

Transnet National Ports Authority
a division of
TRANSNET SOC LIMITED
(Reg. No. 1990/000900/30)

Briefing Note No. 05

17 February 2026

RFP REFERENCE NUMBER: TNPA/2025/02/0004/90037/RFP-REQUEST FOR PROPOSAL FOR THE APPOINTMENT OF A TERMINAL OPERATOR TO FINANCE, OPERATE, MAINTAIN, REFURBISH, AND/OR CONSTRUCT AND TRANSFER A BREAK-BULK TERMINAL SPECIALIZING IN COLD STORAGE OF FISH AND FISH-RELATED PRODUCTS FOR A TEN (10)-YEAR CONCESSION PERIOD AT THE PORT OF CAPE TOWN.

TNPA, through this briefing note no. 5, wishes to share and advise bidders on the following:

1. Answers to questions that were raised after the briefing session.

Regards
Project Office

QUESTIONS & ANSWERS - REFERENCE NUMBER: TNPA/2025/02/0004/90037/RFP

No:	RFP Clause Number/ Question Topic:	Question:	Response:
1.	<p style="text-align: center;">TOA Clauses 5.2.3 and 5.2.4</p>	<ul style="list-style-type: none"> The wording of Clauses 5.2.3 and 5.2.4 is ambiguous and could be read as contradictory: please would TNPA clarify whether the provision that the Terminal Operator's "right to use the Port Infrastructure" is "subject to the use thereof by any other Port Users in accordance with the Port Rules" means that the Terminal Operator's rights of use are secondary to those of other Port Users? 	<ul style="list-style-type: none"> The two provisions are addressing separate issues: 5.2.3 refers to Port Infrastructure in the Terminal Boundary, and 5.2.4 refers to any Port Infrastructure required for the implementation of the Project within the Port, not necessarily the Terminal boundary. Basically, all other Port users, including the Terminal Operator, are granted access to the use of the Port infrastructure, which shall be used in accordance with the Port Rules and subject to the instructions of the Harbor Master.
2.	<p style="text-align: center;">TOA Clause 1.1.143 and Clause 5:</p>	<ul style="list-style-type: none"> Clause 1.1.143 and Clause 5: provides that the Terminal Operator must, upon TNPA's request, submit "Uncommitted Capacity Reports" in relation to "uncommitted storage capacity of the Terminal in terms of the Petroleum Pipelines Act" – this does not seem to be applicable to this project: please would TNPA clarify? 	<ul style="list-style-type: none"> The comment is noted; this clause is marked for deletion during the TOA negotiations with the Preferred Bidder.
3.	<p style="text-align: center;">TOA Clauses 1.1.80 and 41.1.1.6</p>	<ul style="list-style-type: none"> Clauses 1.1.80 and 41.1.1.6 provide for different deadlines to commence Operations (within 6 months or 365 days of the Actual Commercial Operations Date) – failure is a Terminal Operator Default, resulting in termination. Both clauses are non-negotiable. Please would TNPA clarify which one is correct? Moreover: 	<ul style="list-style-type: none"> Operations shall commence on the Actual Operations Commencement Date as referred to in the definition and clause 21.3. Long Stop date may be deleted at negotiation stage of the Terminal Operator agreement as there is no construction anticipated. 41.1.6 refers to Terminal Operator Default, and when the Terminal Operator gets to 365 days after the Actual

		<ul style="list-style-type: none"> the term "Long Stop Date" (1.1.80) is not used in the Contract anywhere; and if the "Actual Commercial Operations Date" is not the date on which the Terminal Operator truly commences Operations, should it not be redefined as the Target COD? 	<p>Operations Commencement Date without commencing with Operations, that would constitute a Terminal Operator default.</p>
4.	Environmental	<ul style="list-style-type: none"> Please would TNPA provide an exhaustive list and details of existing (and future intended) Encumbrances, defects, and environmental issues on the Terminal? 	<ul style="list-style-type: none"> There was a historical environmental issue caused by underground pipelines running to a neighbouring Operator, which was appropriately decommissioned. A report detailing the extent of the impact, the proposed mitigation measure and remediation plan, including monitoring, was compiled and accordingly submitted to the Department of Forestry, Fisheries and the Environment (DEFFE) for review and concurrence with respect to the proposed remediation and monitoring plan (in accordance with part 8 of the Waste Management Act). The monitoring activity post- remediation by the TNPA and DFFE has not indicated any issues of concern.
5.	Infrastructure	<ul style="list-style-type: none"> What are the existing Utility wayleaves over the Terminal? Are there any that TNPA has already agreed (or will agree) to be installed during the term of this Agreement? 	<ul style="list-style-type: none"> There is a wayleave agreement in place for underground pipelines servicing Landing Wharf. These oil pipelines run through the existing terminal. Historically, a bulk water supply line also ran through the facility. However, this has since been rerouted outside the terminal boundaries, and the original pipelines have been decommissioned and abandoned.

<p>6.</p>	<p>Environmental & Infrastructure</p>	<ul style="list-style-type: none"> Please would TNPA clarify if the Terminal is already a protected natural environment or a special nature reserve and, if so, what are the restrictions on construction and operations? 	<p>Environmentally protection</p> <ul style="list-style-type: none"> There are no environmentally protected areas, except that the building is situated on top of the open underground tunnel filled with seawater. <p>Construction Restrictions</p> <ul style="list-style-type: none"> The Port of Cape Town is zoned as a National Ports Zone (NPZ). As such, there are no additional or special zoning restrictions that specifically limit what may be constructed within the Port area beyond standard port regulations. All proposed new developments and construction projects are subject to review and approval by the TNPA Port Engineer, in accordance with the prescribed Transnet National Ports Authority (TNPA) approval process. While no unique zoning constraints apply, general operational regulations remain in force, including compliance with applicable environmental requirements, waste management standards, health and safety regulations, and other statutory operational controls.
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