

Clarification Questions: BATCH 5

North Corridor

Compulsory Tender Briefing - 5 July 2024, relating to the following tenders:

<u>Siding</u>	<u>Tender number</u>
<u>Vandyksdrift</u>	<u>CPEX20124NC</u>
<u>Voorslag (A) and Voorslag (B)</u>	<u>CPEX40124NC</u>
<u>Rietkuil</u>	<u>CPEX60124NC</u>
<u>Hlobane</u>	<u>CPEX70124NC</u>
<u>Carolina</u>	<u>CPEX80124NC</u>
<u>Panbult</u>	<u>CPEX90124NC</u>
<u>Blackhill</u>	<u>CPEX100124NC</u>
<u>Vandykdrift (Springbok)</u>	<u>CPEX110124NC</u>
<u>Blinkpan</u>	<u>CPEX120124NC</u>
<u>Broodsynerplaas</u>	<u>CPEX130124NC</u>

1. Ref - RFP Broodsynerplaas page 14, section 2.1 (Export coal)

If a lessee has their own mines and also collaborates with other junior miners, can the lessee enter into contracts with client mines outside of TFR?

Answer: Rail allocation capacity for export coal from the siding will be dealt with via TFR's rail allocation model (RAM). No addition rail capacity for export coal can be made available

If the intended use of the siding is for commodities other than export coal, the bidder needs to submit volume commitments are required, and then the lessee can contract with client mines.

2. Are there any servitude matters that need to be considered on any of the rail sidings that may have a material impact on bid preparation and submission (access roads, stockpile areas).

Answer: At this stage TFR is not aware of any servitude matters, as nothing has been brought to TFRs attention, and no customers have raised any challenges. However, TFR cannot guarantee that no such matters might arise in future.

3. Request for Commercial Proposal (hereafter referred to as the "Bid"). In the Bid document page 24 of 47 section 5.2 Step Two to Seven: Minimum Threshold 70%

The bid with the highest investment offer per annum of the proposed lease tenure will receive the maximum points allocated to this segment. All other bids with lower investment offers will score proportionally lower. Please note additional scoring in Section 3.4.

Questions related to the above:

- 3.1 The Standard Lease Agreement for Sidings has not been included in the Commercial Proposal Annexures as part of the suite of documents that the successful bidder will be required to sign. This is a crucial document that will enable the bidders to understand what their legal obligations will be for the leasing of the Siding and as such is central to this Request for Commercial Proposal (hereafter referred to as the "Bid").

Answer: The document has been shared.

4. From the combined document (Request for Proposal and all Annexures) there are 191 pages in total which we use to refer to our below queries.

- 4.1 As a general point, the commercial proposal annexures on page 3, all annexures in the document should be cross-reference to the table of contents on page 3 to ensure consistency in cross referencing the submitted documents.

Answer: Apologies, please see the correct list of annexures:

COMMERCIAL PROPOSAL ANNEXURES:

Annexure A:	TFR Siding/Facility Profile
Annexure B:	Transnet's General Bid Conditions
Annexure C:	Transnet's Supplier/Lessee Integrity Pact

Annexure D:	Non-Disclosure Agreement
Annexure E:	Supplier Declaration Form
Annexure F:	Returnable Bid Response
Annexure F1A:	Experience Confirmation
Annexure F1B:	Volume Source Confirmation (if applicable)
Annexure F2A:	DCF Template
Annexure F2B:	Detailed Investment Plan
Annexure G:	Risk Questionnaire
Annexure H:	Health and Safety Questionnaire
Annexure I:	Rail Transport Agreement
Annexure J:	Environmental Management Plan
Annexure K:	Business Continuity Plan
Annexure L:	Lease Technical Requirements
Annexure M:	Mandatory Agreement – Occupational Health and Safety
Annexure N:	TFR specifications – Work conducted along Railway Lines

- 4.2 On the Request for the Commercial Proposal Page 73 and 74 of 191, the document called "Property Lease Bid Evaluation Response". Please confirm what Annexure this is? We do not have certainty on what Annexure F is. Please confirm and check where it is cross referenced throughout the tender documents.

Answer: Please use Annexure F_ Returnable Bid Response. It is referenced in section 3.2.2 on page 16.

- 4.3 On page 4 – for a Joint Venture / Consortium submission must both parties to the JV / Consortium be recorded to as the "Name of Bidder" and must both parties date, sign and stamp every page of the submission (para 4.1 of the Commercial Proposal)? Must the particulars of both parties to a JV or Consortium be recorded on all fields on Page 4?

Answer: The signature of the person nominated person by the JV would be sufficient. However, additional parties can also sign.

- 4.4 On page 9, item 5 – in which annexure do we cross-reference a JV / Consortium Agreement against?

Answer: There is no specific annexure for this to be referenced against.

- 4.5 On Page 12 – In terms of submitting a tax compliance certificate, we have a compliant certificate however we have a current dispute with SARS which has unfortunately give a non-compliant status from time to time. Our auditor is currently resolving this and we have a letter from our auditor explaining the situation. Will this letter accompanying the tax compliant certificate be acceptable for the tender submission in terms of para 11.2 on Page 12.

Answer: Please note that we can only award to a tax-compliant company. A communique from the accountant will not be sufficient.

- 4.6 Page 21 – table at 3.7 – the Annexures need to be corrected as wrongly cross-referenced.

Answer: The correct is Annexure J. Annexure L is not applicable

5. Our company, being a close corporation (CC), has not previously required financial statements to be signed off by auditors. Given this context, we would like to confirm whether it would be acceptable to Transnet if we submit our financial without an auditor's sign-off, and if doing so would affect our eligibility for this RFP?

Answer: Please submit the financial documents aligned to Close Corporation compliance requirements. Ensure that documents are certified by an Commissioner of Oaths.

6. We just needed clarity on joint application for the tender, does both or more companies need to fill in the application of the tender?

Furthermore, is there a restriction has to how many companies/mines are allowed to do a joint application for each siding?

Answer: The signature of the person nominated person by the JV would be sufficient. However, additional parties can also sign.