

## PART 4: AFFECTED PROPERTY

"Affected Property is property which

- Is affected by the work of the *Contractor* or used by the *Contractor* in Providing the Service
- is in the documents which the Contract Data states it is in."

In Contract Data, reference has been made to this Part 4 of the contract for the location of the Affected Property.

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### 1. Description of the Site and its surroundings

#### 1.1. General description

The contract area will be all track owned, or maintained, by Transnet Rail Infrastructure Manager (TRIM) country wide, in addition to neighbouring countries. The Contractor may be required to work in areas where varying degrees and types of security situations are prevailing such as may occur in remote rural areas through to densely populated metropolitan areas. The railway tracks are in areas of varying horizontal and vertical dimensions of the land surface. In some areas, tracks fall in deep cuttings as well as in high embankments. Security of all of the Contractor's property, equipment, materials, vehicles and workforce shall at all times during the course of the contract be the Contractor's sole responsibility.

#### 1.2. Existing buildings, structures, and plant & machinery on the Site

There are fixed assets that are situated alongside the linear state of the railway infrastructure. These structures are but not limited to; bridges, platforms, culverts and track side components. The Contractor shall ensure that all the works being carried out does not deform the existing structures.

#### 1.3. Subsoil information

The project at hand does not interfere with the formation or earthworks. Should there be a need to work on the formation; the employer shall supply the contractor with relevant information.

#### 1.4. Hidden services

There are underground services that were previously erected and the as-built data to locate such services will be utilised. There are situations where the as-built data cannot be traced and, in such situations, activities must be carried out with caution. During the execution phases of the project, there is a possibility of disruption of such hidden services. These services include conduits (oil, water and sewage), electrical cables and any other structure that may be present. The employer shall inform the contractor through a baseline risk assessment of any possibilities in anticipation.

#### 1.5. Scheduling and commissioning

The Employer shall compile the schedule of work for each Machine as per the workload issued as and when demand arises.

TRIM will make available to the Contractor lines where the machine may be commissioned and tested.

Work done during the commissioning or testing period is not eligible for payment under the Contract unless provided the standards as per Contract specification are met.

## **2. Site Establishment**

### **2.1. Site Access**

All Contractor's personnel shall be inducted before any works commence. Site access certificates will only be issued after all inductions have taken place. Site access will be denied to the Contractor should the site access certificate not be issued. On some lines or for some yards of TRIM, the Contractor's staff will be required to obtain security permits from TRIM before being allowed to work there. These permits will be issued free of charge.

### **2.2. Utilization of the Employer's property**

Subject only to the discretion of the Depot Engineering Manager responsible for the area, yard lines within the railway reserve may be made available to the Contractor for staging the wagons making up the consist of the machine. If the Contractor is allowed by the Employer's Depot Engineering Manager to utilize areas within railway reserve for his purposes of whatever nature, it shall be noted that normally electrical, water supply and sanitation will not be available. The Contractor shall be required to make his own provisions for electrical, water supply and sanitation. Additionally, the Contractor shall comply with Environmental Health and Safety legislation when utilizing areas within railway reserve. On vacating the site, the site shall be cleared up and re-instated to the acceptance of the Employer's Depot Engineering Manager. Where not allowed, the Contractor shall make his own arrangements elsewhere, at the expense of the Contractor.

### **2.3. Other requirements and information**

The Contractor shall be required for each work Site to have available for his work force suitable sanitation in accordance with the Act 85 Regulations. Security of the Contractor's property, equipment, materials, vehicles and workforce shall always during the contract be his sole responsibility. No claims will be entertained by Transnet Freight Rail (TRIM) in this regard.