

TRANSNET PORT TERMINAL

CONTRACT NUMBER: TPT/2025/07/0009/101653/RFP

DESCRIPTION OF THE WORKS: DESIGN, SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING OF BIRD PROOFING SYSTEM FOR TRANSNET SOC LTD (REG.NO 1990/000900/30) OPERATING AS TRANSNET PORT TERMINALS (HEREINAFTER REFERRED TO AS "TPT") AT THE PORT OF DURBAN AGRI-PORT AND MAYDON WHARF TERMINAL.

PART C3: SCOPE OF WORK

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C3.1 EMPLOYER'S WORKS INFORMATION

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SECTION 1

1 Description of the works

1.1 Executive overview

Maydon Wharf and Agri-Port form part of Bulk, Break Bulk and Car (BBC) Terminals in Durban. Transnet Port Terminals' (TPT) Maydon Wharf and Agri-Port are situated in the Maydon Wharf precinct in the Port of Durban. The terminal footprint is aligned to six (6) berths, namely, MW7 to MW12 with storage facilities and sheds with additional common user berths MW1 to MW14. The Agriport Terminal imports and exports agricultural products such as wheat, maize, soya beans, soya bean meal and woodchips while Maydon Wharf Terminal operates as import and export facility for neo-bulk cargo i.e., Manganese Ore, Ferro Chrome, Chrome Ore, Anthracite Ore, etc.

Agricultural products attract birds that feed on the product and end up nesting in sheds and other areas close by. Current challenge is that birds are nesting inside the sheds and other building structures and attracts other animals like cats that feed on the birds. These birds sometimes die or get killed and leave their bird droppings. These pose huge health and environmental concerns to the staff as well as customers who keep their products in sheds.

1.2 Employer's objectives

1.2.1 The employers' objective is:

- a) To appoint a suitable contractor to execute the project.
- b) To ensure compliance to Occupational Health and Safety Act.
- c) To reduce and eliminate health and environmental risk associated with bird droppings.

1.3 Guarantees and Warranties

The extent of guarantees that can be offered by the Tenderer on the corrosion protection and installation of the fencing will play an important role in the evaluation of the tenders.

- The Tenderer is required to indicate on the schedule what guarantee period is offered for the fencing, including the corrosion protection and installation (workmanship).
- A Guarantee period on bird proofing system of not less than eight years on corrosion protection and lifespan is required.
- A Guarantee period on workmanship for the bird proofing system of not less than one year is required.
- The Tenderer is required to issue a guarantee/ warrantee from manufacturer.



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1.4 Interpretation and terminology

The following abbreviations are used in this Works Information:

Abbreviation	Meaning given to the abbreviation
Approx.	Approximate
CEMP	Construction Environmental Management Plan
CDR	<i>Contractor</i> Documentation Register
CDS	<i>Contractor</i> Documentation Schedule
CRL	<i>Contractor</i> Review Label
CM	Construction Manager
CSHEO	Contractor's Safety, Health, and Environmental Officer
DWG	Drawings
EM	Environmental Manager
EMPr	Environmental Management Programme
EDMS	Emissions Data Management System
EO	Environmental Officer
ECO	Environmental Control Officer
EMC	Environmental Monitoring Committee
HAW	Hazard Assessment Workshop
HAZCON	Hazard of Construction
HAZOP	Hazard and Operability Study
HSSP	Health and Safety Surveillance Plan
INC	Independent Nominated Consultant
IP	Industrial Participation
IR	Industrial Relations
ISO	International Standard Organisation
ISPS	International Ship and Port Facility Security Code
IPP	Industrial Participation Policy
IPO	Industrial Participation Obligation
IPS	Industrial Participation Secretariat
IRCC	Industrial Relations Co-ordinating Committee
JSA	Job Safety Analysis
CIRP	<i>Contractor's</i> Industrial Relations Practitioner
Native	Original electronic file format of documentation
PES	Project Environmental Specifications
PHA	Preliminary Hazard Assessment
PIRM	Project Industrial Relations Manager
PLA	Project Labour Agreements
PIRM	Project Industrial Relations Manager
PSPM	Project Safety Program Manager
PSSM	Project Site Safety Manager
QA	Quality Assurance
SACNASP	South African Council for Natural Scientific Professions
SANS	South African National Standards
SASRIA	South African Special Risks Insurance Association
SES	Standard Environmental Specification
SHE	Safety, Health, and Environment
SHEC	Safety, Health, and Environment Co-ordinator

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SIP	Site Induction Programme
SMP	Safety Management Plan
TNPA	Transnet National Port Authority
TPT	Transnet Port Terminals

1.5 Site Information

1.5.1 Below are the identified sites for installation of bird proofing system, the sites are surrounded by stacking areas, and moving machinery. Port users access to and from the surrounding area shall be always maintained in a safe manner.

1.5.2 **Note:** The sites are operational areas therefore requires the works to be planned and executed in a manner which will result in minimal operational disruption and this requirement is a primary concern of the *Employer*. Phasing and planning of the works will be discussed with Operations.

#	Area Name	Size
1.	Shed 10	5 400 m ²
2.	Shed 12	6 525 m ²
3.	MWF MH Workshop	500 m ²
4.	Staff parking area in the Admin Building	1 200 m ²
5.	Agri Bulk Shed 7A & B	16 000 m ²
6.	Old Flat Stores	7 975 m ²
7.	Truck Shed	7 800 m ²
8.	Bagger Section	559 m ²
9.	Boiler Workshop	480 m ²
10.	Electrical Workshop	5 400 m ²
11.	MHA Workshop	1 320 m ²

2 Engineering and the *Contractor's* design

2.1 *Employer's* Responsibilities

- No design is provided by the *Employer*.
- The *Employer's* performance requirements for the *works* are contained in the Works Information.
- The *Employer* grants the *Contractor* a licence to use the copyright in the performance data presented to the *Contractor* for the purpose of the works ONLY.
- The *employer* has provided minimum requirements to be adhered to and used as guidelines during the procurement, designing and installation. The *Contractors* scope of Works shall include, but not limited to Transnet guidelines.

2.2 Parts of the works which the *Contractor* is to Design

2.2.1 The *works* that the *Contractor* is to perform *involve* the removal of old bird proofing, design, supply, delivery, installation, and commissioning of new suitable bird proofing at BBC Terminals namely Durban Point Terminal, Agri-Port Terminal, and Maydon Wharf Terminal.

The major activities of the *works* include:

- a) The design, supply, and installation of a suitable solution for bird proofing. Bird proofing system must be a physical barrier or object and the gel must be applied in sections where it is impractical to install a physical barrier or object.
- b) The design for suitable bird proofing must consider that Agri Bulk Shed 7A & B has existing conveyor belts which will also require bird proofing system.
- c) The suitable solution for bird proofing must consider sections or areas such as roller door boxes, electrical cable trunkings, beams, pipes, etc.
- d) The bird proofing must perform well in harsh coastal environments and sustain the stipulated guarantees and warranties. Stringing wire/ brackets, screws, nuts, bolts, and any steel/metal supplied to conform to EEAM-Q-008 Corrosion Protection.
- e) The design must take into account all operational and maintenance requirements associated for the different areas i.e. Provision shall be made in the designs for the maintenance of all high-level structures and fittings.
- f) The bird proof system must prevent birds from roosting and nesting above any operational or storage areas by way of preventing the birds from accessing any roof or conveyor structures.
- g) The bird proofing system must be customised into the structure to fit perfectly and not compromise the aesthetics and functionality of the structure.
- h) All design works within this project are to be conducted by ECSA Professional Registered personnel with experience in Design, fabrication, and construction in harsh coastal environments.
- i) Seal off the areas where the birds may find a way to enter the sheds or areas that may compromise the effectiveness of the bird proof solution.
- j) Removal of the existing bird proofing nets where required.
- k) Cleaning, removal of bird droppings, lice, nests etc.
- l) Disinfect the areas using suitable and unharmful products.
- m) Safely dispose bird droppings, lice, old nets etc, as per environmental regulations (TIMS Policy Commitment Statement).
- n) The suitable solution must be locally manufactured bird proofing products and be harmless to the birds.
- o) The bird proof system material must not be a fire hazard nor prevent access to any sprinkler systems for purposes of maintenance.
- p) Provision for a platform to access the roof trusses/ or any activity of working at heights.

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- 2.2.2 Undertake the total Works, comprising investigations, assessments, complete design, approvals, installations, guarantees and warranties. The service is to include for all associated engineering and other services to achieve the end-goal described in this document.
- 2.2.3 The *Employer* has provided minimum requirements to be adhered to and used as guidelines during the procurement, designing and installation. The *Contractors* scope of *Works* shall include, but not limited to:
- a) Provide the required and suitable design solution and treatment for acceptance for each site.
 - a) A minimum of 8 years on guarantees and warranties on the effectiveness of the system and 12 months on workmanship.
 - b) Development of all required designs and specifications and project documentation in line with Transnet requirements.
- 2.2.4 Gel
- a) The gel must be locally manufactured and be harmless to birds.
 - b) The gel must be approved for use by Department of Agriculture, Land Reform and Rural Development.
 - c) Use products that are safe to humans and exposed grain and other products, also no harm is to be inflicted on the birds in the implementation of the solution.
 - d) The gel must be guaranteed for a minimum of 2 years.
- 2.2.5 General
- a) Make provision for the various areas to be cleaned up and disinfected in preparation for installations and treatment.
 - b) Prepare construction methodology and installation procedures for all installations and treatments.
 - c) Make provision for temporary support structures for services, if required.
 - d) Issue all relevant certificates aligned to the OHS act or other relevant authorities for the completed works.
 - e) Design for Health and Safety as per OHS Act
- 2.2.6 All required temporary works. Temporary works are all works other than the permanent *works* which shall be removed from the Site on Completion of the *works*.
- 2.2.7 Further details of design and performance requirements for the parts of the *works* which the *Contractor* is to design are provided in the relevant technical specifications included within annexures which forms part of this Works Information

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- 2.2.8 The *Contractor* shall appoint suitably qualified and experienced designers to carry out such work and shall indemnify and hold indemnified the *Project Manager* and *Employer* against any claims and actions that may arise out of his designs.
- 2.2.9 All designs/calculations must be done by an authenticated and authorized Professional Engineer/Professional Technologist registered with the Engineering Council of South Africa. The *Contractor* shall submit to the *Project Manager* details of the Professional Engineer/Professional Technologist registered with the Engineering Council of South Africa prior to starting any design of temporary or permanent works. The *Contractor* shall submit to the *Project Manager* for acceptance all design calculations and drawings for all temporary and permanent works.
- 2.2.10 The *Contractor* shall be responsible for full compliance with all codes of practice, safety, professional procedures, checking, Site approval and requirements of the construction regulations with regards to all works including developing and submitting maintenance plans for acceptance by the *Project Manager* for all works designed by the *Contractor*.
- 2.2.11 Unless expressly stated to form part of the design responsibility of the *Employer* as stated under clause 2.1 and whether or not specifically stated to form part of the design responsibility of the *Contractor* under this clause 2.2, all residual design responsibility and overall responsibility for the total design solution for the *works* rests with the *Contractor*.
- 2.2.12 The *Contractor* shall provide the *works* in accordance with the Technical, Health and Safety, Environmental, Quality, and Schedule requirements as set out in the Works Information.
 - a) Technical requirements as per the *works* information.
 - b) Health and Safety requirements as per relevant Annexures.
 - c) Environmental requirements as per relevant Annexures.
 - d) Quality as per relevant Annexures.

2.3 Procedure for submission and acceptance of *Contractor's* design

- 2.3.1 The *Contractor* shall address the following procedures:
 - a) All designs done by the *Contractor* must comply with all relevant Statutory codes and standards must be approved by Professional registered personnel with ECSA.
 - b) A hardcopy of the design, approved by Professional registered personnel with ECSA, must be supplied to the *Project Manager* for approval.
 - c) After the approval both a hard copy of the design as well as soft copy with Adobe Acrobat (PDF) and "Native" file format of the design must be supplied to the *Project Manager*.

Acceptance of documentation by the *Project Manager* in no way relieves the *Contractor* of his professional indemnity responsibility for the correctness of information, or conformance with the requirements of the Works Information. This responsibility rests solely with the *Contractor*.

2.4 Review and Acceptance of *Contractor* Documentation

- 2.4.1 The *Contractor* submits documentation as the 'Works Information' requires to the *Project Manager* for review and acceptance.
- 2.4.2 The Approval of relevant documents will have a lead time of ten (10) working days for acceptance by the *Project Manager*.
- 2.4.3 In undertaking the 'Works' (including all incidental services required), the *Contractor* shall conform and adhere to the requirements of TPT Document Control.

2.5 Use of *Contractor's* design

- 2.5.1 The *Contractor* grants the *Employer* a licence to use the copyright in all design data presented to the *Employer* in relation to the *works* for any purpose in connection with the construction, re-construction, refurbishment, repair, maintenance, and extension of the *works* with such licence being capable of transfer to any third party without the consent of the *Contractor*.
- 2.5.2 The *Contractor* vests in the *Employer* full title guarantee in the intellectual property and copyright in the design data created in relation to the *works* as follows:
 - a) The *Contractor* grants the *Employer* a licence to use the copyright in all design data presented to the *Employer* in relation to the *works* for any future tenders and construction of modular facilities.

2.6 As-built drawings, operating manuals, and maintenance schedules

- 2.6.1 The *Contractor* provides the following:
 - a) As Built /Final Documentation.
 - b) Plan view from start to end and left to right hand boundaries is required.
 - All elements are to be on separate layers. Example, points, codes, and elevation are to be on separate layers. Every different element is to be on a separate layer. Note that no "z" values are to be saved to any lines or points.
 - Topographical survey shall be provided in the form of hard copies to a scale of 1:500 as well as a magnetic medium in a format accessible by Microstation and AutoCAD or similar software (.dwg and/or .dxf format) on USB.
 - c) In undertaking the works (including all incidental services required), the *Contractor* shall conform and adhere to the requirements of the Contractor Document Submittal Requirements Standard included in the Annexures (Refer DOC-STD-0001 Rev 03).
 - d) All Red Line information to be signed off by *Contractor's* responsible Professional Engineer/Technologist before issue to the *Project Manager*.
- 2.6.2 Installation, Maintenance and Operating Manuals and Data Books

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- a) The *Contractor* provides manuals (1 copy) in an A4 hard covered, red, grease and waterproof binder, using 2 ring type binders. The manuals are well indexed and user friendly and include a summarized Table of Contents.
- b) Drawings and charts larger than A4 are folded and those greater than A3 are enclosed in an A4 plastic pocket of adequate strength.
- c) The *Contractor* submits the draft Table of Contents to the *Project Manager* for acceptance prior to the compilation and official submittal of the manuals.
- d) The originals of all brochures shall be issued to the *Project Manager*. When a general brochure is applicable to a range of equipment, then the specific item, catalogue number or model number shall be stated, which is best achieved by introducing a separate index page, which cross-references the specific item to a tag number.
- e) The address, phone numbers, fax numbers and reference numbers of all Subcontractors is provided.
- f) Where manuals include drawings that still need to be revised to "As-Built" status, and such manuals are required prior to 'As-Built' status, the manual will not be considered to be in its final form until the "As-Built" version of each such drawing has been incorporated.
- g) The required number of copies of the manual (s) shall be as specified by the *Project Manager* and submitted per type or model number of equipment included in the contract, or as specified by the *Project Manager*.
- h) All electronic copies (pdf.) of Data Packs to be properly indexed.
- i) A typical example of what the binder/file (s) shall be marked with on the spine and the front cover is as follows: -
 - Project Name
 - Manual Title, e.g. Installation, Maintenance and Operating Manual
 - Title
 - Manual Numbering (e.g. Volume 1 of 2, etc.)
 - Contract Number
 - *Contractor* Name
- j) Unless otherwise stated elsewhere the required number of copies of as built/Final documents/drawings shall be:
 - 2 x hard copies (full size)
 - 1 x USB with Adobe Acrobat (PDF) and "Native" file format.
- k) Certificate of stability for the works signed by the duly appointed ECSA registered professional.

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3 Construction

3.1 Temporary works, Site services & construction constraints

3.1.1 *Employer's Site entry and security control, permits, and Site regulations*

- The *Contractor* complies with the *Employer's* Site entry and security control, permits, and Site regulations.
- The *Contractor* arranges for ID cards to all *Contractors'* employees for access of personnel (and Equipment) within the Site boundaries.

3.1.2 The *Contractor* complies with the following requirements of the *Employer*:

- a) All *Contractor* staff entering the Transnet Port Terminal (TPT) facility will undertake an alcohol breathalyser on a daily basis
- b) All relevant PPE must be worn by Site personnel when entering the Port.
- c) All vehicle permits must be obtained prior to site access
- d) All relevant personnel inductions must be done prior to site access being granted.

3.1.3 Restrictions to access on Site, roads, walkways, and barricades

- a) The *Contractor* is specifically excluded from entering the *Employer's* Operational Areas which are adjacent to the Site and Working Area. The *Contractor* plans and organises his work in such a manner so as to cause the least possible disruption to the *Employer's* operations.
- b) The *Contractor* ensures the safe passage of *Contractor's* traffic to and from the Site and Working Areas at all times that includes providing flagmen, protective barriers, signage, etc. for the protection, direction, and control of traffic.
- c) The *Contractor* ensures that none of his personnel and Equipment will be allowed to move outside of his allocated Site and Working Areas. To this end, access routes are allocated and co-ordinated by the *Project Manager*.
- d) The *Contractor* ensures that all his construction personnel and Equipment remains within his allocated and fenced off construction area.
- e) The *Contractor's* personnel working within Transnet Port Terminal complies with Transnet National Port Authority (TNPA) operational safety requirements and are equipped with all necessary PPE, high visibility apparel and, when working within two meters of the quay wall, floating apparel.

3.1.4 The *Contractor* complies with the following requirements of the *Employer*:

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- Access/egress permissions and restrictions for all personnel and equipment will apply
 - All personnel to remain within the site boundary at all times
- 3.1.5 People restrictions on Site; hours of work, conduct and records:
- a) The working hours shall be in accordance with the requirements of the Department of Labour or with the agreement of the relevant trade unions. This information relating to working hours shall be supplied to the Project Manager prior to commencement of the proposed working hours.
 - b) In the event that the Contractor requests to work overtime to make up for time lost due to his own delays, the Contractor will be liable for the supervision cost required from The Employer's team during The Works.
 - c) The Contractor complies with a nine (9) hour a day, five (5) day a week standard workday/week for all activities to be undertaken by his people (including Sub-Contractors) employed on site.
 - d) The Contractor keeps daily records of his people engaged on the Site and Working Areas (including Subcontractors) with access to such daily records available for inspection by the *Project Manager* at all reasonable times.
- 3.1.6 Health and safety facilities on Site to comply with the OSH ACT.
- 3.1.7 The Contractor provides a notice board in terms of Transnet requirements at a location to be approved by the *Project Manager* on site.
- 3.1.8 The Contractor provides progress photographs at weekly intervals in electronic format to the *Project Manager*.
- 3.1.9 The Contractor does 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 the *Project Manager*.
- 3.1.10 Site services and facilities:
- a) For the duration of the Contract, the *Project Manager* will provide an area, free of charge, of the Contractor to establish his offices, lay down areas, stores, workshops, and other Contractor's Equipment when needed.
 - b) No connection to the sewer system will be made available to the Contractor, therefore a Contractor shall provide portable chemical type toilets for use on site by his people.
 - c) All costs for preparation of the site establishment area are for the Contractor's account.
 - d) The Contractor is responsible for his own connection to the Employer's services and for the reticulation of his services from the connection point. The cost of meters, connections, reticulation, and all other usage costs associated with the provision of services are for the Contractor's account.

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- e) The *Contractor* provides, at his own cost, a sufficient number of toilets and maintains them in a clean and sanitary working condition.
- f) The *Supervisor* (or his nominated representative) conducts routine inspections of the *Contractor's* construction power reticulation and power tools. If found to be un-safe and / or non-compliant with statutory requirements, the electrical power supply is disconnected until the Contractor rectifies all defaults.
- g) The *Contractor* provides temporary lighting and fencing around every section occupied by him during the construction of the works.
- h) Such fencing demarcates and secures the construction area. The fencing is erected before any work starts and is removed only upon completion of the work in the area.
- i) The *Contractor* includes for all costs for such lighting and fencing, including access control into and out of these restricted areas.
- j) Wherever the *Contractor* provides facilities (either his own or for the *Project Manager* and/or *Supervisor*) and all items of Equipment, involving, *inter alia*, offices, accommodation, laboratories, Materials storage, compound areas etc, within the Working Areas, then the *Contractor* makes good and provides full reinstatement to the land (including all apparatus of the *Employer* and Others in, on or under the land) and surrounding areas to its original standard, upon dismantling of such facilities and items of Equipment.
- k) Upon completion, and within one month of the date of acceptance of the works, the *Contractor* completely removes from the Site and Working Area all his Equipment, including the foundations of any structures, stores, office accommodation or any other asset belonging to him, and leaves the Site and Working Areas in a tidy condition to the satisfaction of the *Project Manager*.
- l) No excess or discarded materials or Equipment may be buried or dumped within the port boundary.
- m) Demolition of all temporary structures, surfaces, etc., shall be first approved by the *Project Manager* prior to the work being carried out.
- n) The *Employer* does not provide any security for the Site and Working Areas. The *Contractor* provides same and indemnifies and hold indemnified the *Project Manager* and *Employer* against any claims and actions that may arise out of Site and Working Areas security.
- o) No housing is available for the *Contractor's* employees. The *Contractor* makes his own arrangements to house his employees and transports them to site in a closed vehicle specifically designed for passenger transport (bus or similar), accepted by the *Project Manager*.
- p) The *Contractor* shall provide everything else necessary for Providing the Works.

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3.1.11 Wherever the *Employer* provides facilities (including, *inter alia*, temporary power, water, waste disposal, telecommunications etc) for the *Contractor's* use within the Working Areas and the *Contractor* adapts such facilities for use, then the *Contractor* makes good and provides full reinstatement to the land (including all apparatus of the *Employer* and Others in, on or under the land) and surrounding areas to its original standard upon dismantling of such facilities and hand-back to the *Employer*.

3.1.12 Facilities provided by the *Contractor*:

- The *Contractor* ensures that this site establishment area is compliant with the relevant safety regulations and restrictions, is clearly sign posted, and has a suitable security fence, lighting, and the necessary access control gates.

3.1.13 Wherever the *Contractor* provides facilities (either his own or for the *Project Manager* and/or *Supervisor*) and all items of Equipment, involving, *inter alia*, offices, accommodation, laboratories, Materials storage, compound areas etc, within the Working Areas, then the *Contractor* makes good and provides full reinstatement to the land (including all apparatus of the *Employer* and Others in, on or under the land) and surrounding areas to its original standard, upon dismantling of such facilities and items of Equipment.

3.1.14 Unless expressly stated as a responsibility of the *Employer* as stated under 3.1.10 Site services and facilities, all residual requirements for the provision of facilities and all items of Equipment necessary for the *Contractor* to Provide the *Works* remains the responsibility of the *Contractor*.

3.1.15 Control of noise, dust, water, and waste

- a) Before moving Equipment onto the Site and Working Areas and commencing The Works, the *Contractor* submits his proposed methods of construction which demonstrate the measures taken to avoid and or reduce any environmental and health issues arising from dust, noise, and vibration for acceptance by the Project Manager.
- b) The *Contractor* shall comply with the requirements of "Environmental constraints and management" of Section C3.1 Employer's Works Information.
- c) The *Contractor* shall comply with the requirements of "Safety risk management" of Section C3.1 Employer's Works Information.
- d) The *Contractor* is to provide dust suppression as per the CEMP, PES and SES documents to ensure that dust levels resulting from the *Contractor's* construction traffic are kept to the required safety and environmental standards as specified in the relevant project environmental specifications.

3.1.16 Giving notice of work to be covered up:

- a) The *Contractor* notifies the *Supervisor* in writing of any elements of The Works which are to be covered up. This notification is given not less than 48 (forty-eight) hours prior to the proposed covering up.



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- b) The *Contractor* shall not cover The Works without the authorization of the Supervisor.
- c) The Contractor shall make the *Project Manager* and Supervisor aware of any tests and inspections required by The *Employer's* Quality Management Procedures. Notification of required test and/or The *Employer's* Engineers inspections to be given 24 (twenty-four) hours in advance.

3.2 Completion, testing, commissioning, and correction of Defects

3.2.1 The work to be done by the Completion Date.

On or before the Completion Date the *Contractor* shall have done everything required to Provide the Works including the work listed below which is to be done before the Completion Date and in any case before the dates stated. The *Project Manager* cannot certify Completion until all the work listed below has been done and is also free of Defects, which would have, in his opinion, prevented the *Employer* from using the works and others from doing their work.

Item of work	To be completed by
Submission of all data packs, quality assurance records and as-built drawings	Within two weeks after completion of construction

3.2.2 The *Contractor* ensures that the *Project Manager* has a full and accurate dossier of As-built documents that represent the Works and Layouts status of the completed to present to the *Employer*.

4 Plant and Materials Standards and Workmanship

4.1 Applicable Standards

In addition to the specifications, the Project will comply with the following relevant Acts and Regulations as listed below:

- a) Occupational Health and Safety Act 85 of 1993;
- b) The S.A. National Building Regulations and Building Standards Act. (Act 103 of 1977);
- c) South African National Standards and Codes of Practice;
- d) The South African Environmental Management Act and other

SECTION 2

5 Management and start up

It is the *Employer's* specific intention that the Parties and their agents use the techniques of partnering to manage the contract by holding meetings designed to pro-actively and jointly manage the administration of the contract with the objective of minimising the adverse effects of risks and surprises for both parties.



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Depending on the size and complexities of the Works, it is probably beneficial for the Employer to hold a weekly risk register meeting (Clause 16.2). This could be used to discuss safety, environmental, compensation events, subcontracting, overall co-ordination, and other matters of a general nature. Separate meetings for specialist activities such as programming, engineering, and design management, may also be warranted.

5.1 Management meetings

Regular meetings of a general nature may be convened and chaired by the *Project Manager* as follows:

Title and purpose	Approximate time & interval	Location	Attendance by:
Risk register and compensation events	Weekly on (or at shorter intervals if required)	On site / Virtual	<i>Project Manager, Supervisor, Contractor, and appropriate key persons</i>
Overall contract progress and feedback	Every two weeks	On site / Virtual	<i>Employer, Project Manager, Supervisor, Contractor, and appropriate key persons</i>
Technical Meetings	Every two weeks	On site / Virtual	<i>Project Manager, Supervisor, Contractor, and appropriate key persons</i>
Planning Meetings	Weekly	On site / Virtual	<i>Employer, Project Manager, Supervisor, Contractor, and appropriate key persons</i>

Meetings of a specialist nature may be convened as specified elsewhere in this Works Information or if not so specified by persons and at times and locations to suit the Parties, the nature, and the progress of the *works*. Records of these meetings are to be submitted to the *Project Manager* by the person convening the meeting within five days of the meeting.

All meetings are to be recorded using minutes or a register prepared and circulated by the person who convened the meeting. Such minutes or register are not to be used for the purpose of confirming actions or instructions under the contract as these are to be done separately by the person identified in the *conditions of contract* to carry out such actions or instructions.

5.2 Documentation Control

5.2.1 In undertaking the '*Works*' (including all incidental services required), the *Contractor* shall conform and adhere to the requirements of the 'Contractor Documentation Submittal Requirements' Standard included in Annexure (refer **DOC--STD-0001**).

5.2.2 The *Contractor* is to ensure that the latest versions of the required application software and a suitable 'IT' Infrastructure are in place to support the electronic transmission of documentation.



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- 5.2.3 In undertaking the works all documentation requirements for the works shall be dealt with in accordance with document **DOC-STD-0001 – Rev03** (Contractor Documentation Submittal Requirements). The control, maintenance and handling of these documents and drawings, using a suitable document control system, remain the sole responsibility of the Contractor.
- 5.2.4 Contractor Documentation Schedule (CDS) is as contemplated in **DOC-STD-0001 – Rev 03**, as contained in the List of Annexures.
- 5.2.5 All contract correspondence is issued through document control. All communication to submitted electronically and is to be addressed to the *Project Manager* and Transnet Port Terminals Doc Control mailbox at all times email: DBNDocControl@transnet.net
- 5.2.6 Each supplier of documentation and data to the Project is responsible for ensuring that all documentation and data submitted conforms to the Project Standards and data Quality requirements in terms of numbering, uniqueness, quality, accuracy, format, completeness and currency of information. Data not meeting the Project Standards and data Quality requirements will be cause for rejection and returned to the *Contractor* for corrective action and re-submission.
- 5.2.7 Should any change be made to documentation or data, which has already been submitted to the Project, then new or revised documentation or data shall be issued to Doc Control DBNDocControl@transnet.net to replace the out-dated information.
- 5.2.8 It is the responsibility of all Project participants undertaking work on the Project to ensure they obtain and comply with the relevant requirements to suit their deliverables and Scope of Work.
- 5.2.9 Electronic files submitted to the Project shall be clear of known viruses and extraneous "macros". The supplier of documentation is required to have, at all times, the latest generation of virus protection software and up-to-date virus definitions.
- 5.2.10 The *Contractor* shall be responsible for the supply of all Sub-Supplier/Contractor/ Manufacturer, etc. documentation and data related to their package of work and shall ensure that these Sub-Suppliers have the capability to supply the necessary documentation and data in the required time-frame and quality as outlined in the specified standards prior to awarding sub-orders.
- 5.2.11 The required number of copies shall as a minimum be three (3) (1x original + 2 x hard copies), with the corresponding PDF and 'Native' file formats upon final submission.
- 5.2.12 The *Contractor* shall apply "wet signatures" to the original Documentation before scanning the signed original and prior to formal submission to the Project.
- 5.2.13 Final issues of all documentation shall be supplied to the Project in "wet signature" format along with the associated corresponding electronic 'native files' and PDF renditions.
- 5.2.14 The *Contractor* shall ensure adequate resources are available to manage and execute the Document Control function as per the requirements of the Project. (The *Contractor* shall ensure that a dedicated Document Controller is available for the Project)

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5.3 Safety risk management

5.3.1 Health and Safety Standard

- The *Contractor* must comply with the requirements of the Project *Employer* Health and Safety Project Specifications and OHS Act No. 85 of 1993 and its applicable Regulations.

5.3.2 *Contractor's* General Requirements for Health and Safety

The *Contractor* is solely responsible for carrying out the work under the Contract having the highest regard for the health and safety of its employees, Transnet's employees and persons at or in the vicinity of the Site, the *works*, temporary work, materials, the property of third parties and any purpose relating to the *Contractor* carrying out its obligations under this Contract.

The *Contractor* must initiate and maintain safety precautions and programs to conform to all applicable Health and Safety laws or other requirements, including requirements of any applicable government instrumentality and client corporate, business unit and site requirements. The *Contractor* must, at its own cost, erect and maintain safeguards for the protection of workers and the public. The *Contractor* must manage all reasonably foreseeable hazards created by performance of the work. The *Contractor* must:

- Provide all things and take all measures necessary for maintaining proper personal hygiene, ensuring safety of persons and property, and protecting the environment at or near the Site.
- Avoid unnecessary interference with the passage of people and property at or near the Site.
- Prevent nuisance and excessive noises and unreasonable disturbances in performing the Services.
- Be responsible for the adequacy, stability, and safety of all of its site operations, of all its methods of design, construction and work and be responsible for all of the work, irrespective of any acceptance, recommendation or consent by TPT, its *Contractors*, employees, agents and invitees, or any Government Body.

Costs for the above are borne by the *Contractor*.

The *Contractor* must comply and is responsible for ensuring that all of its Subcontractors comply with the relevant legislation(s) and statutory regulations for health and safety, the Transnet Health and Safety requirements included in the Contract and other document pertaining to health & safety contained in the Programme Health & Safety Management System and include standards, policies, procedures, guidelines and safe work instructions.

5.3.3 *Contractor's* Health and Safety Management

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The *Contractor* must prepare, implement, and maintain a project-specific Health and Safety Management Plan. The plan must be based on the requirements set out in this Project Health and Safety specification as well as all applicable legislation. It must cover all activities that will be carried out on the project site(s), from mobilisation and set-up through to rehabilitation and decommissioning.

The plan must demonstrate the *Contractor's* commitment to health and safety and must, as a minimum, include the following:

- a) A copy of the *Contractor's* Health and Safety Policy; in terms of the OHS Act section 7;
- b) Procedures concerning Hazard Identification and Risk Assessment, including both Baseline and Task-Based Risk Assessments;
- c) Arrangements concerning the identification of applicable Legal and Other Requirements, measures to ensure compliance with these requirements, and measures to ensure that this information is accessible to relevant personnel;
- d) Details concerning Health and Safety Objectives – a process must be in place for setting objectives (and developing associated action plans) to drive continual improvement;
- e) Details concerning Resources, Accountabilities and Responsibilities – this includes the assignment of specific health and safety responsibilities to individuals in accordance with legal or project requirements, including the appointment of a *Project Manager*, Health and Safety Officers, *Supervisors*, Health and Safety Representatives, and First Aiders;
- f) Details concerning Competence, Training and Awareness – a system must be in place to ensure that each employee is suitably trained and competent, and procedures must be in place for identifying training needs and providing the necessary training;
- g) Communication, Participation and Consultation arrangements concerning health and safety, including Toolbox Talks, Daily Safe Task Instructions, project health and safety meetings, and notice boards;
- h) Documentation and Document Control – project-specific documentation required for the effective management of health and safety on the project must be developed and maintained, and processes must be in place for the control of these documents;
- i) Processes and procedures for maintaining Operational Control, including rules and requirements (typically contained in Safe Work Procedures) for effectively managing health and safety risks, particularly critical risks associated with working at heights, confined spaces, mobile equipment and light vehicles, lifting operations, hazardous chemical substances, etc.;
- j) Emergency Preparedness and Response procedures;
- k) Management of Change – a process must be in place to ensure that health and safety risks are considered before changes are implemented;

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- l) *Sub-Contractor* Alignment procedures – a process must be in place for the assessment of Subcontractors and suppliers with regard to health and safety requirements and performance (before any contract or purchase order is awarded);
- m) Measuring and Monitoring plans, including a plan for the measuring and monitoring of employee exposure to hazardous substances or agents (e.g. noise, dust, etc.) in order to determine the effectiveness of control measures;
- n) Incident Reporting and Investigation procedures describing the protocols to be followed with regard to incident reporting, recording, investigation and analysis;
- o) Non-conformance and Action Management procedures concerning the management of corrective actions;
- p) Performance Assessment and Auditing procedures concerning health and safety performance reporting, monthly internal audits to assess compliance with the project health and safety requirements, and daily site health and safety inspections; and
- q) Details concerning the Management Review process followed to assess the effectiveness of health and safety management efforts. Site Supervision
- r) The *Contractor* shall comply with OH&S Act – Section 8, 9, 13 and 16 and the Construction Regulations 2014.
- s) The *Contractor* must nominate and appoint a responsible person on site to whom the *Project Manager* may refer in connection with the *works*. Persons are nominated for all shifts worked or whilst any activity relating to the Contract is being performed on site, and must have the authority to bind the *Contractor* with respect to the Contract. (OH&S Act - 16 Section (2)).
- t) Note: No work may commence and or continue without *Supervisory* Appointees present on site. The *Contractor's* Site *Supervisor* must be equipped with a mobile telephone with message bank and/or pager or an equivalent communication device so that communication throughout the Contract can be maintained at all times.
- u) The *Contractor's* Site *Supervisor* must provide a list of names and contact telephone numbers of all *Contractors* and Subcontractor's contact persons on Site. This list is updated as a new *Contractor* or Subcontractor employee commences on Site.
- v) The *Contractor's* Site *Supervisor* must keep a record of all employees, including date of induction, relevant skills and licenses, and be able to produce this list at the request of the *Supervisor*.
- w) The *Contractor's* Site *Supervisor* must complete manning sheets describing the day's activities, labor numbers and classifications and issue these to the *Supervisor* prior to 9.00 am on a daily basis.
- x) The *Project Manager's* Site Safety Representative is notified of any new starter with evidence of induction and site specific induction prior to commencement of work.

5.3.4 *Contractor's* Safety Officer

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The *Contractor* must appoint a full-time Health and Safety Officer for the duration of the contract who is registered with the SACPCMP (The South African Council for Project Construction Management Professions). If more than 100 employees are deployed on the project site(s) (directly or through sub-*Contractors*), at least two full-time Health and Safety Officers must be appointed, with an additional Health and Safety Officer appointed for every 100 additional employees thereafter.

The Health and Safety Officer must be on site when work commences at the start of the day and must remain on site until all activities for that day (including the activities of sub-*Contractors*) have been completed. A Health and Safety Officer must be present during all shifts, so if work is carried out over more than one shift per day, the *Contractor* must make provision for an additional Health and Safety Officer.

Each *Contractor* Health and Safety Officer shall be responsible for:

- a) Reviewing all applicable legal and project health and safety requirements and providing guidance to *Contractor* and Subcontractor personnel (particularly the *Contractor's Project Manager*) to help ensure compliance at all times;
- b) Assisting with the implementation of effective hazard identification and risk management processes for all work to be carried out by the *Contractor*;
- c) Participating in the Baseline Risk Assessment for the *Contractor's* scope of work (prior to site establishment) and ensuring that identified control measures are implemented;
- d) Participating in all Task-Based Risk Assessments conducted for the work to be carried out by the *Contractor* and ensuring that identified control measures are implemented;
- e) Conducting *Contractor* health and safety induction training for all *Contractor* and Subcontractor personnel;
- f) Compiling and maintaining all health and safety related documents and records required of the *Contractor*;
- g) Communicating relevant health and safety information to *Contractor* and Subcontractor personnel (e.g. incidents and lessons learnt, leading practices, hazards, risks and control measures, etc.);
- h) Carrying out Safety Observations and Coaching (one per day);
- i) Evaluating (on a daily basis) the content of the Daily Safe Task Instructions (DSTI's) conducted by the *Contractor's* appointed *Supervisors*, and attending at least one DSTI each day;
- j) Attending monthly *Contractor* and Site Health and Safety Meetings;
- k) Assisting with the implementation of the *Contractor's* Health and Safety Management Plan and associated Safe Work Procedures;
- l) Carrying out Planned Task Observations on an ad hoc basis;
- m) Assisting with the implementation, testing and maintenance of an effective Emergency Response Plan for all *Contractor* and sub-*Contractor* activities;

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- n) Responding to workplace incidents (as appropriate);
- o) Participating in incident investigations;
- p) Maintaining accurate health and safety statistics (for the *Contractor* and all Subcontractors), and compiling health and safety performance reports as required;
- q) Auditing the health and safety management system and workplace activities of the *Contractor* and each Subcontractor on a monthly basis to assess compliance with the project health and safety requirements; and
- r) Tracking and reporting on the implementation of corrective actions (arising from incident investigations, audits, inspections, etc.).

The *Contractor* must ensure that they have made adequate provision of safety officers as per the *Works Information*. The *Contractor* must ensure that the Health and Safety Officer is adequately equipped to enable him to perform his duties effectively. Each Health and Safety Officer must be provided with the following:

- a) A computer with access to all necessary systems, including access to e-mail and the internet;
- b) A mobile telephone on contract or with adequate pre-paid airtime; and
- c) A vehicle where required or instructed by a nominated project management representative (depending on the size and location of the project site(s)).
- d) A Health and Safety Officer must be computer literate, fluent in English, and must have the following minimum qualifications, training, and experience:
- e) At least 5 years' experience as a Health and Safety Officer on construction, electrical and mechanical projects;
- f) SAMTRAC or NEBOSH or Modern SHEQ Risk Management training course as a minimum qualification;
- g) Experience and appropriate training with regard to implementing and maintaining a health and safety management system compliant with national legislation or an international standard;
- h) Experience and appropriate training with regard to construction related hazard identification and risk management processes;
- i) Competence, experience and relevant training with regard to incident investigation procedures and causation analysis;
- j) Health and safety auditing experience and training;
- k) A valid First Aid certificate of competency;
- l) Fire prevention and protection training; and
- m) A valid Driving License (light motor vehicle).
- n) Registered as a Health and Safety Officer with SACPCMP depending on the size of the project and on the risk.

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- o) Before placing a Health and Safety Officer on the project site(s), the *Contractor* must forward a copy of the person's CV to the nominated project management representative or to TPT Health and Safety Manager for review and acceptance. A proposed candidate may be rejected should he not meet the experience and/or qualification requirements, or due to poor work performance on previous projects.

5.3.5 *Contractor's Safety Manual*

The *Contractor* must provide a hard copy of its safety manual, policies and procedures to the *Project Manager* for acceptance prior to the commencement of any site work. The *Contractor* must ensure that his personnel, at all times, strictly observe and comply with the procedures set out therein. The *Project Manager* or the *Project Manager's* nominated Representative may from time-to-time request safety procedures applicable to the area of operations. The *Contractor* must forward to the *Project Manager* any updates or revisions to its safety manuals, policies or procedures as soon as practicable following revision or update.

The *Project Manager* may require the *Contractor* from time to time to supplement its safety manual, policies and procedures with guidelines and/or operating standards provided to the *Contractor* by the *Project Manager*. The *Contractor* must comply with such requests where the request is consistent with the requirements of the Contract. The *Contractor* must give prompt written notice to the *Project Manager* of any objection to the requested supplement, including the reasons for objection. The *Project Manager's* rights under this Clause are not intended, and must not be construed, to relieve the *Contractor* from any obligations to ensure compliance with all provisions of this Contract.

5.3.6 Performance Measurement and Reporting

a) Health and Safety Statistics

The *Contractor* and each of its Subcontractors must complete and submit Health and Safety statistics to the *Project Manager* or the *Project Manager's* nominated representative, or as amended by the *Project Manager*, before mid-day on the Friday of each week. The *Contractor* must submit monthly Health & Safety Statistics before mid-day on the last day of each month to the *Project Manager's* nominated representative.

b) Safety Management Records

The *Contractor* must submit to the *Project Manager* for acceptance a schedule of the specific Health and Safety records it intends to maintain for the Contract. As a minimum, such records are as specified by applicable legislation. Copies are provided to the *Project Manager* or the *Project Manager's* nominated Representative if requested.

c) Field Technical/Safety Audit by the *Project Manager*

The *Project Manager* or the *Project Manager's* nominated Representative has the right to conduct audits/inspections of the Consultant, Professional Service Provider (PSP) and

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Contractor Safety Management Plan implementation, operations, equipment, emergency procedures, etc., at any time, and the *Contractor* must fully cooperate with the *Project Manager* or the *Project Manager's* nominated Representative during such audits/inspections. The *Project Manager's* rights under this clause does not, must not and will not relieve the Consultant, Professional Service Provider (PSP) and *Contractor* of its own obligations to conduct audits and reviews of its own Health and Safety performance. Where such audits/inspections reveal deficiencies in the *Contractor* procedures, drills, training or equipment, or non-conformities with the *Contractor* accepted project Safety Management Plan, of a minor nature (Risk Rating of 6 or less), the *Contractor* must investigate the cause of the nonconformity and initiate corrective and preventive action to rectify such deficiencies and non-conformities and prevent recurrence as soon as practicable.

Where such audits/inspections reveal deficiencies of a major nature (Risk rating of 7 or greater), the *Contractor* must stop work on the operation/activity concerned, immediately investigate the cause of the non-conformity, and initiate corrective actions to rectify such deficiencies and non-conformities and to prevent recurrence. These corrective action plan(s) is submitted to the *Project Manager* for review and comment within 24 hours of the audit finding.

Where such deficiencies include an unsafe practice or a breach of the statutory or the Contract's requirements, the *Project Manager* or the *Project Manager's* nominated Representative may in accordance with the General Conditions of Contract suspend the work associated with the unsafe practice or breach until the deficiency is rectified.

The *Project Manager* or the *Project Manager's* nominated Representative will establish a schedule of regular field safety audits which will be based on an audit tool aligned to the *Contractor* Safety Management Plan and site operations and activities. The *Contractor* audit conformance will be assessed as a percentage and where conformance is better than 90% it will be considered satisfactory and the *Contractor* must develop and implement an action plan within 4 weeks, to be reviewed at the next regular audit. Where the *Contractor* level of conformance is between 80 – 90%, a corrective action plan will be required to be developed and implemented within 2 weeks, and a follow up audit will be carried out. Where the *Contractor* conformance is less than 80% the *Contractor* must stop work until an investigation of the cause/s has been completed and corrective actions have been developed and implemented by the *Contractor*.

The *Contractor* must provide to the *Project Manager* or the *Project Manager's* nominated Representative, at a time to be agreed, but not to exceed monthly intervals, a regular status report on all outstanding corrective actions until they are successfully closed out.

d) Unsafe Act/Condition Auditing

The *Contractor* must implement a system to recognize, correct, and report unsafe acts/conditions (Unsafe Act/Condition Auditing) associated with all Site activities.

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All such observations must be recorded and delivered to the TPT Health and Safety Manager.

e) Involvement, Communication and Motivation

The *Contractor* and Subcontractor's workforce must, through their supervision, safety notice boards, toolbox meetings and daily pre-start meetings be kept aware of safety related matters.

f) Safety Meetings

The *Contractor* must implement and comply with OH&S Act, Section 19

The *Contractor* must conduct weekly safety meetings with his employees to foster safety awareness. Copies of minutes and action items arising from such Toolbox meetings is submitted or otherwise made available for review by the *Project Manager* or the *Project Manager's* nominated Representative.

Such meetings should at least address:

- Accident / safety incidents
- Hazardous conditions
- Hazardous materials / substances
- Work procedures
- Protective clothing / equipment
- Housekeeping
- General safety topics
- Job or work look-ahead issues
- Safety statistics
- Significant Safety Occurrences (SSO)

The *Contractor* must conduct at least one formal safety meeting per month and must maintain appropriate records of attendance and meeting content. Such records are made available to the *Project Manager's* Representative. In addition to Daily Safe Task Instructions, the *Contractor* must conduct at least weekly "toolbox" meetings to discuss safety issues and procedures.

g) Pre-Start Safety Briefings

The *Contractor* must hold documented Daily Safe Task Instructions with each work team before the start of each shift. Attendance records and brief topic notes is kept for auditing and record purposes. Safety Review Meetings

- The *Contractor* Site Manager and a Site Safety Representative must take part in weekly safety review meetings between the *Contractor* and the *Project Manager* or the *Project Manager's* nominated Representative.
- The *Contractor* must attend all project safety meetings as outlined in the Project Safety Management Plan.

h) Site Safety Review Committee

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The *Contractor* complies with the requirements of the SSRC with respect to his own activities and others on the Site and Working Areas.

i) HAZOP Review

The *Contractor* participates in HAZOP reviews upon the instruction and direction of the *Project Manager*.

The reviews may include, but not be limited to, studies to ensure that the Plant is built and operated as designed and that personal safety, employee health and environmental protection systems conform to the *Employer's* and legislative requirements.

j) Job Safety Analysis

The *Contractor* completes a JSA prior to carrying out any operation on the Site and/or Working Area to the approval of the *Project Manager*.

k) Lines of Communication

The following personnel act on behalf of the *Project Manager* and may communicate directly with the *Contractor* and his key persons with respect to the SMP:

- Construction Manager (CM)
- Project Site Safety Manager (PSSM)

5.3.7 Roles and responsibilities

The roles and responsibilities of the various personnel acting on behalf of the *Project Manager* with respect to the SMP and health and safety issues are as stated in the paragraphs following:

Provide for:

- a) Planning, organisation, leadership and control
- b) Particular technical competencies for critical work
- c) Supervision and control on each shift
- d) Regular monitoring and assessment
- e) Workplace inspections
- f) Project Site Safety Manager
- g) The PSSM is responsible for ensuring that the *Contractor* complies with the SMP. The PSSM acts on behalf of the *Project Manager*.
- h) The PSSM specific tasks (in the context of the SMP) are:
 - i) Define, in accordance with the HSSP, the:
 - j) Safety program (instructions, training, meetings, inspections, incentive)
 - k) Health and medical program
 - l) Checks that *Contractors* have issued their Health and Safety plans, PPSPS and procedures before the beginning of work
 - m) Organizes safety awareness campaigns
 - n) Promotes communication on all health and safety matters (awards, incentives, meeting/inspections/audits reports)
 - o) Checks conformance of equipment to technical requirements and regulations.

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- p) Issues and address the site EHS activities reports
- q) Promotes everybody's best efforts to keep accident frequency and severity ratios at their lowest level
- r) Promotes a proper and continuous housekeeping of Plant and temporary facilities in order to create the most suitable conditions for workers to work and to be encouraged to follow HSE requirements
- s) Conducts *Worksite* EHS walks with all *Contractors*, and directs appropriate corrective actions
- t) Monitors that all factors likely to improve health and safety are taken into consideration, particularly those which lead to:
 - u) Promoting personnel protection as an absolute requisite
 - v) Investigating, identifying and neutralizing potential hazards
 - w) Close coordination with all parties involved in construction in order to avoid overcrowded areas and dangerous operations
 - x) Thorough preparation of work critical phases
 - y) Close contacts to local EHS authorities
 - z) Continuous follow-up in order to correct immediately unsafe acts and situations
- aa) In case of accident, he takes actions necessary to:
 - bb) Initiate quick interventions of the emergency means.
 - cc) Check that first aid and evacuation of injured persons are properly carried out.
 - dd) Obtain a clear accident report from the sub-*Contractor* concerned.
 - ee) Report immediately to the Construction Manager or Site Supervisor.
 - ff) Investigate to identify the root causes of all incidents and near misses.

5.3.8 A contractor must:

- Use lifting equipment that is fully compliant as per Occupational Health and Safety Act and Regulation; and
- Provide valid inspection certificates that are provided by a Lifting Machinery Inspector.

5.3.9 Document Control

All safety documents shall comply with the Project Document Control Procedures.

5.3.10 Medicals

Pre-employment medicals, including chest X-ray examinations, specific for the Contract will be required for all employees working on the Site regardless of duration spent on Site. Exit medicals, including chest X-ray examinations will be required at the end of the Contract. These medical examinations must be carried out by a registered Occupational Health Practitioner.

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The *Contractor* must ensure that budget provision for SHE requirements are in place.

5.4 Environmental Constraints and Management

5.4.1 All work is to be conducted in accordance with the principles of the National Environmental Management Act, 1998 (Act no 107 of 1998) but not limited to other applicable regulations as well as acceptable environmental good practices. In addition, the *Contractor* is expected to comply with all applicable eThekweni Municipal bylaws.

5.4.2 The following documents, included in Annexure of the Works Information, provide the minimum acceptable standards that shall be adhered to:

- a) TPT Construction Environmental management Plan (ENV-STD-01 Rev04); and
- b) TPT Standard Environmental Specification (ENV-STD-02 Rev04).
- c) Transnet Integrated Management System Policy (TIMS)
- d) Project Environmental Specifications (PES) as contained in Project Environmental Specification (PES) includes eThekweni bylaws such as:
 - *Schedule Trades and Occupations Bylaws*
 - *Interim Code* relating to fire prevention and flammable liquids and substances

The above requirements shall be applicable to the main *Contractor* and its service providers. The *Contractor* must comply with all the requirements of the CEMP, SES and the PES as mentioned above. The *Contractor* must pay special attention to all PES conditions. These conditions must strictly be adhered to and shall be monitored.

The *Contractor* shall perform the *works* and all construction activities within the Site and Working Areas having due regard to the environment and to environmental management practices as more particularly described within the CEMP, SES and PES.

The CEMP describes the main roles and responsibilities of the project team with respect to Environmental Management.

The SES describes the minimal acceptable standard for environmental management for a range of environmental aspects commonly encountered on construction projects and sets environmental objectives and targets, which the *Contractor* observes and complies.

5.4.3 The *Contractor* must appoint a Safety, Health & Environmental Officer (SHEO) to monitor and manage compliance to Environmental Specification and all applicable environmental legislation. The SHEO must as a minimum have at least 5 years work experience in environmental management within the civil/structural and/or construction projects.

5.4.4 The *Contractor* will be required to submit an SHE file to TPT post award of tender. Requirements of the *Employer* will be made known on award of the contract. Site access certificate shall not be granted until the environmental file has been approved by the Employer.

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- 5.4.5 The overarching obligations of the *Contractor* under the CEMP before construction activities commence on the Site and/or Working Areas is to provide environmental method statements (as contained under section 7.1.3 of the CEMP) for all construction operations at the Site and/or Working Area by the *Contractor* and where requested by the CM and to comply with the following:
- 5.4.6 The *Contractor* shall identify the kinds of environmental impacts that will occur as a result of their activities and accordingly prepare separate method statements describing how each of these impacts will be prevented or managed so that the standards set out in the SES document are achieved. The method statements will be prepared in accordance with the requirements set out in the CEMP. These method statements shall form part of the environmental file.
- 5.4.7 The *Contractor* shall ensure that his management, foremen and the general workforce, as well as all suppliers and visitors to Site have attended the SHE Induction Programme prior to commencing any *work* on Site. If new personnel commence work on the Site during construction, the *Contractor* shall ensure that these personnel undergo the Environmental Induction Programme and are made aware of the environmental specifications on Site.
- 5.4.8 During the construction period, the *Contractor* complies with the following:
- a) A copy of the CEMP and SES shall be available on Site, and the *Contractor* shall ensure that all the personnel on Site (including Subcontractors and their staff) as well as suppliers are familiar with and understand the specifications.
 - b) Method statements need to be compiled by the *Contractor* throughout the Construction and Commissioning phase of the project. These Method Statements must be approved by the *Supervisor* and TPT *Environmental Manager or Environmental Officer*. Approval must at least be two weeks prior to the proposed commencement of the activity. Emergency construction activity method statements may also be required. The activities requiring method statements cannot commence if they have not been approved by the TPT Environmental Manager or Environmental Officer.
 - c) Where applicable, the *Contractor* shall provide job-specific training on an *ad hoc* basis when workers are engaged in activities, which require method statements.
 - d) The *Contractor* shall be responsible for rehabilitating and or re-vegetating all areas to the satisfaction of the TPT Environmental Manager or Environmental Officer as detailed in the SES. Sufficient environmental budget must be allocated to achieve this.
- 5.4.9 The *Contractor* must ensure that its Subcontractors comply with the Environmental Specification.

5.5 Quality Assurance Requirements

- 5.5.1 The *Contractor* shall have, maintain, and demonstrate its use to the *Project Manager* (and/or the *Supervisor* to satisfy the requirements of *The Works* Information as appropriate) the documented Quality Management System to be used in the performance of *The Works*.

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- 5.5.2 The *Contractor's* Quality Management System shall conform to International Standard ISO 9001 (or an equivalent standard acceptable to the *Project Manager*) and as a minimum to the requirements of specification **EEAM-Q-009 Quality Management**, General Quality requirements for Suppliers and contractors as contained in the Annexure to this *Works Information*.
- 5.5.3 The *Contractor* submits his Quality Management System documents to the *Project Manager* as part of his programme under ECC Clause 31.2 to include details of:
- Typical Project Quality Plan (PQP) for the contract
 - Valid ISO 9001 Certificate
 - Index/List of Procedures/Method statement to be used
 - Qualification and experience of Quality personnel
 - Project specific Quality Control Plan
 - Typical Quality Data Book Index
- 5.5.4 The *Contractor's* PQP includes or references to the quality plans of his Subcontractors and Suppliers.
- 5.5.5 The *Contractor* develops and maintains a comprehensive register of documents that will be generated throughout the contract including all quality related documents as part of its Quality Plan.
- 5.5.6 The *Project Manager* indicates those documents required to be submitted for either information, review or acceptance and the *Contractor* indicates such requirements within his register of documents. The register shall indicate the dates of issue of the documents with the *Project Manager* responding to documents submitted by the *Contractor* for review or acceptance within the *period for reply* prior to such documents being used by the *Contractor*.
- 5.5.7 The Project Quality Plan means the *Contractor's* statement, which outlines strategy, methodology, resources allocation, QA and Quality Control co-ordination activities to ensure that the *works* meet the standards stated in the *Works Information*. Site Access will not be granted unless the PQP has been accepted by *The Employer*.
- 5.5.8 The Quality Control plans shall identify all inspection, test and verification requirements to meet Contractual obligations, specifications, drawings and related details including destructive, non-destructive testing, witness and hold points. The *Contractor* shall not commence fabrication or manufacture prior to review and acceptance of the applicable QCP's by *The Employer*.
- 5.5.9 The Index of Procedures means the *Contractor's* system for management of:
- Documentation Control
 - Design Control
 - Procurement
- 5.5.10 The Inspection and testing mean:

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- a) Quality Control Plans
- b) Inspection Points
- c) Schedule of Inspections
- d) Field Inspection Checklists
- e) Inspection Notification
- f) Inspection release
- g) Inspection and testing
- h) Special processes
- i) Welding Procedures
- j) Material traceability and certification

5.6 Programming constraints

5.6.1 The *Contractor's* construction WBS as a minimum shall include but not be limited to the following WBS Elements:

- a) Procurement and delivery of all long lead items necessary to Provide the *works* in line with the stipulations of the *Employer's* Works Information. Long lead items include but are not limited to; Plant, equipment, materials and any other resources, as required to provide both temporary and permanent *works*.
- b) *Contractor's* design as a well as associated procedure for *Contractor's* design submission and acceptance of any portion of the *works* and/or approval of Plant as stipulated under Sections 1 Clause 2 of the Works Information in accordance with the stipulations for submission, acceptance and approval as stipulated under the relevant section(s) of the *Employer's* Works Information; including any other additional design requirements, interfacing and or alterations in existing design which may stem from the aforementioned.
- c) Manufacturing and or Fabrication both on and off-site which may include but is not limited to; Plant, equipment, materials and any other resources, as required to provide both temporary and permanent *works*.
- d) Preparation and Approvals of Health & Safety, Environmental and Quality Documentation.
- e) Approval of any applicable permits, permissions and licenses, including inductions

5.6.2 The *Contractor's* construction programme shall correspond with the *Contractor's* Method Statements, Quality Control Plans and Risk Assessments, as drafted in line with the *Employer's* stipulations.

5.6.3 The *Contractor* uses the latest version of MSP for his programme submissions, or similar approved software with the prior written consent of the *Project Manager*. In the event that the *Contractor* will be using earlier or later versions of the software, the onus is on the *Contractor* to ensure that a conversion is done in order for the file to be compatible with MSP.



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- 5.6.4 The *Contractor* shows on each programme he submits to the *Project Manager*, the requirements of the [CEMP, SES, PES and SMP] as described under the relevant sections of the Works Information, together with the associated environmental method statements.
- 5.6.5 The *Employer* (including the agents of the *Employer*) operates on *Site* during dates or timings when the *Contractor* has completed certain elements of the *works* and/or during the contract period as stipulated in this Works Information.
- 5.6.6 Others operate on *working area* during dates or timings when the *Contractor* has completed certain elements of the *works* as stipulated in this Works Information
- 5.6.7 The *Contractor's* first programme submitted for acceptance shall be agreed during the pre-contract negotiation period, and no later than the period stipulated under Contract Data Part One (2 weeks after the Contract Date).
- 5.6.8 The *Contractor* complies with the *Employer's* high-level programme when he submits his first programme for acceptance.
- 5.6.9 The *Contractor* presents his first programme for acceptance and all subsequently revised programmes (see ECC Clauses 31.2 and 32.1) in hard copy and soft copy format.
- 5.6.10 The *Contractor* shows on his programme submitted for acceptance and all subsequently revised programmes, the critical path or paths and all necessary logic diagrams demonstrating sequence of operations.
- 5.6.11 The *Contractor's* programme shows duration of operations in working days as per the stipulated definition of the workdays and hours in the *Employer's Works Information*.
- 5.6.12 Each programme submitted by the *Contractor* to the *Project Manager*, is fully Cost and Resource Loaded (People, Equipment, Plant, Materials & Other Resources) with the exception of the *Contractor's* tender programme submission.
- 5.6.13 The *Contractor* shows on each programme he submits to the *Project Manager*, the requirements as listed in the NEC 3, ECC, Clause 31.2.
- 5.6.14 The *Contractor* attends, participates in and makes a meaningful contribution to, planning initiation & set-up meetings held during the pre-contract negotiation period and no later than the period stipulated under *Contract Data Part One* (2 weeks after the Contract Date); to agree and set-up including but not limited to - the first schedule for acceptance; monitoring, control and reporting requirements; proposed templates and planning/scheduling procedures to be complied with for the duration of the project.
- 5.6.15 The *Contractor* shows on each revised programme he submits to the *Project Manager* a resource histogram showing planned progress versus actual, deviations from the Accepted Programme and any remedial actions proposed by the *Contractor*, including a spread sheet identifying instances of resource over-allocation and/or conflicts, accompanied by proposed resolutions.

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5.6.16 The *Contractor's* programme shows the following levels:

- a) Level 1 Master Schedule – defines the major operations and interfaces between engineering design, procurement, fabrication and assembly of Plant and Materials, transportation, construction, testing and pre-commissioning, commissioning and Completion.
- b) Level 2 Project Schedule – summary schedules 'rolled up' from Level 3 Project Schedule described below.
- c) Level 3 Project Schedule – detailed schedules generated to demonstrate all operations identified on the programme from the starting date to Completion. Individual operations will be assigned a code. The *Employer* notifies any subsequent layouts and corresponding filters on revised programmes.
- d) Level 4 Project Schedule – detailed discipline/speciality level schedule decomposed to the appropriate levels of detail in order to accurately substantiate activity scope and activity duration estimates; developed and maintained by the *Contractor* relating to all operations identified on the programme representing the daily activities by each discipline, with activities and operations adequately decomposed in order to accurately represent the effort required to execute said activity/operation and support accurate duration estimates.
- e) A narrative status report, which includes but is not limited to status and performance of operations on the *Site* and Working Areas; status and performance of operations outside the Working Areas; manpower histograms; critical action items (top 10) and deviations from the Accepted Programme and action plan to rectify.
- f) Basis of Programme/Schedule document detailing but not limited to the following minimum requirements:
 - Basis of latest accepted programme, including an overview of assumptions, constraints, specific and quantified resource allocations, productivity assumptions and basis of calculation, identification, and justification of general scheduling provisions such as calendars and working times, lags, date constraints, activity durations longer than one reporting period, etc.
 - Description of network logic and sequencing.
 - Description of general construction approach.
 - Description of approach to allocation, use and management of all resources dedicated to the project.
 - Description of and trend analysis of critical risks as identified through schedule risk analysis and included in schedule contingency and or Time Risk Allowance provisions.

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- Discussion regarding the basis, method of calculation and validity of the critical path and near critical paths, (interrogate longest path and total float as contained in the programme).
- Reporting on change management, i.e. identify and record any deviations/changes that have taken place within the previous reporting cycle, and their resultant impact on the remaining *works* and as identified and highlighted in the current revision of the programme for acceptance.
- Identification critical activities, as well as top 10 near critical activities and undertake tends analysis on such activities with the aim to identify any deviations from planned performance.
- Identification of any recovery and or mitigation action required in order to neutralise any deviations.

5.7 Reporting and Monitoring

- 5.7.1 The *Contractor* attends meetings as included but not limited to Section 2 Clause 5 of the *Employer's Works Information*.
- 5.7.2 The *Contractor* attends weekly planning meetings. Meeting agenda to include progress reporting as detailed under Section 2 Clause 5.10 of the *Employer's Works Information*, recovery/optimisation, contractual matters in line with NEC ECC, Option A.
- 5.7.3 The *Contractor* submits programme narrative report to the *Project Manager* at fortnightly intervals in addition to the intervals for submission of revised programmes stated under *Contract Data Part One*. The *Contractor* also submits monthly programme narrative report to *Project Manager*.
- 5.7.4 The *Contractor* completes an assessment of all activities in progress and to completion to determine physical percentage complete, forecasted completion dates, deviations from the Accepted Programme and proposes remedial action to rectify deviations.
- 5.7.5 The *Contractor* shows on each revised programme he submits to the *Project Manager* a resource histogram showing planned progress versus actual, deviations from the accepted programme and any remedial actions proposed by the *Contractor*.
- 5.7.6 The *Contractor* submits the programme narrative report detailing the status and performance of operations on the Site and Working Areas, status and performance of operations outside the Working Areas, man-power histograms, Plant and equipment histograms, S-curve of overall progress, and critical action items (top 10). Report shall indicate "progress this period" and "progress to date".
- 5.7.7 The *Contractor's* **weekly** project progress report (narrative report) includes but is not limited to:



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- a) Level 4 Project Schedule – showing two separate bars for each task i.e. the primary bar must reflect the current forecast dates and the secondary bar the latest Accepted Programme.
- b) Progress Spreadsheet detailing actual progress achieved (target/planned quantity versus actual quantity) on current (critical) activities for the previous week, planned progress for the current week, deviations and proposed recovery for each activity in question. A 1-week Look Ahead Spreadsheet in line with the aforementioned stipulations to be included. Priority to be given to identification of critical activities, progress and any deviations from planned performance in this regard.
- c) 3-week Look Ahead Schedule showing two separate bars for each task i.e. the primary bar must reflect the current forecast dates and the secondary bar the latest Accepted Programme.
- d) Dependencies/Deliverables matrix detailing interim approvals and/or any other inputs/requirements from *Employer/Supervisor/Project Manager/Others* or any other project *Stakeholder* in line with the activities identified in the 3-week Look Ahead Schedule.
- e) Interfacing Matrix, detailing timeous identification of any requirements for providing the *works* and/or *works* to be executed by *Others* and any other *Stakeholders* party to this contract in line with the stipulations of the *Works Information*.
- f) Manpower Histogram – reflecting actual, forecasted and planned activities.
- g) Plant and Equipment Histogram – reflecting actual, forecast and planned activities.
- h) S-curves – reflecting the actual percentage complete versus the planned percentage for the overall contract.
- i) Identification critical activities, progress and any deviations from planned performance.
- j) Adherence and actual performance achieved with regards to Environmental, Health & Safety and Quality Management.

5.7.8 The *Contractor's fortnightly* expediting report includes but is not limited to:

- The *Contractor* shall submit to the *Project Manager*, a bi-weekly report on progress of any off-site manufacturing activities undertaken during the previous half-month.
- Based on the Accepted Programme/ latest programme submitted for acceptance the *Contractor* submits a cash flow forecast report that details the anticipated monthly cash flow, represented by the expected assessment of the amounts due, to the *Project Manager*. The cash flow forecast is to be extrapolated from the latest Accepted Programme through the mechanism of the cost loaded schedule or other similar methodologies with the prior approval of the *Project Manager*.

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5.7.9 The *Contractor's* **monthly** project progress report includes but is not limited to:

- a) Monthly, the *Contractor* completes an assessment of all activities in progress and to completion, and accordingly revises and submits the updated programme for acceptance and cash flow forecast report detailing any variances and proposes remedial actions to rectify deviations.
- b) The *Contractor's* monthly programme narrative report is submitted a week before the last Friday of each month, or as required by the *Project Manager*. The report shall indicate "progress this period" and "progress to date" and shall include, but is not limited to, the following;
 - Summary of progress achieved during the reporting period.
 - Latest Accepted Programme.
 - Deviations from the current Accepted Programme and action plans to rectify.
 - Project milestones table – planned versus actual and forecast.
 - Status and performance of operations on the site and Working Areas.
 - Status and performance of operations outside Working Areas.
 - Cash flow forecast report.
 - Digital photographic record of the progress of the *works*.
 - Manpower histograms, including a control spread sheet detailing specific over allocation and/or conflicts in allocation of resources.
 - *Contractor's* Plant and equipment histograms, including a control spread sheet detailing specific over-allocation and/or conflicts in allocation of resources.
 - S-curves of overall progress.
 - Critical action items list (top 10).

5.8 Contractor's management, supervision, and key people

5.8.1 The *Contractor* shall make an adequate, experienced and stable project team available for the duration of the contract. Every effort must be exercised by the *Contractor* to minimise the replacement of project team members in order to ensure optimum contract management continuity and efficiency.

5.8.2 No sharing of key personnel roles will be permitted in this project.

5.8.3 The *Contractor* employs full time, fully qualified and experienced key persons who have been delegated sufficient authority to manage the contract efficiently on-site during completion of the *works* including and not limited to:

- a) **Project Manager**

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- The Project Manager must have a national diploma qualification in Built Environment or national diploma in Project Management and at least 5 years post qualification experience managing projects.
- The Project Manager should further provide evidence in working with the NEC suit of contracts and must have experience working in similar projects (Bird Proof, demolition).

b) Site Supervisor (building and civil infrastructure)

- The General Foreman must have a minimum of NTC 3/Grade 12 with at least 5 years of experience in building services and civil /building construction.

c) SHERQ Officer

- SHE Officer must have a minimum and completed SAMTRAC/NEBOSH or MSRM (Modern SHEQ Risk Management Qualification course) in safety management, registered with SACPCMP as CHSO (Construction Health and Safety Officer) and a minimum of 5 years' experience as a safety officer and have a basic environmental management background. Proof of environmental training must be attached to the C.V. and experience in environmental management to be included in the C.V.

d) Planner

- The planner should at least have an Engineering Diploma and a minimum of 5 years' experience working in building and civil projects as planner.

e) General Qualifications

A contractor must:

- ensure that a construction manager/ site supervisor appointed under regulation 8(1) is in possession of the most recently updated version of the fall protection plan.
- designate a competent person to be responsible for the preparation of a fall protection plan;
- ensure that the fall protection plan contemplated in paragraph (a) is implemented, amended where and when necessary and maintained as required;
- takes steps to ensure continued adherence to fall protection plan; and
- ensure that all personnel working on heights have been trained and are in position of working at heights certificates and that operators have valid operating license.

5.8.4 The *Contractor* employs personnel listed above but not limited to those mentioned in order to perform the functions of key persons under NEC3 ECC Clause 24.1. These appointments shall have the necessary experience and be suitably qualified.

5.8.5 The *Contractor* provides an Organogram of all his key people (both as required by the *Employer* and as independently stated by the *Contractor* under Contract Data Part Two) and how such key people communicate with the *Project Manager* and the Supervisor and their delegates all as stated at paragraph 2.5 of C3.1 *Employer's Works Information*.

TRANSNET PORT TERMINAL

CONTRACT NUMBER: TPT/2025/07/0009/101653/RFP

DESCRIPTION OF THE WORKS: DESIGN, SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING OF BIRD PROOFING SYSTEM FOR TRANSNET SOC LTD (REG.NO 1990/000900/30) OPERATING AS TRANSNET PORT TERMINALS (HEREINAFTER REFERRED TO AS "TPT") AT THE PORT OF DURBAN AGRI-PORT AND MAYDON WHARF TERMINAL.

5.9 Contract change management

- 5.9.1 For ease of communication standard templates shall be used for contract change management. The *Contractor* forwards all correspondence with respect to contract change management, i.e. Early Warnings and notifications of Compensation Events, on the standard templates provided.

5.10 Records of Defined Cost, payments & assessments of compensation events kept by *Contractor*

- 5.10.1 The *Contractor* keeps the following records available for the *Project Manager* to inspect:
- a) Records of design employees location of work or professional engineers engaged by the *Contractor*
 - b) Records of people and Equipment within the working areas
 - c) Records of Equipment used and people employed outside the Working Areas
 - d) Records of quotations, invoices and pay slips.

6 List of Annexures

- 6.1.1 All the annexures listed hereunder shall be deemed to form part of *The Works* Information.

Annexure	Description / Discipline	Document No(s)
A	Project Health and Safety Specification	PHSS-0001
B	Site Emergency Management	HAS-P-0001 - Rev 0
C	Occurrence Reporting and Investigation	HAS-P-0002 - Rev 0
D	Guidelines for Managing Common Hazardous Activities and Tasks	HAS-GN-0001 rev 0
E	Construction Environmental Management Plan (CEMP)	ENV-STD-001 Rev 04
F	Standard Environmental Specifications (SES)	ENV-STD-002 Rev 04
G	<i>Contractor</i> Documentation Submittal Requirements	DOC-STD-0001 Rev 3
H	Corrosion Protection	EEAM-Q-008
I	Quality Management	EEAM-Q-009
J	TIMS Policy Commitment Statement	IMS-GRP-GDL-0002.1