



Contractor Management Procedure



INTEGRATED MANAGEMENT SYSTEM

CONTRACTOR MANAGEMENT PROCEDURE

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Contractor Management Procedure
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DOCUMENTATION SIGN-OFF SHEET

I, the undersigned hereby approve this procedure.



ROLE	CAPACITY/ FUNCTION	SIGNATURE	DATE
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1. PURPOSE

The purpose of this core procedure is to provide guidance in the manner how Transnet SOC Ltd (hereafter referred to as "Transnet") must manage its contractors in accordance with applicable regulatory, national and international standards requirements and the contractual obligations, using practices that are fair, equitable, transparent, cost effective, safe and competitive. The procedure is outlined in the following phases:

- Pre-contracting Phase
- Planning Phase
- Delivery Phase
- Close-out Phase

2. APPLICABILITY

This procedure is applicable to Transnet.

3. REFERENCE DOCUMENTS

NAME	REFERENCE NUMBER	APPLICABLE SECTION
Asset Management System	ISO 55001: 2014	Clause 8.3
Business Continuity Management Procedure	TRN-IMS-GRP-PROC-016	
Competency, Awareness and Training Procedure	TRN-IMS-GRP-PROC-008	
Compliance Obligations Procedure	TRN-IMS-GRP-005	
Conformity Assessment	ISO 17020: 2012	Clause 6.1.2; 6.1.12; 6.1.13; 6.2.11; 6.3.1; 6.3.2; 6.3.3; 6.3.4; 7.1.6; 7.4.4
Continual Improvement Procedure	TRN-IMS-GRP-PROC-018	
Contract Management Policy		
Document, Data and Record Management Procedure	TRN-IMS-GRP-PROC-010	
Energy Management System	ISO 50001: 2011	Clause 4.5.2; 4.5.7
Environmental Management System	ISO 14001: 2015	Clause 7.2; 7.3; 7.4.2; 8.1; 8.2
Food Safety Management System	SANS 10049: 2012	Clause 6.2.3; 7.4.8.3; 7.4.8.7;



NAME	REFERENCE NUMBER	APPLICABLE SECTION
		7.5.5.1; 7.5.5.2; 8.3.1; 8.3.2; 8.3.3; 8.3.4; 8.3.5; 8.3.6; 8.3.7
General Requirements for the Competence of Testing and Calibration Laboratories	ISO 17025:2005	Clause 4.4.1; 4.5.1; 4.5.2; 4.5.3; 4.5.4; 4.6.1; 4.6.2; 4.6.3; 4.6.4; 5.2.3; 5.2.5; 5.6.2.1.1; 5.10.6.
Information Technology – Service Management System	ISO 20000-1:2011	Clause 4.2; 4.5.2; 5.2; 5.3; 6.6.1; 7.2.
Integrated Assurance Procedure	TRN-IMS-GRP-015	
Occupational Health and Safety Management Systems	BS OHSAS 18001: 2011	Clause 4.2; 4.3.1; 4.3.2; 4.4.2; 4.4.3.1; 4.4.3.2; 4.4.6.
Occurrence and Non-Conformance Management Procedure	TRN-IMS-GRP-013	
Operational Risk Management	TRN-IMS-GRP-004	
Private Sector Participation (PSP) Management Practice Notices.		
Quality Management Systems	ISO 9001:2015	Clause 7.1.1, 7.2, 7.3, 8.3.2, 8.4.1, 8.4.2, 8.4.3, 8.5.3, 9.1.3, 9.3.2
Risk Management	ISO 31000: 2009	Clause 3; 5.5.1.
Railway Safety Management	SANS 3000-1: 2016	Clause 4.2.4.4; 4.2.6.3; 4.4.1.5; 4.5.3.1; 4.5.4; 4.5.5; 4.9.1.1; 5.6.1; 5.6.4
Railway Safety Regulator Determination of Safety Management System and Safety Management Report		Clause 10.2.1
Societal Security – Business Continuity Management System	ISO 22301: 2012	Clause 7.2; 7.3; 8.2.2; 8.2.3; 8.3.1; 8.3.2; 9.3
Transnet Procurement Procedure Manual (PPM).		
Transnet Regulatory Universe		
Integrated Supply Chain Management (ISCM) documents		



4. DEFINITIONS AND ABBREVIATIONS

4.1 Definitions

Client

Transnet SOC Ltd in this context

Commissioning

The process of assuring that all systems and components of a building or industrial plant or product are designed, installed, tested, operated, and maintained according to the operational requirements of the owner or final client.

Contract

An agreement with specific terms between two or more parties or entities based on mutual consent which has legal effects and involves transfer of consideration – usually financial or some other type of benefit.

Contract Manager

Transnet employee who is authorised to represent Transnet in terms of the contract and appointed to supervise and/or liaise with the contractor to ensure that the specifications of the contract are met (with special emphasis on technical specifications, inspection of quality, on health and safety, environment and quantity of work). A contract manager has the role of executing the plan to achieve the deliverables. This person receives all his authorisations from the project initiator and the stakeholders.

Contract Owner

The person who requires a specific product, goods or services and who is responsible to provide the budget and approval

Contractor

An employer (organisation) or a person who performs **ANY** work and has entered into a legal binding business agreement contract to supply a product or provide services to Transnet. This applies to the Suppliers, Vendors, and Consultants, Service providers or



Contractors.

NB: A Contractor is an employer in his/her own right.

Contractor Execution Plan

A site, activity or project specific documented plan in accordance with the client's project requirements. A plan is submitted by the Contractor to Transnet for approval prior to mobilization on site. The Contractor Execution Plan includes, inter alia: Health and Safety, Environmental, Energy, Quality, Delivery plans etc.

Contractor Compliance File

A file, or other record containing the information in writing required by Transnet.

NB: A file must be submitted for each discipline where applicable e.g. health and safety, environment file etc.

Contractor Management Team

A team comprising all the role players who can add value to a particular contract. The individuals responsible for the specific project delivery.

Defect List

A document prepared listing work not conforming to contract specifications that the contractor must complete prior to final payment. The work may include incomplete or incorrect installations or incidental damage to existing finishes, material, and structures.

End-User

Person or organisation that actually uses a product, service or good, as opposed to the person or organisation that authorises, orders, procures, or pays for it.

Handover

Transfer of any deliverable to responsible stakeholder.

Induction

The action or process of inducting someone to a post, organisation or task.

**Integrated Management System**

A Transnet Management System that integrates systems and processes as defined in the IMS scope into a complete framework, enabling the organisation to work as a single unit with unified objectives.

Mandatory Agreement

An agreement between the client and the contractor or the principal contractor and its sub-contractors for work to be performed and the contractor without derogating from his/her status in his/her own right as an employer or user.

Non-Conformance

Deviation from specifications, relevant work standards, practices, procedures, legal requirements or a failure a requirement. Non-compliance only relates to non-conformance to legal requirements.

Pricing Schedule

A detailed list of requirements, items, materials, chargeable rates or the like. An activity schedule may also be utilised for contracts with a low classification.

Procurement Event

Means the advertisement of a request for quotation, information or a request to the open market for the submission of bids.

Project

A piece of planned work or an activity that is planned over a period of time and intended to achieve a particular purpose. Process in which all aspects to examine the relationship between activities, events, durations, and costs.

Project Initiator

A person or stakeholder that begins the project. He/she is responsible for choosing a project manager and authorizing that person. He/she is the person (outside the project team) who provides the funds for the project and brings in the project to the project team or mobilizes



the project team for the project.

Risk Assessment

A risk assessment in this procedure means the process where all risks associated with the contract and its execution are identified, mitigated and managed.

Specification

A detailed prescription of the Integrated Management System (IMS) requirements to which equipment, construction, product or service has to comply with. This includes various models, drawings and documents. It should be noted that the specification may even comprise of a multitude of different elements.

4.2 Abbreviations

CCRO	Chief Corporate Regulatory Officer
CM	Contract Manager
GLT	Group Leadership Team
GCOO	Group Chief Operation Officer
IMS	Integrated Management System
PPM	Transnet Procurement Procedure Manual
SCMS	Supply Chain Management Services

5. ACCOUNTABILITY, RESPONSIBILITY AND AUTHORITY

Top Management	<ul style="list-style-type: none"> • Sets IMS strategic direction.
Group Chief Operating Officer	<ul style="list-style-type: none"> • Drive IMS strategy within operating divisions as determined by the IMS Contractor Management procedure ; and • Ensures provision of adequate resources for compliance and effectiveness of IMS.

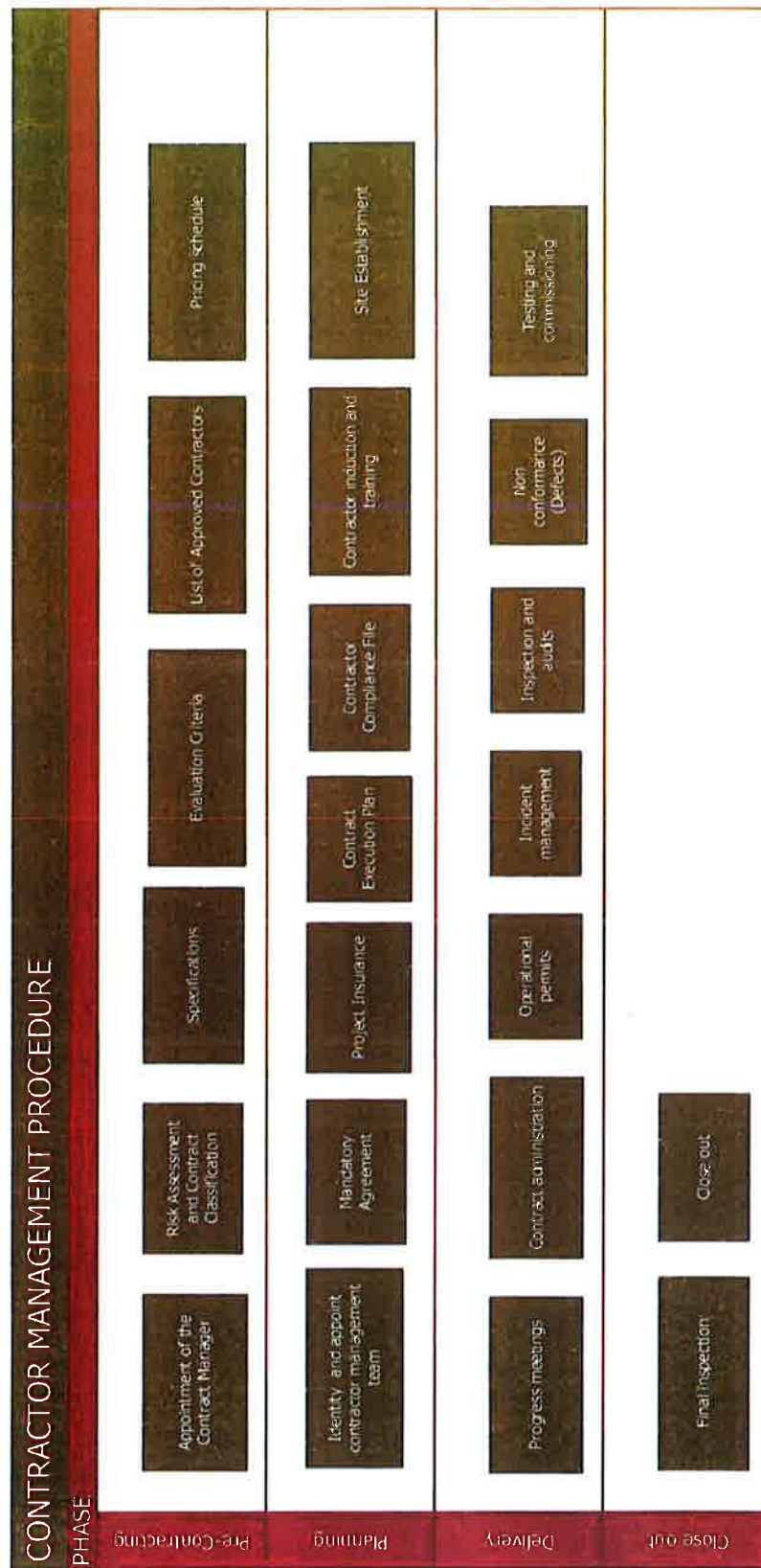


Chief Corporate and Regulatory Officer	<ul style="list-style-type: none"> • Sets policy for the IMS; • Determine Scope for the IMS • Ensures Development, Implementation and Maintenance of the Contractor Management procedure and processes • Sets values and performance standards; and • Demonstrates and drives IMS leadership
Group Chief Supply Chain Officer	<ul style="list-style-type: none"> • Ensure alignment with Transnet Procurement, Contracts and Contractor Management processes.
Senior Management	<ul style="list-style-type: none"> • Drive implementation of Contractor Management procedure; • Ensure availability of resources; • Ensure communication of Contractor Management directives to teams; • Communicate IMS performance on Contractor Management to the respective members of the Transnet Group Leadership Team (GLT). • Ensure resolution on issues identified through the IMS contractor management process.
Line Management	<ul style="list-style-type: none"> • Implement and maintain Contractor Management procedure
Employees	<ul style="list-style-type: none"> • Adhere to Contractor Management processes and procedures; • Take accountability for assigned activities; and • Report any deviations.



6. PROCEDURE

6.1 Contractor Management Process Flow



6.2 Pre-Contracting Phase

6.2.1 Appointment of the Contract Manager

The Project Initiator must identify the business needs and take into consideration the IMS requirements.

The Project Initiator must identify which discipline has a majority interest in the contract and allocate a Contract Manager (CM) from that discipline. In some cases, the Project Initiator and Contract Manager may be the same person.

6.2.2 Risk Assessment and Contract Classification

Risk Assessment

The CM must ensure that a risk assessment process commences and is performed at Pre-Contracting Phase. The risk assessment procedure details the steps that must be taken to ensure that the risk assessment is performed according to the **Operational Risk Management Procedure, TRN-IMS-GRP-PROC-004**.

Contract Classification

The CM must determine the Contract Classification Category of the project based on the risk assessment conducted and contract classification methodology as per **Annexure 8.1, Contract Classification Methodology**.

The contract classification will inform the steps that must be undertaken in compiling the specifications, contract and execution thereof.

6.2.3 Specifications

The CM must develop a suitable, sufficiently documented and coherent project specific specification for the intended work, based on the contract classification and risk assessment.

The appointed CM must be conversant with IMS requirements.

The CM must ensure that all stakeholders are involved in the development of the specifications.

The CM must ensure that the Contractor Specification Guidelines are taken into



consideration when compiling the specifications as per respective **Annexure 8.2, Contractor Specification Guidelines**.

The specification must be precisely determined and linked to the approved budget.

Once the technical specification/scope of work has been finalised, the end user department must sign off, specifically confirming that the Contractor Specification Guidelines have been integrated.

6.2.4 Evaluation Criteria

The CM must ensure that the evaluation criteria includes IMS requirements which must be included in the tender documents.

The tender pre-qualification criteria must be included as a returnable document in the tender document as per **Annexure 8.3, Tender Pre-Qualification Criteria**.

Shortlisted bidders who submitted bids for high and medium risk (i.e. projects which have impacts on railway safety) must be subjected to a pre-award assessment (Due diligence assessment) where deemed necessary, prior to the award of a contract.

6.2.5 List of Approved Contractors

Transnet utilises contractors registered with National Treasury.

Transnet also has an approved list of contractors/suppliers. Specific components and services are required by Transnet from time to time and therefore it may be applicable to source an approved list for certain commodities.

The Procurement Procedure for the approved list is detailed in the Procurement Procedure Manual ("PPM").

6.2.6 Pricing Schedule

The CM must assess the business needs, in collaboration with the end-user, in order to ensure that the pricing schedule is appropriately informed to include line items for the cost of IMS requirements as **Annexure 8.4, Pricing Schedule Requirements**.



6.3 Planning Phase

6.3.1 Identify and Select Contractor Management Team

The CM must identify and select the contractor management team, comprising of various functions or disciplines.

The CM must convene a kick off meeting with the selected team to ensure that all parties are aware of their roles and responsibilities in the implementation, execution, monitoring and finalisation of the contract.

The CM must ensure that the roles and responsibilities are clearly defined, understood and assigned correctly to the responsible person.

Note: For construction related projects, the CM must appoint a Health and Safety Agent where applicable.

6.3.2 Mandatory Agreement

The CM must ensure that the Mandatory Agreement in terms of section 37(2) of the Occupational Health and Safety Act (OHS Act) is included as part of the contract as detailed on **Annexure 8.5, Section 37(2) Mandatory Agreement**.

The Agreement must be completed and signed by the CM and the Contractor.

The Contractor must submit a written request to the CM for permission to sub-contract any work or services.

The CM must approve or decline a request by the contractor to sub-contract any work after reviewing the capabilities of the sub-contractor to comply with the IMS requirement.

The Contractor must enter into a Section 37(2) Agreement with their respective sub-contractors. The signed copy of the agreement must be kept on the Contractors Compliance File.

The signed Agreement must be scanned and loaded on the SAP CLM system.

The original Agreement must be securely filed and stored for safekeeping in line with the **Document, Data and Records Management Procedure, TRN-IMS-GRP-PROC 010**.

6.3.3 Project Insurance

The CM must ensure that the project is insured where applicable i.e. PCI insurance, the contractor must have a valid tax clearance certificate and letter of good standing.

6.3.4 Contractor Execution Plan

The Contractor must submit a detailed Contractor Execution Plan (CEP) to the CM for approval as per **Annexure 8.6, Contractor Execution Plan minimum requirements.**

The CM must approve the CEP, after ensuring that the contractor has all the necessary resources to do the work safely, and the contractor has illustrated its understanding of the scope of work, including the IMS requirements.

6.3.5 Contractor Compliance File

The CM must ensure the Contractor Compliance File is reviewed and approved as per the **Annexure 8.7, Contractor Compliance File Approval Checklist.**

The CM must inform the contractor within five (5) working days after the submission of the file whether or not the Contractor Compliance File meets the requirements.

The Contractor must re-submit the Contractor Compliance File required changes to the CM for acceptance.

6.3.6 Contractor Induction and Training

The CM must ensure that the Contractor undergoes induction training prior to handing over the site to the Contractor as **Annexure 8.8, Contractor Induction Minimum Requirements.**

The CM must arrange and coordinate IMS training, including the induction training program, and communicate the date, time and venue to the contractor.

The CM must request the Employee Profile Dossiers from the contractor before induction training. The Employee Profile Dossiers includes certified copies (not older than three (3) months) of medicals, identity documents, competencies and qualifications etc. as per **Annexure 8.9, Employee Profile Dossier.**

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The Contractor must sign the Induction attendance register on site as per **Annexure 8.10 Induction Attendance Register**. A copy of the attendance register must be stored in the Contractor Compliance File.

The Contractor must complete and sign all the required indemnities whereby Transnet is indemnified from any claims and / or losses as per **Annexure 8.11, Induction Indemnity Form**.

The CM must issue a certificate to the contractor after successful completion of the induction training. The certificate must be signed by the CM on the date of completion and the certificate will remain valid for the site and duration of the project and has to be renewed on an annual basis as per **Annexure 8.12, Induction Certificate**.

The CM and the Contractor must identify the contractor personnel who need additional training, based on the scope of work and the IMS requirements.

The Contractor must ensure that valid records of relevant training (copies of certificates) are kept in the Contractor Compliance File.

6.3.7 Site Establishment

Site Readiness

The CM must ensure that the site is ready to be handed over to the contractor prior to the commencement of work.

The CM must provide access to site and all other site requirements as per contract, e.g. drawings of the location of underground service lines and services such as electricity, water, sewage, compressed air where applicable, etc.

Legal Permits and Authorisations

The CM must ensure relevant permits and authorisations are obtained from issuing authorities as per **Annexure 8.13, List of Legal Permits and Authorisations**.

The CM must provide the appointed contractor with the applicable permits and authorisations prior to site access.



delegated person in line with the PPM.

The CM must ensure that all contractual amendments are securely filed.

6.3.9 Operational Permits

The CM must ensure that the operational permits are issued to the contractor before any operational work requiring permits is performed as per **Annexure 8.17, Operational Permits Application Form**.

6.3.10 Non Conformances

The CM must establish a team that is responsible for the management of non-conformances and defects.

The CM must carry out inspections for all product, equipment and facilities when the contractor advises that work has been completed.

The CM must ensure that the contractor's work has been completed in accordance with the contractual specifications and standards.

The CM must invite and ensure that the end-user participates in identifying the defects.

The CM must ensure that the master defects list is compiled and maintained.

The contractor management team responsible for non-conformances and defects, along with the contractor's team, must verify and sign off the corrected defects list before commissioning.

The CM must ensure that the contractor is issued with a breach notification for none or poor or defective delivery.

The CM must ensure that the breach by the contractor has been rectified. If the breach was not rectified, the CM must issue the contractor with a non-performance penalty.

The CM must ensure that a Non-Conformance Report (NCR) is completed for all deviations against the contract as detailed on **Occurrence and Nonconformance Management Procedure, TRN-IMS-GRP-PROC-013**.

The CM must review the contractor remedial actions in respect of the NCRs until these



have been resolved.

6.3.11 Incident Management

The CM must ensure that incidents are reported immediately by the Contractor.

The CM must activate the incident response team for any incident on the project as detailed on **Occurrence and Nonconformance Management Procedure, TRN-IMS-GRP-PROC-013**.

The CM must compile and submit monthly incident statistics and/or reports to the project sponsor and relevant internal departments and authorities.

6.3.12 Inspections and Audits

The CM must ensure that the contractor's performance is measured and monitored in terms of the contract. It is important that the performance measures selected provide clear evidence of the required contractual deliverables.

The quality assurance audit must be conducted to ensure that the work is performed in line with the applicable standards.

The CM must ensure that regular inspections are conducted to monitor the required quality and quantity as per the specifications.

The CM, in consultation with the contractor, must develop an audit schedule for the contractor.

The CM must ensure that periodical audits are conducted at specified intervals, including audits at the contractor's premises as detailed on **Integrated Assurance Procedure, TRN-IMS-GRP-PROC-015**.

The audits must be conducted as prescribed by the agreed audit protocol as per **Annexure 8.18, Contractor Audit Protocol/ Checklist Minimum Requirements**.

The CM must ensure that the contractor implements the corrective measures timeously, until the project is completed.

The CM and the contractor must provide final sign off, which proves that the audit findings



have been closed off.

6.3.13 Testing and Commissioning

The CM must establish a testing and commissioning team that consists of at least the contract management team members, end-user and contractor's representatives.

The CM must develop a test and commissioning plan of the project and communicate it to the contractor.

The testing and commissioning plan must include the schedule, with key milestones and activities for the overall project execution.

The testing and commissioning team must verify that non-conformances or deficiencies or defects or errors have been corrected.

The CM must ensure that commissioning or energization notices are communicated to all relevant parties and applicable procedures are adhered to.

Note: Testing and commissioning must be planned, scheduled and executed with a Safety Mindset and as addressed on the Contractor Execution Management Plan.

6.4 Delivery Phase

6.4.1 Final inspection

The CM must, at the end of the contract, conduct thorough inspections of the site with the contractor to ensure that the site is left in a clean, safe and environmentally acceptable condition for normal operations, prior to the contractor leaving the site.

The CM must ensure that the contractor has complied with all closeout requirements and deviations have been corrected and closed out;

The CM and the contractor must co-sign the Final Handover and Close-out Inspection Checklist as per **Annexure 8.19, Final Handover and Close-Out Inspection Checklist**.

The CM must ensure that the contractor hands over the complete Contractor Compliance File at the completion of the project with all relevant documentation.

The CM must ensure that the contractor's documentation is kept as per the requirements of **Document, Data and Records Management Procedure, TRN-IMS-GRP-PROC 010**.

6.5 Close out

The CM must arrange for the final payment and issue a completion certificate to the contractor, confirming the closeout requirements have been met.

The CM must establish a post-contract evaluation committee to review the contractor's performance statistics, based on incidents, audit findings, corrective actions, etc.

The CM must ensure that performance statistics are analysed to determine trends, lessons learnt and prepare for the post-contract evaluation meeting.

The CM must hold a post-contract evaluation meeting and summarise the findings in a report and document future corrective actions which must be put in place.

The CM must communicate the findings and lessons learnt to the project initiator.

The CM must ensure that the contract register is updated to reflect the closing of the project.

The CM must arrange for the release of retention monies and performance bonds at the expiry of the specified period in terms of the contract.

7RECORDS

7.1 Audit and Inspection Records

7.2 Contractual Records

7.3 Evaluation Records

7.4 Incident Records

7.5 Induction Training Records

7.6 Meetings Records

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8. ANNEXURES

- 8.1 Contract Classification Methodology
- 8.2 Contractor Specification Guidelines Minimum Requirements
- 8.3 Tender Questionnaires Minimum Requirements
- 8.4 Pricing Schedule Minimum Requirements
- 8.5 Mandatory Agreement
- 8.6 Contractor Execution Plan Minimum Requirements
- 8.7 Contractor Compliance File Minimum Requirements
- 8.8 Contractor Induction Minimum Requirements
- 8.9 Employee Profile Dossier
- 8.10 Attendance Register
- 8.11 Indemnity Form
- 8.12 Induction Certificate
- 8.13 List of Legal Permits and Authorizations
- 8.14 Pre-site handover checklist minimum requirements
- 8.15 Site Access Certificate
- 8.16 Progress Meeting Agenda Minimum Requirements
- 8.17 Operational Permit Application Form
- 8.18 Contractor Audit Protocol Minimum Requirements
- 8.19 Final Handover and Close-out Inspection Minimum Requirements