Procurement

Design fair, equitable, transparent, competitive, cost-effective procurement process

Prepare bid documents, including draft PPP agreement

Status: COMPLETE 

- ✓ TA IIA received
 - **25 July 2023**

Procurement

- Issue RFP with draft PPP agreement
- Receive bids
- Compare bids with feasibility study
- Select preferred bidder
- Prepare value-for-money report

Status: IN PROGRESS 

Contracting

- Negotiate with preferred bidder
- Finalise PPP agreement & Management Plan



03

High-Level Programme Schedule

High-Level Programme Schedule



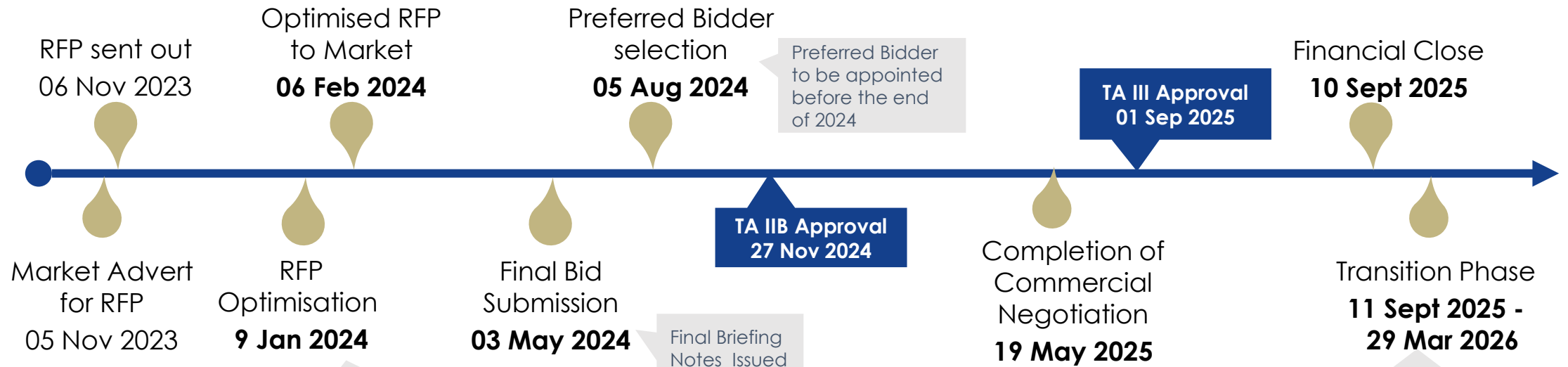
Key Programme Dates



Treasury Approval IIB



Treasury Approval III



Preferred Bidder to be appointed before the end of 2024

Inviting suggestions to optimise the value for money, clarifications and written comments or mark-ups of the RFP

Final Briefing Notes Issued – 26 April 2024

The effective date of the new Concession Agreement will be 29 March 2026

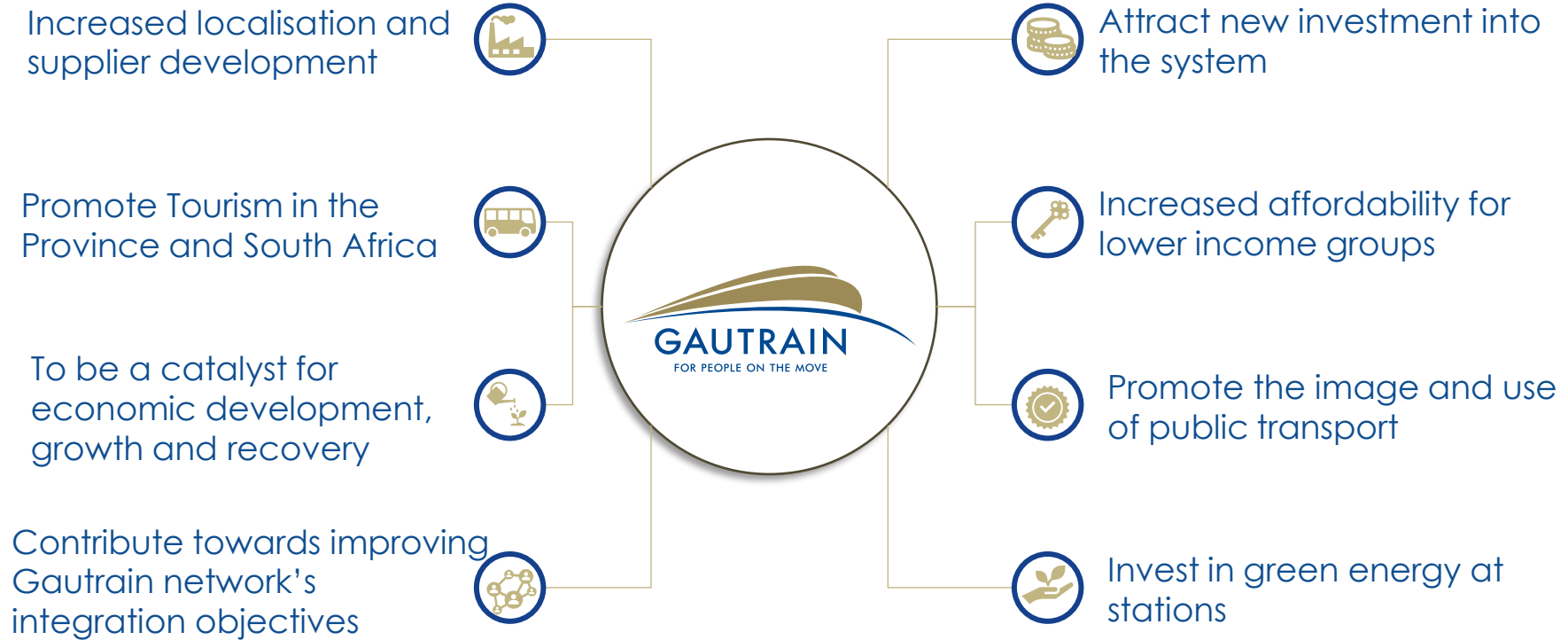




04

Objectives of the Post 2026 Gautrain

Objectives of the Project





05

Key Features of the Post 2026 Gautrain

Key Features



Context

The Post 2026 Gautrain has several key features for bidders to take note

- 1 Tenure & deliverables
- 2 Remuneration Structure
- 3 Socio-Economic Development Outline
- 4 Human Capital Transfer
- 5 Renewable Energy
- 6 Commercial Developments

Tenure & Deliverables



A **15-year Public Private Partnership** with the Gauteng Provincial Government of the Republic of South Africa commencing at the end of March 2026



Operation

Increase the Level of Service, in terms of frequency and operating hours, for the Train Services, and Feeder & Distribution Services



Maintain

Maintain and renew the fixed and moveable System Assets to meet the performance requirements and the asset life requirements at Expiry Date



Upgrade

Provide additional capacity for Train Services, and Feeder and Distribution Services by providing new Rolling Stock and buses, and upgrading the existing fleets, associated systems, and infrastructure, especially within the first five years.



Modernisation

Provide technologies to improve safety and security
Deliver modern ticketing and Mobility-as-a-Service solutions
Improve intermodality in Station precincts



Remuneration Structure



Context

Concessionaire will be remunerated for performance of the services and performance of its obligations through a **single fixed annual fee, payable monthly, subject to deductions and retentions** in accordance with the deductions and penalty schedule to the draft Concession Agreement



Escalation

The annual fee will escalate at South African Consumer Price Index (CPI)



Fare Revenue

Concessionaire will collect fare revenue which will accrue to the Province

Socio-Economic Development

i Regime Composition & Implementation

GMA intends to pursue and motivate bidders to offer socio-economic development (SED) commitments that enhance the commitments and subsequent benefit achieved under the current concession

Such commitments are designed to positively contribute to alleviating high unemployment, inequality, and poverty, among others.



Human Capital Transfer



Concessionaire Personnel

Certain personnel employed in providing the services under the current Concession Agreement will be transferred to the new Concessionaire – smooth transition & service continuity



Concessionaire Personnel

Section 197 of the **Labour Relations Act, 1995** will find application in relation to the transfer of those personnel



There are approximately 1000 of such employees and further information will be provided via a Briefing Note

Gautrain 1

Post 2026



Included in SED employment consideration

~ 1000 People



Renewable Energy

Context

The GMA is in the process of finalising its requirements for the implementation of renewable energy solutions on the System, carbon emission targets and other energy supply options for the System.

Implications

Bidders will be:

- 1 Advised of those requirements and any consequential changes to the RFP
- 2 Furnished with further relevant information as to the System's energy requirements, for the purposes of preparing their Bid Responses, by Briefing Note

Commercial Developments



Context

The GMA has embarked on a major drive to diversify the System's revenue sources to enhance the financial sustainability of Gautrain.

Consistent with international trends and best practice, one of the main areas of focus has been leveraging the symbiotic relationship between the rail-transit system and urban development (specifically revenue-generating property developments along or around the Rail Reserve)



Implication

The GMA will be responsible for commercial developments (specifically, large property developments) in the post 2026 Concession

Further information regarding some of the targeted developments is in the background information

They illustrate the type of work that the Private Party will be expected to facilitate and manage, and implement through change management





06

Partnering with the Private Party

Partnering with the Private Party





07

Private Party Attributes

Private Party Attributes



Context

The GMA wants a partner with the desired capabilities to execute core requirements for operating the system as well as advance its broader objectives which can be encapsulated by the following attributes



Structure



Procurement & Subcontracting



Management & Delivery



Innovation



Ownership



Financing & Commercial

Consortium

- Strong Operator & Maintainer, invest in new assets & Technology

SMME Support

- Strong emphasises to procure and subcontract to local companies

Strong Black Participation

- Participation of black people in the operation at different levels

Knowledge & Skills Transfer

- Expertise for operation, management technology evolution and development of future skills

Strong Black Ownership

- Strong level of black ownership

Enhanced Investment

- Strong financial position to invest in new assets and technology

08

Overview of the Request for Proposal (RFP)

Daryn Webb
Transaction Advisor

Overview of the RFP

- **Part A** (*General Information, Requirements and Rules*)
- **Part B** (*Functional Response Requirements and Qualification Criteria*)
- **Part C** (*Comparative and Competitive Evaluation Criteria*)

Part A (General Information, Requirements and Rules) is Volume 1:

- Part 1 has the general information, requirements and rules
- Part 2 has the background information and introduces the data room

RFP Volumes

Part B (*Functional Response Requirements and Qualification Criteria*) has 5 volumes:

- Volume 2 (Legal Requirements)
- Volume 3 (Technical Requirements)
- Volume 4 (Financial Requirements)
- Volume 5 (Insurance Requirements)
- Volume 6 (Commercial Requirements)



Part C of the RFP

Part C (*Comparative and Competitive Evaluation Criteria*) provides

- the procedure, and
- the Evaluation Criteria

to be used to evaluate the Bids that have fulfilled the Qualification Criteria in Part B (*Functional Response Requirements and Qualification Criteria*) and have progressed to Part C (*Comparative and Competitive Evaluation Criteria*) (i.e., Compliant Bids)

Part C of the RFP

- The preferential procurement system that will apply to the procurement of the Project will be a **90/10 preferential procurement system**.
- This means the comparative evaluation will evaluate and compare: (i) **Price, which will constitute 90%** of the bid evaluation weighting; and (ii) **Socio-Economic Development commitments which will constitute 10%** of the bid evaluation weighting
- For each Compliant Bid received, the points for its Price shall be calculated in respect of its annual Unitary Price, provided in accordance with clause 2 (Financial Criterion - Price) of Part 1 (Financial Qualification Criteria) of Volume 4 (Financial Requirements) of Part B (Functional Response Requirements and Qualification Criteria) of the RFP

Part C of the RFP

The Bidder's Price scores will be determined as follows $P_s = 90 * (1 - ((P_t - P_{min})/P_{min}))$ Where:

P_s = points scored for the Bid Response under consideration

P_t = Price of Bid Response under consideration

P_{min} = the lowest Price offered for Bid Responses

Socio-Economic Development

- The Socio-Economic Development objectives which the GMA and the Province seek to achieve through the procurement of this Project include obtaining compelling commitments in respect of each Economic Development Element and the Project Company contractually agreeing to deliver the Committed Obligations as a minimum

Socio-Economic Development

- The Compliant Bidder that proposed the highest commitment in respect of a specific Socio-Economic Development sub-element (provided that this commitment is above the minimum Committed Obligation) will be awarded full points for that Socio-Economic Development sub-element
- Other Compliant Bidders (that bid above the minimum Committed Obligation) will be awarded points proportionately for that sub-element based on the value of their Socio-Economic Development Proposal on the sub-element between the highest Committed Obligation and the minimum Committed Obligation

Socio-Economic Development

Socio-Economic Development Element	Weighting	Points
SED Commitments below Committed Obligation: a Bidder that does not make an offer at the minimum Committed Obligation for any individual Socio-Economic Development sub-element will not be awarded any points for Socio-Economic Development	N/A	0
Local Content	20%	2
Ownership	20%	2
Procurement and Subcontracting	17.5%	1.75
Local Employment Equity	5%	0.5
Management Control and Employment Equity	5%	0.5
Enterprise Development	10%	1
Skills Development	15%	1.5
Social Investment	5.5%	0.55
B-BBEE Status Level	2%	0.2
TOTAL	100%	10

Part A of the RFP

Part A - Table of Contents:

- I. Definitions and Interpretation (cl 1 & 2)
- II. Invitation, Overview and Purpose of the RFP (cl 3 – 8)
- III. Project Description, Scope and Project Framework (cl 9 – 18)
- IV. Legal Framework and Legal Requirements (cl 19 – 26)
- V. Instructions to the Bidders (cl 27 – 63)
- VI. Evaluation and Selection Process (cl 64 – 70)

Part A of the RFP

Responsive Bid Response (clause 1.64 and clause 48):

- complies with the rules relating to the manner of submitting Bid Responses
- has submitted acceptable versions of the returnables listed in Appendix BL 12 or an appropriate explanation thereto

All other returnables which are not listed in Appendix BL 12 and which are identified as compulsory for purposes of demonstrating compliance with the applicable Qualification Criteria or sub-criteria will not be evaluated for responsiveness but will be evaluated as part of the Compliant Bid evaluation and must thus be included in the appropriate sections of the Bid Response

Part A of the RFP

Compliant Bid (clause 1.19 and clause 5):

Bid Response that

- is Responsive;
- meets or exceeds all the applicable threshold requirements in respect of **every applicable Qualification Criterion** in Part B (Functional Response Requirements and Qualification Criteria) of this RFP,

including in respect of all of the sub-criteria which are set out under each of the categories of the Qualification Criteria



Legal Requirements

Functional Response Requirements and Qualification Criteria – Legal

- Part 1 - Legal Qualification Criteria
- Part 2 - Legal Qualification Criteria Response Requirements and Responsiveness
Returnable Schedules
- Part 3 - Legal Agreements



Legal Requirements

Functional Response Requirements and Qualification Criteria – Legal

Part 1 –

- Criterion 1 – Ownership and Contracting Structure
- Criterion 2 – Legal Status
- Criterion 3 – Equity Relationships
- Criterion 4 – Concession Agreement and Submission of Returnables
- Criterion 5 – Sub-Contracting arrangements



Legal Requirements

Functional Response Requirements and Qualification Criteria – Legal

Part 2 –

Standard Forms to be returned:

Bid Response Cover Letter, Confidentiality Undertaking, Bidder Declarations and Confirmations, Project Company/ Lead Member resolution, Resolutions from Members, Tax Compliance Status Report, SBD 1 – Response to Invitation to Bid, SBD4 – Bidder's Disclosure, SBD 5 – NIPP Declaration Form, Proof of Registration on Central Supplier Data Base, Bid Response Guarantee, Checklist



Legal Requirements

Functional Response Requirements and Qualification Criteria – Legal

Part 3 –

Draft Concession Agreement and its Schedules



Technical Requirements

Functional Response Requirements and Qualification Criteria – Technical

Part 1 –

- Stipulates the minimum experience and capabilities which a Bidder must have and clearly demonstrate
- The criteria are aligned with the Province's Minimum Requirements and Specifications
- A Bidder should have experience and capability in operating systems and delivering services comparable to Gautrain in terms of scope, capacity, and performance
- Bidders' credentials will be assessed as part of the Technical Evaluation described in Part 2



Technical Requirements

Functional Response Requirements and Qualification Criteria – Technical

Part 2 –

- Describes the returnable documents for technical evaluation which a Bidder must provide.
- The returnable documents should demonstrate a Bidder's understanding of the Project's technical scope requirements (as contained in Part 3) and indicate how a Bidder will meet those requirements
- Describes the technical evaluation and scoring methodology which will apply for Bidders Experience and Qualifications; and Bidder's Technical Proposals

Technical Requirements

Functional Response Requirements and Qualification Criteria – Technical

Part 3 –

- Describes the requirements and specifications which will become the Concession Specification, and thereby the responsibilities of the Concessionaire
- Stipulates the output which must be achieved by the Concessionaire. The Concessionaire is responsible for determining and providing the necessary inputs and carrying out the tasks and activities required to deliver the output
- The outputs are described in terms of service and asset performance and customer satisfaction

Financial Requirements

Functional Response Requirements and Qualification Criteria – Financial

- Part 1 – Financial Qualification Criteria
- Part 2 - Standard Financial Response and Returnable Schedules

Part 1 -

- Criterion 1 – Price
- Criterion 2 – Financial Standing and robustness of funding proposal
- Criterion 3 – Robustness of Financial Model



Financial Requirements

Functional Response Requirements and Qualification Criteria – Financial

Part 2 –

Contains the forms of letters of support and commitments from providers of corporate finance, equity finance and debt and the like contains in Annexure R4 the Financial Model requirements:

- Structure
- Outputs
- Key commercial assumptions
- Sensitivities



Insurance Requirements

Functional Response Requirements and Qualification Criteria – Insurance

- **Part 1** – Insurance Responsibilities and Qualification Criteria
- **Part 2** - Insurance Response Requirements and Returnable Schedules

Part 1 –

- **Criterion 1** – Price for the Required Insurance Policies
- **Criterion 2** – Insurance Broker Particulars
- **Criterion 3** – Insurance Broker Compliance
- **Criterion 4** – Insurance Broker Experience
- **Criterion 5** – Insurance Broker's Letter of Support



Insurance Requirements

Functional Response Requirements and Qualification Criteria – Insurance

Part 2 –

Contains 5 appendices for completion:

- Required Insurance Policies Pricing Table
- Particulars of Insurance Broker
- Checklist of Insurance Broker Compliance
- Checklist of Insurance Broker Experience
- Letter of Support from Insurance Broker



Commercial Requirements

Functional Response Requirements and Qualification Criteria – Commercialisation and Commercial

- Commercial Qualification Criteria
- Commercialisation Qualification Criteria Response Requirements
- Province's Minimum Commercial Requirements

Functional Response Requirements and Qualification Criteria

Two criteria:

- Commercial Response Team
- Track record regarding implementing and/or operating complex mobility systems which included transit-oriented development



09

General Rules for Participation

Abigail Kumalo

Executive Manager

GMA: Supply Chain Management

General Rules

- **Part A (General Information, Requirements and Rules)**
- **Part A Volume 1 Part 1 Section V**

Clause 56 – Contact Policy

A potential Bidder, Bidder, its Members, Direct Subcontractors, Specialised Suppliers or any of their Advisors, Lenders or agents shall not be entitled to rely on any statements, information or correspondence in respect of this RFP or the Project that is not contained in a Briefing Note or made, given or issued by the GMA in writing and addressed to the authorised representative of a Bidder or potential Bidder



General Rules

Clause 56 – Contact Policy

The GMA will communicate only on matters related to the procurement of the Project through TendaSwift and communicated channels.

Each Bidder must designate a person authorised to undertake all contact with the GMA on behalf of the Bidder via TendaSwift.

Bidders, their members, direct subcontractors, agents, specialized suppliers, lenders, or advisors participating in relevant bid responses cannot request information or clarification from:

- any member of the Transaction Advisors
- the employees of the GMA or the Province
- any other government officials associated with the project
- the incumbent concessionaire or any of its shareholders or subcontractors



General Rules

Clause 27 – Legal Personality of the Bidder

- A Bidder can either be a Project Company or a consortium.
- The Concessionaire must be a Project Company that has the sole purpose, objective, and business of executing the Project.
- The Project Company, which the consortium will form to act as the Concessionaire, should have the Members of the consortium as its Shareholders, in the proportions specified in the Bid Response.

General Rules

Clause 28 – Changes to Bidder and Bid Responses

- Once a Bid Response is submitted by closing date, no Bidder is allowed to make any changes to it.
- If a Preferred Bidder or Reserve Bidder needs to modify any aspect of their Bid Response, they must submit a written request to the GMA. The request should provide all the necessary information, documentation, data, and responses, along with the facts and circumstances that have arisen since the relevant Bid Response Date that necessitated the requested change. This is required to fulfil the relevant Qualification Criteria for the requested change.

General Rules

Clause 30 – 32 Participation in More Than One Bidder, Subcontracting, Specialised Suppliers Arrangements

- No Bidder, Member or Direct Subcontractor (where applicable) is allowed to participate or be involved, directly or indirectly, in more than one Bidder, Project Company or consortium
- Bidders may subcontract rights and obligations to Direct or Indirect Subcontractors. If subcontracting Services, the Bidder must demonstrate that an agreement has been reached on all of the material terms for such Subcontracting
- Specialised Suppliers, Lenders and Advisors may take part, supply, advise, or be involved (either directly or indirectly) with more than one Bidder
- Bidders must ensure that any Specialised Supplier or Lender participating or involved with more than one Bidder does not engage in exclusive arrangements, anti-competitive, collusive, or similar prohibited behaviour



General Rules

Clause 35 – Non-eligible Persons

A Bidder may, in the sole discretion of the GMA be disqualified or not be further evaluated or, if it is selected, lose its Preferred Bidder or Reserve Bidder status, if included in Bid Response is a person:

- blacklisted by the office of National Treasury
- removed from the register of such person's professional body (if applicable)
- who is, or who is related to, any government official or other person directly involved presently or in the past in the Project, who may be involved or has been involved with the evaluation of the Bid Responses or with ability to influence the decision of the GMA or the Province with respect to the appointment of Preferred Bidders
- who is guilty, or who has been found guilty in a court of law, of fraud or corruption related crimes
- sequestrated (and remains unrehabilitated), liquidated or placed in business rescue



General Rules

Clause 35 – Non-eligible Persons (cont.)

A Bidder may, in the sole discretion of the GMA disqualified or not be further evaluated or, if it is selected, lose its Preferred Bidder or Reserve Bidder status, if included in Bid Response is a person:

- listed in a Sanctions List or who/which is subject to Sanctions; or
- ordinarily resident, organised or operating in a country or territory which is listed on a Sanctions List or is subject to Sanctions; or
- who is a Person of Influence, whose involvement in the Project has the potential to harm the reputation or standing of GMA or bring the Project into disrepute

General Rules

Clause 39 – Honesty and Integrity

- Bidders must act with the highest degree of integrity and honesty and with the utmost good faith in all dealings with the GMA.
- Any misrepresentation in the bid response must be avoided.



General Rules

Clause 40 - Use of Advisors

- Transaction Advisors may not advise any Bidder, its Members, Lenders, Direct Subcontractors, Specialised Suppliers, or any other participant involved in any Bid Response or be a member of any Bidder without the prior written consent of the GMA
- It is the responsibility of each Bidder to obtain an assurance from each of its Advisor firms that no individual on the Bidder's Advisor team has also acted for or advised the GMA on the procurement of the Project



General Rules

Clause 40 - Use of Advisors (cont.)

In addition, considering that some Advisors may be providing services to the Province and/or the GMA, such Advisors:

- that hold confidential information of the Province and/or the GMA which is material to, or has an impact on, the procurement of the Project, in accordance with the principles of fairness, equity and transparency; and/or
- whose duties to act in the best interests of the Province and/or the GMA are in conflict with their duties to act in the best interests of any Bidder, Member, Direct Subcontractor, Lender, Specialised Supplier or other participant in a Bid Response, shall not be appointed without the GMA's written consent



General Rules

Clause 43 – Costs of Bidding

A Bidder is responsible for all costs (of any kind and in any way incurred) related to the preparation of its Bid Response, as well as any site visit expenses.

General Rules

Clause 44 – Confidentiality

- This RFP is confidential and contains information about the Project and/or the GMA/Province. By downloading this RFP, the Bidder agrees to maintain the confidentiality of all information provided to them in relation to the Project and the Bid Response
- The Bidder can share the RFP with its Members, directors, officers, employees, agents, advisors, and representatives, but only for the purpose of assessing the attractiveness of the Project and preparing a Bid Response
- The Bidder must ensure all participants maintain confidentiality



General Rules

Clause 44 – Confidentiality (cont.)

- GMA will keep bidder data confidential, unless required by law or court order
- Should it be deemed necessary to discuss any matter relating to any submission of any Bidder with third parties (other than the Province and the GMA's Transaction Advisors), the necessary permission will be obtained from the Bidder concerned

General Rules

Clause 46 – Corrupt Gifts and Payments

Attention is drawn to the Corrupt Activities Prevention and Combat Act, 2004 (Act No. 12 of 2004).

It is strictly prohibited for any of the interested parties, their agents or advisors to commit any offence under the Prevention and Combating of Corrupt Activities Act. This includes any direct or indirect offering or giving of gifts or considerations to any person employed by the GMA, the Province, any other government official involved in the project, or any of the transaction advisors as a reward or inducement for securing the appointment of any bidder as a preferred bidder, or for showing favour or disfavour to any bidder, its members, its lenders or the direct subcontractors in relation to the project.

Bidders are encouraged to report criminal activities anonymously through various channels:

telephone 0800 222 585

- SMS 33490
- email gautrain@whistleblowers.co.za
- Whistle Blowers App <https://www.whistleblowing.co.za/download-app/>



General Rules

Clause 47 – No Collusion

- All Bidders, Members, Direct Subcontractors (if any), Advisors, and agents are cautioned against collusive bidding under section 4(1)(b)(iii) of the Competition Act, 1998 (Act No. 89 of 1998)



General Rules

TendaSwift related matters

- All Bid Responses must be submitted through the secure TendaSwift link available at:
<https://pppomgrls.gautrain.co.za/>
- The Bid Response must be uploaded according to the document file structure in TendaSwift
- **No physical Bid Response may be submitted to the GMA office**



General Rules

TendaSwift related matters (cont.)

- Bidders must submit all requests and queries in writing through TendaSwift. No oral requests or queries will be entertained
- RFP documents must be accessed through TendaSwift profiles after signing the confidentiality and non-disclosure agreement (CNDA), and paid a non-refundable fee of R25,000
- Direct deposit or electronic fund transfer are the only methods of paying the non-refundable fee
- If you already have a TendaSwift profile or if you create/register a new one, you can access the banking details and CNDA
- Send proof of payment and signed CNDA to tenderdocumentspop@gautrain.co.za for RFP access.
- Please refer to the system manual for a step-by-step guide on using TendaSwift





10 Site Visits

Site Visits

Non-compulsory site visits

- Those attending such site visits must comply with existing concessionaire work permit rules and regulations, including submitting personal information and attending a mandatory safety induction training arranged in advance
- The Gautrain system is an alcohol-free zone. Substance abuse may be tested at any point in the system
- Participants must stay in their designated groups during site visits to operational areas. Any wandering around may disrupt ongoing operations. Participants must adhere to all safety protocols and follow any instructions given by group guides.
- Participants will
 - bear all costs of site visits
 - provide own PPE



Site Visits

Two types of site visits:

- Experiential (Site Visit 1)
- Technical (Site visit 2)



Site Visits

Site Visit 1:

Experiential site visit to view current system operations

- Non-compulsory and open to all potential bidders who have indicated interest
- 1 day site visit to identified stations 4 stations

Schedule: 29 November 2023 Time: 07:00 – 16:00

Safety induction briefing: 07:45 – 08:00

- Attending the site visit will not be permitted without induction briefing
- PPE Requirement: High visibility reflective vest and comfortable closed shoes
- Access: Gautrain Swift Card or contactless EMV
- Convene at GMA Office, No. 44 Grand Central Boulevard



Site Visits

Site Visit 2:

Technical site visits to view current system operations

- Non-compulsory and open to potential Bidders who have paid and accessed the RFP documents and indicated interest
- Restriction: Up to five (5) representatives per potential Bidder
- 3-day and 2-night site visits to identified areas of the system

Schedule: 04 – 08 December 2023

- Times: to be communicated to participants
- Access: Gautrain Swift Card or contactless EMV
- There will be a mandatory, free safety induction training session on **01 December 2023** conducted online through Microsoft Teams. Attending the site visits will not be permitted without induction training.



Site Visits

Site Visit 2: Reflective Vests



Site Visit 2: PPE Requirements – Protective footwear

Description: Non slippery safety boots with steel toe guards.



Site Visit 2: PPE Requirements – Head protection and lighting

Description: Safety helmet with a hard-outer shell and a lining that absorbs shock and is flame resistance.



A city skyline at dusk, with a blue gradient overlay. The text "Thank You" is centered in white.

Thank You