

TRANSNET NATIONAL PORTS AUTHORITY

TENDER NUMBER: TNPA/2022/10/1246/14484/RFP

DESCRIPTION OF THE SERVICES: FOR THE PROVISION OF PROFESSIONAL SERVICE PROVIDER IN THE PORT OF DURBAN AND RICHARDS BAY FOR PROJECT MANAGEMENT SERVICES FOR A PERIOD OF TWENTY-FOUR (24) MONTHS

PART 3: SCOPE OF SERVICES

Rev 0

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1 Executive Overview

Transnet National Ports Authority (TNPA) plays a critical role in the logistics business through its eight commercial ports located in the various provinces in South Africa (SA). In order to improve its service offering, TNPA must take continual actions to create the necessary port capacity ahead of demand.

The KZN Logistics Hub (KZN-LH) programme has been created within the TNPA to deliver critical projects in the Durban and Richards Bay ports. Some of the key projects (refer annexure A for the comprehensive project list) within this programme include:

- a. Port of Durban: Proposed new Point Container Terminal, Expansion of the ro-ro terminal, Pier 2 Berth Deepening, Proposed Maydon Wharf Container Terminal, New Dry Dock, Salisbury Island expansion for container, Island View Dig-out, entrance channel expansions
- b. Port of Richards Bay: Proposed New LNG Berth 207, New Navy Base, New Neo Bulk Jetty, Extension of the Chrome jetty, new roads, rail, new bulk services

The programme will roll out a significant number of projects in the coming years. These projects currently have varying levels of development when measured against the stages within the project lifecycle process. A significant number of projects require pre-feasibility studies to be completed within the next **24 months**.

In order to meet the peak demands of project resources, TNPA will require experienced project management resources in the short term to complement its internal project teams. The externally sourced personnel will support TNPA with effective project planning, efficient project execution & project performance monitoring.

The *Consultant* shall mobilise the required project management resources that complies with the deliverables contained in this document.

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2 Description of Works

2.1 The Objective of the Task Order

The primary objective of the Works to provide **Project Management services** for the KZN_LH Programme.

The *Consultant* must undertake amongst other generally accepted project management requirements:

- a) Develop user requirements,
- b) Produce scope of works,
- c) Assemble bid documents,
- d) Manage service providers,
- e) Engage stakeholders,
- f) Close off studies or execution works

2.2 Scope of the Task Order

The *Consultant* shall be responsible for providing and managing the necessary resources and tooling required to carry out all aspects of this task order. This task order is ring-fenced to the KZN_LH projects

Success of this task order depends on the *Consultants* ability to:

- Carefully select resources with the required experience, skills and attitudes,
- Efficiently mobilise the necessary resources to the KZN_LH,
- Work closely with TNPA for any relevant information, guidance and support,
- Manage stakeholder expectations,
- Effectively manage service providers,
- Foster team integration,
- Manage conflict and a changing business environment

In addition, for effective project execution, the *Consultant* shall:

- Allow its appointed resources to be mobilised full time to KZN_LH
- Permit appointed resources to be co-located at TNPA offices **(TBC)**
- Supply all necessary tools, techniques and support

3 Deliverables

The *Consultant* is required to deliver to the *Employer* as a minimum the following information:

3.1 Project Management Services

The following key aspects apply to this discipline:

Manage all aspects of the programme and projects as per acceptable practices inter alia:

- Project set up

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- Project Scope development
- Integrate, coordinate and manage all disciplines
- Prepare BID documents
- Manage scope, cost and schedule
- Identify and manage risks
 - Manage and coordinate SHERQ
 - Coordinate and prepare bid documents
 - Manage stakeholders
 - Coordinate and prepare project & progress reports (internal and external stakeholders)
 - Coordinate and prepare PowerPoint presentations
 - Coordinate and manage design development
- Prepare project business cases
 - Close out project
- Deliver requirements as per Transnet's PLP

3.2 Project Support Services

The services revolve around quantity surveying, cost engineering, QS, cost eng, planning/scheduling, document control and quality assurance

- Prepare project cost estimates
- Develop and document the basis for the cost estimates
- Measure and certify invoices
- Support the project management team
- Evaluate claims and provide support in disputes
- Develop, maintain and update cost reports
- Prepare annual project budget
- Prepare baseline schedule and monthly schedule updates
- Calculate Earned Value (EV) on a monthly basis (TBC)
- Develop and manage document control
- Archive project documents and files

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3.2 Procurement, Contract and Legal Services

The following service apply to this discipline:

Procurement:

- Using Transnet processes and under guidance:
- Development procurement strategy and plans
- Prepare bid documents
- Manage and coordinate bid processes
- Manage and coordinate bid evaluations
- Prepare submissions for acquisition council
- prepare contract documents

Contract Management:

- Manage contracts
- Provide contract admin support
- Prepare relevant information for claims and disputes
- close out contracts

Legal services:

- Arrange and provide legal services for claims, disputes and contractual matters related to the project environment

4. Management of the Task Order

The *Consultant* will not advertise the contract or the project to any third party, nor communicate directly with the media (in any jurisdiction) whatsoever without the express written notification and consent of TNPA.

The *Consultant* will obtain the permission and approval of TNPA before using the details of the contract in any advertising media.

5. The Required Resources

The *Consultant*'s team shall as a minimum comprise the following key staff:

- i. Principle Project Manager Team Leader
- ii. Senior Project Managers

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- iii. Project Control Manager
- iv. Quantity Surveyors
- v. Schedulers
- vi. Contract Administrators

6. Anticipated Timelines for this Task Order

The following timelines for the various activities of this **Task Order** is proposed:

| | |
|--|------------|
| 1. Mobilisation and assignment inception programme | 0,5 Months |
| 2. Reviews, data gathering, consultation | 0,5 Months |
| 3. Execution of the Task Order | 18 Months |
| 4. Close Out Task Order | 1 Month |

The **Task Order** will be completed within **24 months** of award. A **monthly progress meeting** with the *Consultant* must be held to track progress, manage risks and issues, seek direction and formulate decisions.

7. Contract Change Management

For ease of communication, standard templates shall be used for contract change management. The *Consultant* shall forward all correspondence with respect to contract change management, i.e. early warnings and notifications of compensation events, on the standard templates provided.

Records of Claims, Payments & Assessments of Compensation Events must be kept by the *Consultant*.

The *Consultant* shall keep at all times the following records for the *Employer's Agent* to inspect:

- Records of people and equipment within the working areas
- Records of Sub-consultants appointed by the *Consultant*

8. Procurement

8.1 Code of Conduct

- The *Employer* aims to achieve the best value for money when buying or selling goods and obtaining services. This however must be done in an open and fair manner that supports and drives a competitive economy. Underpinning our process are several acts and policies that any supplier dealing with the *Employer* must understand and support. These are:
 - The Transnet Detailed Procurement Procedure (DPP);
 - Section 217 of the Constitution - the five pillars of Public PSCM (Procurement and Supply Chain Management): fair, equitable, transparent, competitive and cost effective;
 - The Public Finance Management Act (PFMA);
 - The Broad Based Black Economic Empowerment Act (BBBEE); and

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The Anti-Corruption Act

- This code of conduct has been included in this contract to formally apprise the *Consultant* of the *Employer's* expectations regarding behaviour and conduct of its suppliers.
- Prohibition of Bribes, Kickbacks, Unlawful Payments, and Other Corrupt Practices
- The *Employer* is in the process of transforming itself into a self-sustaining State Owned Enterprise, actively competing in the logistics industry. Our aim is to become a world class, profitable, logistics organisation. As such, our transformation is focused on adopting a performance culture and to adopt behaviours that will enable this transformation.
- The *Employer* will not participate in corrupt practices and therefore expects its suppliers to act in a similar manner.
- The *Employer* and its employees will follow the laws of this country and keep accurate business records that reflect actual transactions with and payments to our suppliers.
- Employees must not accept or request money or anything of value, directly or indirectly, to:
- Illegally influence their judgement or conduct or to ensure the desired outcome of a sourcing activity;
- Win or retain business or to influence any act or decision of any decision stakeholders involved in sourcing decisions; or gain an improper advantage.
- There may be times when a supplier is confronted with fraudulent or corrupt behaviour of the *Employer's* employees. We expect our Suppliers to use our "Tip-offs Anonymous" Hot line to report these acts (0800 003 056).
- The *Employer* is firmly committed to the ideas of free and competitive enterprise.
- Suppliers are expected to comply with all applicable laws and regulations regarding fair competition and antitrust.
- The *Employer* does not engage with non-value adding agents or representatives solely for the purpose of increasing BBBEE spend (fronting)
- The *Employer's* relationship with suppliers requires us to clearly define requirements, exchange information and share mutual benefits.
- Generally, Suppliers have their own business standards and regulations. Although the *Employer* cannot control the actions of our suppliers, we will not tolerate any illegal activities. These include, but are not limited to:
- Misrepresentation of their product (origin of manufacture, specifications, intellectual property rights, etc.);
- Collusion;
- Failure to disclose accurate information required during the sourcing activity (ownership, financial situation, BBBEE status, etc.);
- Corrupt activities listed above;
- Harassment, intimidation or other aggressive actions towards the *Employer* employees

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- Suppliers must be evaluated and approved before any materials, components, products or services are purchased from them. Rigorous due diligence is conducted and the supplier is expected to participate in an honest and straight forward manner; and
- Suppliers must record and report facts accurately, honestly and objectively. Financial records must be accurate in all material respects

8.2 Conflicts of Interest, Restraint of Tendering

A conflict of interest arises when personal interests or activities influence (or appear to influence) the ability to act in the best interests of the *Employer*.

The *Consultant* shall be precluded from offering any services directly / indirectly to contractors during the bidding and or construction phases of the contract.

Consultant previously involved in the development of the Business Case or design developments shall be precluded from tendering on the above scope of services.

Such as, for example:

- Doing business with family members; and
- Having a financial interest in another company in our industry

9. The *Consultant's* Invoices

9.1 When the *Employer's Agent* certifies payment (see NEC PSC Sub-Clause 51.1) following an assessment date, the *Consultant* complies with the *Employer's* procedure for invoice submission.

9.2 The invoice must correspond to the *Employer's Agent* assessment of the amount due to the *Consultant* as stated in the payment certificate.

9.3 Invoices must be submitted by the 18th day of the month (with costs projected to the 25th of the month).

9.4 The invoice states the following:

- Invoice addressed to Transnet Limited;
- Transnet Limited's VAT No: 4720103177;
- Invoice number;
- Registered name of the *Consultant*;
- Address (Physical and Postal) of the *Consultant*;
- The *Consultant's* VAT Number; and
- The Contract number:

9.5 The invoice contains the supporting detail:

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- The amount paid to date;
- Amount for payment (excluding VAT);
- VAT amount;
- Amount for payment (including VAT);
- Any retention monies to be deducted from the invoice;
- Any interest payable;
- Escalation formula used where applicable;
- Settlement discount;
- Proof of ownership of Materials supplied;
- A statement is to accompany each invoice
 - The invoice is presented either by post or by hand delivery or via email by the 18th day of the assessment month. Statements must accompany invoices.
 - Invoices submitted by post are addressed to:

Transnet National Ports Authority
Queens Warehouse
237 Mahatma Gandhi Road
Durban
4000
For the attention of *the Employers Agent: Rajan Chetty*
 - invoices submitted by hand are presented to:

Transnet National Ports Authority
Queens Warehouse
237 Mahatma Gandhi Road
Durban
4000
For the attention of *the Employer Agent: **Muziwokuthula Ntuli***
 - The invoice is presented as an original.
 - The *Consultant* ensures that the *Employer* has his correct banking information to make the electronic payment transfer.
 - All payments are provisional and subject to audit. The *Consultant* preserves his records for such a period of time as legislation requires, but in any event not less than five (5) years.

- The *Employer* deducts any amount owed by the *Consultant* to the *Employer* from any amount payable by the *Employer* to the *Consultant*.

Annexure A: List of Projects

List of KZN-LH Projects for Durban and Richards Bay





RICHARDS BAY PORT MASTER PLAN: Project List



Annexure B: Project Clusters

| Project Clusters | SPM's | Project Description |
|------------------------|-------|---|
| Pre-Feasibility | | |
| Liquid | SPM4 | Expand liquid bulk precinct including inter-connectivity |
| | | LNG berth 207 (Geo-tech, environmental studies, survey packaging, option, waste studies) |
| | | Proposed berth 210 |
| Marine | SPM5 | Entrance and island view channel |
| | | Island view turning basin |
| | | Ship simulation & Ship motion study |
| Navy | SPM2 | SA Navy base design (Pelican and Naval Islands) |
| | | Navy satellite station |
| Road and rail | SPM3 | Doubling of the rail access line to the South Dunes lease sites - TFR operational improvement |
| | | Feasibility - South Dunes Rail Infrastructure to service other sites |
| | | Mhlathuze Rail Yard Expansion to service 600 series berths |
| | | Point auto terminal |
| | | Point freight corridor |
| | | Rehabilitation & Repair of Newark, Silver Ocean, Urania Road (5 Yearly) |

| | | |
|---|------|---|
| | | Rehabilitation & Repair of Ventura Road, New Road (606), Newark Road. |
| | | Second access road |
| | | Upgrade of Clinker Road and off-ramp to berth 606 |
| Berth and Terminals DBN | SPM1 | Bayhead MPT |
| | | DCT pier 1 container terminal- prefeasibility studies |
| | | Dry Dock |
| | | Maydon wharf container terminal |
| | | Pier 1 & 2 infill |
| | | PSP Transactional Adviser |
| | | Salisbury heritage Assessment |
| Berth and Terminals RBY | SPM6 | 600 series back of quay readiness (South32 & container handling facility) |
| | | Bulk connection relocation readiness |
| | | Develop Container Stockyard at 600 series (Container Handling Facility) |
| | | Develop cruise terminal |
| | | Develop DLH sites (Develop Stockyard for DBN Relocated commodities) |
| | | Greenbelt offset |
| | | Proposed berth 605 |
| | | Proposed berth 802,803 |
| | | Proposed berths 709,710 |
| Upgrade SRMT site to Chrome Stockyard (Develop Mega Chrome Stockyard) | | |
| Feasibility | | |
| Point Container Terminal | SPM7 | Feasibility Studies (Designs) |
| Liquefied Natural Gas (LNG) | SPM7 | Feasibility Studies (Designs) |