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## **PORT OF NGQURA: APPOINTMENT OF A SERVICE PROVIDER FOR THE REVIEW AND UPDATE OF THE COEGA KOP QUARRY EMPR FOR A ONCE-OFF PERIOD**

For: **TNPA Port of Ngqura**  
Prepared by: **TNPA Port Environment, Port of Ngqura**

Author: **Zukiswa Magidela**  
Project Manager: **Zukiswa Magidela**  
Project Sponsor: **Siphokazi Goba**

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## 1. INVITATION TO SUBMIT A QUOTATION

1.1. Quotations are hereby requested by Transnet National Ports Authority from suitable Service Providers to undertake a review and update of the Coega Kop Quarry (CKQ) Environmental Management Plan (EMP) and Monitoring Programme in Port of Ngqura in Port Elizabeth.

1.2. Only tenderers who:

- Are conversant with environmental and mining legislative requirements,
- Have knowledge of environmental management tools and standards necessary for the project,
- Are competent in the environmental management field and can demonstrate experience in mining/geotechnical engineering experience,
- Understands the mining environmental challenges/techniques and be able to give proper guidance on monitoring and management of the quarry,
- Are able to assess and give proper results on key performance areas of the EMPR including the requirements of this document.
- Are able to make recommendations on monitoring programmes and management thereof.
- Are able to produce reports and have ability to interpret the results so the objectives of the programme are scrutinised and achieved at the same time, by conducting investigations and assessing the areas of improvements within the CKQ.
- Submit project plan and project progress report, where appropriate.
- Take adequate occupational health, safety and environmental programmes and control measures to prevent injuries, illness, and harm to their employees.
- Have SACNASP and EAPASA registration

Are eligible to submit quotations.

## 2. Background:

The Port of Ngqura is situated in the east coast of Indian Ocean, about 20km northeast of Port Elizabeth. As a new Port, Port of Ngqura has been under numerous development phases since its first phase construction project which commenced in September 2002. The development and construction of the Port was authorised by the Department of Environmental Affairs in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989).

The Coega Kop Quarry was licensed and authorized for use by the Department of Mineral Resources to construct the Port of Ngqura. The Coega Kop Quarry is situated 6 km outside the Port of Ngqura and is owned by Transnet. The quarry is the source of rock necessary for the construction of the port. A necessary permit in terms of the Minerals Act, 1991 (Act No.50 of 1991), was acquired from the Department of Minerals and Energy for the quarrying at Coega Kop (license ML35/2003). The expectation was that Coega Kop would be utilized to source various grades of material including armour rock required for Port construction in lieu of sourcing rock material from other commercial sources at a higher cost.

The Coega Kop Quarry has been used for various Port projects since 2002 and will be required for future Port projects. An Environmental Management Programme (EMPr) was developed for the Quarry in terms of the requirements of the Minerals and Petroleum Resources Development

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Act and approved by the Department of Mineral Resources (DMR) for implementation. The last revision of the EMPr was undertaken in 2009 and approved by DMR in 2010. The EMPr however requires review and updating every 5 years to ensure that management and mitigation measures are at all times aligned with mining activities. The EMPr also specifies monitoring and management measures that must be implemented for the quarry if it remains in use. Review of the EMPr and implementation of required monitoring and mitigation measures has not been undertaken since the last review in 2010.

## **2.1. OBJECTIVE:**

The objectives of the project is to:

- Ensure compliance with regulatory authority stipulations and guidelines,
- Ensure that there is sufficient allocation of resources on the CKQ so that the scale of EMPr-related activities is consistent with the significance of project impacts;
- Verify environmental performance through information on impacts as they occur;
- Provide feedback for continual improvement in environmental performance;
- Identify a range of mitigation measures which could reduce and mitigate the potential impacts to minimal or insignificant levels;
- Detail specific actions deemed necessary to assist in mitigating the environmental impact of the quarry;

## **2.2. SCOPE OF WORKS AND GENERIC CONDITIONS OF CONTRACT**

- 2.2.1. To review all existing management plan and programs for CKQ;
- 2.2.2. Identify information gaps and/or all relevant information needs for the EMPR;
- 2.2.3. Ensure that the EMPR is aligned with current legislative requirements, including norms and standards;
- 2.2.4. Develop an EMPR audit protocol;
- 2.2.5. Develop and align the EMPr with future TNPA Port project plans;
- 2.2.6. Identify all CKQ environmental aspects associated with quarry operations and update the management and monitoring plans.

## **2.3. PROJECT SPECIFIC SPECIFICATIONS AND OTHER TECHNICAL SPECIFICATIONS**

### **2.3.1. EMPR**

- 2.3.1.1. Conduct site visit;
- 2.3.1.2. Review all existing environmental management plan and programmes;
- 2.3.1.3. Identify information gaps and/or all relevant information needs for the EMPR;
- 2.3.1.4. Ensure that the EMPR is aligned with current legislative requirements, including norms and standards;
- 2.3.1.5. Review EMPR impact assessment, and identify all CKQ environmental aspects and environmental risk associated with quarry operation phase and updated the management and monitoring plans;
- 2.3.1.6. Align the EMPr with future TNPA Port project plans;

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2.3.1.7. Review and update the EMPR's Decommissioning and Rehabilitation Plan and Financial Provision.

**2.3.2. AUDIT PROTOCOL**

2.3.2.1. Develop and document an internal monitoring audit protocol for the EMPR

**2.3.3. REPORTS**

2.3.3.1. Develop a report and submit to TNPA;

2.3.3.2. Present the Report to the Environmental Management Committee

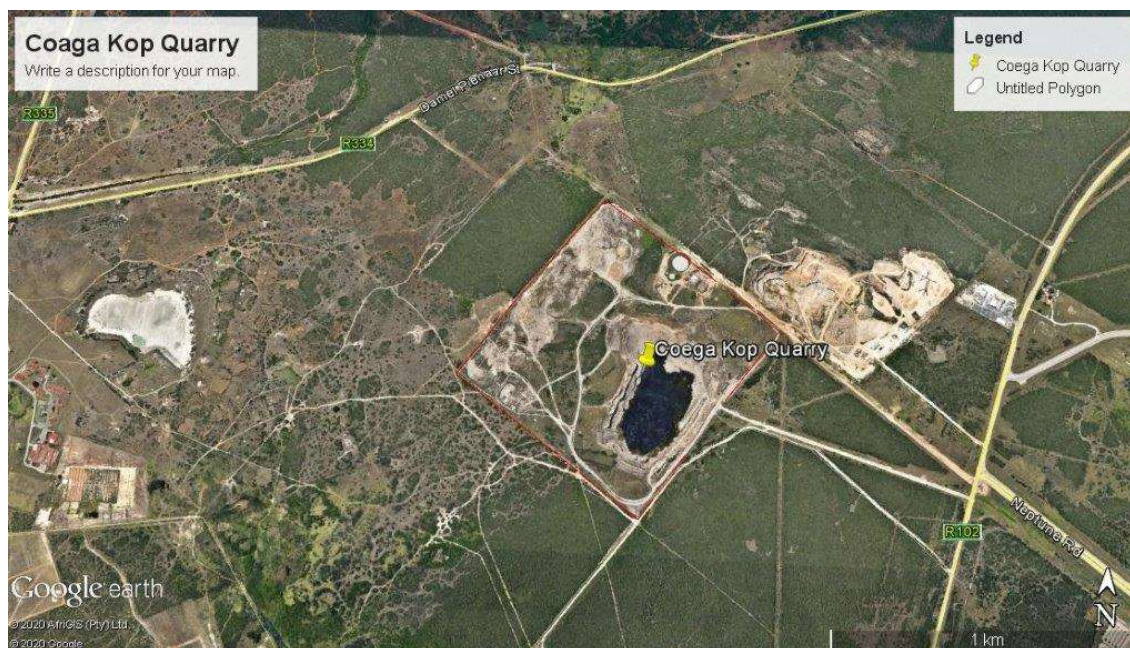
2.3.3.3. Submit the updated EMPR to the regional Department of Minerals and Resources.

2.3.3.4. The plan will be part of TNPA intellectual property including all data collected and reports submitted.

ALL PRACTICES REGARDING THIS CONTRACT SHALL COMPLY WITH ALL RELEVANT LEGISLATION

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## 2.4. LOCATION OF THE SITE AND ACCESS



- 2.4.1. The Project is in CKQ 6 km out of Port of Ngqura, Port Elizabeth, Eastern Cape, South Africa.
- 2.4.2. Access to the site can be gained via the N2 on to Neptune Road.
- 2.4.3. The contract is solely for TNPA Operations, and a quotation should reflect as such.

## 2.5. DURATION, COMPLETION DATE AND EXTENSION OF THE WORKS

- 2.5.1. The estimated duration of the Works is (including two weeks for submission and approval of the Compliance File i.e., SHE file):
  - Duration of work should not be more than 12 weeks
- 2.5.2. The completion date for the project shall be stated on issue of the Purchase Order to the Service provider.
- 2.5.3. Any extensions to the Completion Date shall be subject to:
  - Change in scope of the works.
  - Delays due to other reasonable reasons.
- 2.5.4. The Service Provider shall submit a claim for extension for each event that may warrant extension of the completion date. Claims for extension shall be submitted to the TNPA

Project Manager within 7 days of the event. Any claims made for events after 7 days of the event occurring will not be entertained.

## **2.6. COMPLETION & TERMINATION OF CONTRACT**

2.6.1. This Contract will be considered complete on the Project Completion date as stated in the Scope of Works and on the basis that all the works have been completed.

or

This Contract will be considered complete upon the full delivery of the items as stated in the in the scope of works.

2.6.2. Either party may terminate the period of hire by providing the other with 1 (one) months' notice (or as determined by the TNPA Procurement Department).

2.6.3. Despite anything in the contract to the contrary, TNPA PORT OF NGQURA may, by providing a written notice to the Service provider, terminate the contract immediately if the Service provider:

2.6.3.1. Suffers an insolvency event;

2.6.3.2. Refuse to comply with any reasonable instruction or direction of the TNPA PORT OF NGQURA representative;

2.6.3.3. Is in breach of this contract and has failed to rectify the breach following a written request do so by TNPA PORT OF NGQURA.

## **2.7. INSURANCE**

2.7.1. Before the Service provider commences with the works, the Service provider must effect and maintain (if the Service provider does not already carry these insurances under its annual policies of insurance) at its own expense, all insurances required by law and the contract, including:

a) Public liability insurance covering liability to third parties for injuries, death, loss of and damage to the property from anything done or omitted to be done for the public liability insurance.

b) Motor vehicles third party insurance for all relevant vehicles.

2.7.2. Before commencement of the works and whenever subsequently requested in writing by the TNPA Project Manager, the Service provider must provide TNPA Port of Ngqura with certificates of currency to demonstrate that the insurance referred to have been affected and are being maintained.

2.7.3. The Service provider must notify TNPA Port of Ngqura immediately of any circumstances, injuries, deaths or incident that may occur on site which may, or may not, involve a claim against both the Service provider and TNPA Port of Ngqura.

2.7.4. TNPA Port of Ngqura will not be liable for any claim or part of claim against the Service Provider's liability mentioned in (clause 2.7.1).

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## **2.8. INDEMNITY AND INJURY MANAGEMENT**

- 2.8.1. The Service provider and any persons from the Service provider working on site must first ensure that they provide their signatures on the indemnity form before entering the site.

## **2.9. COMMUNICATION**

- 2.9.1. All communication and instructions shall be via, email or a letter.  
2.9.2. All verbal communication and instruction made, be it on site or elsewhere, shall be confirmed in writing.  
2.9.3. The Service provider shall provide all their contact details with their tender submissions.

## **3. TNPA PORT OF NGQURA SHE REQUIREMENTS**

- 3.1. All general TNPA SHE documentations are available upon request. Any additional SHE Documentation shall be issued to the Service provider by TNPA SHEQ after award of the Purchase Order.

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4. SCHEDULE OF PRICES FOR: PORT OF NGQURA: REVIEW OF CKQ EMPR FOR THE PORT OF NGQURA

ITEM	DESCRIPTION	UNIT	*COST
1	Review of all existing information and documents	1	
2	Site visits and inspections	1	
3	Develop a new EMPr report	1	
4	Develop EMPr internal auditing/monitoring protocol	1	
Subtotal			
Vat 15%			
Total			