

TRANSNET NATIONAL PORTS AUTHORITY
 TENDER NUMBER: TNPA/2024/01/0007/54253/RFP
 DESCRIPTION OF THE WORKS: PRE-FEASIBILITY STUDIES FOR THE ENTRANCE CHANNEL
 WIDENING & DEEPENING, ISLAND VIEW BASIN, PIER 1 CONTAINER TERMINAL, INFILL DCT
 BASIN AND NEW MAYDON WHARF CONTAINER TERMINAL FOR THE PORT OF DURBAN

COMPULSORY CLARIFICATION MEETING



NAME		DESIGNATION	COMPANY NAME	SIGNATURE	TELEPHONE NO:	EMAIL
DATE	TIME	TITLE		VENUE		
08 April 2024	12h30	PRE-FEASIBILITY STUDIES FOR THE ENTRANCE CHANNEL WIDENING & DEEPENING		Transnet Queens Warehouse, 237 Mahatma Gandhi Road, Durban		
SITE /LOCATION		ATTENDEES				
Port of Durban		Hereby, acknowledge having read and understood the contents of the "Transnet Supplier Code Of Conduct" and the "Transnet Declaration of Interest" attached hereto.				

NAME		DESIGNATION	COMPANY NAME	SIGNATURE	TELEPHONE NO:	EMAIL
Gus Hojem		Tech Director	PRDW South Africa		0824659074	ghojem@prdw.com
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Thuthukile Sibeta Procurement Officer TNPA 0839895101 thuthukile.sibeta@transnet.net

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NAME		DESIGNATION	COMPANY NAME	SIGNATURE	TELEPHONE NO:	EMAIL
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PRAVESH LOGNATH		CLIENT DIRECTOR	ZUTARI (PT) (LTD)		0836422084	pravesh.lognath@zutari.com
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NAME		DESIGNATION	COMPANY NAME	SIGNATURE	TELEPHONE NO:	EMAIL
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SUPPLIER CODE OF CONDUCT

Transnet SOC Limited 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 Transnet must understand and support. These are:

- The Transnet Procurement Policy – A guide for Tenderers.
- 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)
- The Prevention and Combating of Corrupt Activities Act (PRECCA); and
- The Construction Industry Development Board Act (CIDB Act).

This code of conduct has been included in this contract to formally appraise Transnet Suppliers of Transnet's expectations regarding behaviour and conduct of its Suppliers.

Prohibition of Bribes, Kickbacks, Unlawful Payments, and Other Corrupt Practices

Transnet 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.

1. Transnet SOC Limited will not participate in corrupt practices. Therefore, it expects its suppliers to act in a similar manner.

- Transnet 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, from suppliers.
- Employees may not receive anything that is calculated 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 person involved in sourcing decisions; or
 - Gain an improper advantage.



- There may be times when a supplier is confronted with fraudulent or corrupt behaviour of Transnet employees. We expect our Suppliers to use our “Tip-offs Anonymous” Hot line to report these acts. (0800 003 056).

2. *Transnet SOC Limited 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 practices.
- Transnet does not engage with non-value adding agents or representatives solely for the purpose of increasing BBBEE spend (fronting).

3. *Transnet's relationship with suppliers requires us to clearly define requirements, to exchange information and share mutual benefits.*

- Generally, suppliers have their own business standards and regulations. Although Transnet 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; and
 - Harassment, intimidation or other aggressive actions towards Transnet employees.
- 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.
- Suppliers must record and report facts accurately, honestly and objectively. Financial records must be accurate in all material respects.



Conflicts of Interest

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

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

Where possible, contracts will be negotiated to include the above in the terms of such contracts. To the extent such terms are not included in contractual obligations and any of the above code is breached, then Transnet reserves its right to review doing business with these suppliers.

Declaration of interest

As signed above, I declare that I have read and understood the contents of the Tender Documentation for the PRE-FEASIBILITY STUDIES FOR THE ENTRANCE CHANNEL WIDENING & DEEPENING, meeting number TNPA/2024/01/0007/54253/RFP to be held on **08 April 2024**.

I further declare that:

- I am not in any way, whether directly or indirectly, interested in any contract or proposed contract, which has been or is to be entered into by the Company, and which is to be discussed at the abovementioned meeting;
- I am not in any way, whether directly or indirectly, save in my capacity as an employee of Transnet, interested in any other matter which is to be discussed at the abovementioned meeting;
- I do not have any relationship, whether of a family, business, social or other nature, with any person who has any interest, whether direct or indirect, in any contract or other matter to be discussed at the abovementioned meeting;
- Should I at any stage before, during or after the abovementioned meeting become aware of the existence of an interest or relationship of the nature described above, I will immediately disclose such interest or relationship to Transnet;
- I will treat all information shared / received at this meeting as strictly confidential, and will not share such information with any Transnet employee or third party, unless specifically authorized to do so or required to do so in the execution of my duties. Any release of information shall be in terms of the Transnet Capital Projects communication guidelines.