STRICTLY PRIVATE AND CONFIDENTIAL

an Operating Division of **TRANSNET SOC LTD**

[hereinafter referred to as **Transnet]**

[Registration No. 1990/000900/30]

REQUEST FOR QUALIFICATIONS [RFQ] FOR THE POTENTIAL APPOINTMENT OF A DEVELOPER TO UNDERTAKE THE DESIGN, FUNDING AND CONSTRUCTION OF A NEW, GREENFIELD, DEEP-WATER PORT AND ASSOCIATED INFRASTRUCTURE IN THE PROVINCE OF THE NORTHERN CAPE AS WELL AS A NEW RAIL LINK CONNECTING THE PORT TO THE MINING & INDUSTRIAL HUBS IN THE NORTHERN CAPE.

THEREAFTER

THROUGH A SEPARATE "REQUEST FOR PROPOSAL" [RFP] PROCESS

Transnet SOC Ltd will seek to appoint a bidder for the preferred solution on a turnkey and funding basis.

Information Request Description	The design, funding and construction of a new greenfield, deep-water port and associated infrastructure in the Province of the Northern Cape as well as a new rail link connecting the port to the mining & industrial hubs in the Northern Cape.
RFQ Number	TNPA/2022/08/0821/9083/RFQ
Issue & Collection Date	3 August 2022
Bid Fee and Banking Details	This RFQ is issued free of charge
Briefing Session	16 August 2022 @ 10h00
Requests for Clarification Close	14 October 2022
RFQ Closing Date	2 November 2022 at 12h00

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1 DISCLAIMER

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The terms and conditions set out in this Document are stipulated for the express benefit of Transnet and, save as expressly stated to the contrary, may be waived at Transnet's sole discretion at any time.

Transnet reserves the right, subject to the provisions of this RFQ, to use any response to this RFQ made by any person responding to this Document at any time and to include such proposal in any documents which may or may not be made available at any stage to any other persons responding to this Document, without the obligation or liability to pay any compensation or reimbursement of any nature to any person pursuant to such adoption.

This Document is provided solely for the purpose set out herein and is not intended to form any part or basis of any investment decisions by the Respondent, its shareholders, members or its lenders.

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No Respondent, its shareholders, members, contractors, suppliers or lenders shall have any claim against Transnet, its officers, employees, servants, agents or Transaction Advisors, under any circumstances whatsoever, arising out of any matter relating to this Document of any nature whatsoever, including where such claim is based on any act or omission by Transnet, or any of its officers, employees, servants, agents or Transaction Advisors of any nature whatsoever, or where such claim is based on the content of, or any omission from, this Document of any nature whatsoever.

Prospective Respondents to note that it is compulsory to respond to this RFQ in order to qualify for participation in any subsequent RFP that may be issued by Transnet.

2 DEFINITIONS AND INTERPRETATION

In this RFQ, except as otherwise defined herein, the following terms shall have the following meanings:

2.1 "**Bidder**" - any entity or consortium that submits a Bid Response to any RFP that may be issued by Transnet subsequent to this RFQ, which must be either a Project Company or a consortium of

legal entities, all of whom shall become shareholders (either themselves or through an intermediary entity) in a Project Company;

2.2 "**Bid Response**" - any bid submitted by a Bidder in response to the invitation contained in the RFP that may be issued by Transnet subsequent to this RFQ;

2.3 "**Commercial Close**" - the date on which the appropriate and most relevant commercial agreement is duly executed between Transnet and the Developer;

2.4 "**Consents**" - all consents, permits, clearances, authorisations, approvals, rulings, exemptions, registrations, filings, decisions, licenses, required to be issued by or made with any Responsible Authority in connection with the performance of any of the Design, Funding and Construction of the assets by the Project Company;

2.5 "**Developer"** the Preferred Bidder whose proposals in response to the RFP are accepted by Transnet and whom Transnet will enter into the relevant commercial agreement;

2.6 "**National Ports Act**" – the National Ports Act No. 12 of 2005;

2.7 "**Preferred Bidder**" the Bidder who is awarded Preferred Bidder status in response to the RFP which may be issued by Transnet;

2.8 "**Project**" – the proposed design, funding and construction of a least cost greenfield, deep-water port and associated infrastructure in the Province of the Northern Cape as well as a new rail link connecting the port to the mining & industrial hubs in the Northern Cape that may be granted by Transnet pursuant to an RFP that may be issued;

2.9 "**Project Company**" - the legal entity(ies) that will be awarded the right, by Transnet, to undertake the design, construction and financing of the Project;

2.10 "**Project Officer**" – the person appointed by Transnet as the project officer for the purpose of the administration of the process contemplated in this Document.

2.11 "**Respondent**" – any entity or consortium that submits an RFQ Response in response to this Document.

2.12 "**RFQ**" – this Request for Qualifications document solicits information from the market relating to the planned Project as Stage 1 of a two (2) Stage RFP process.

2.13 "**RFQ Response**" – the submission made by an entity or organization in response to this Document, together with all necessary supporting documentation and the letter referred to in paragraph 6 of this RFQ;

2.14 "**RFP**" – the request for proposals contemplated to be issued to qualifying respondents in respect of the Project.

2.15 "**Site**" – the land and water space where the Project is to be undertaken as will be more fully described in the RFP. to be located in terms of the RFP.

2.16 "**Transnet**" – Transnet SOC Ltd, registration number 1990/000900/30. A state-owned company under the Department of Public Enterprises incorporated in the Republic of South Africa and which is the custodian of South Africa's freight logistics public infrastructure, which supports economic growth and development by providing efficient rail, port and pipeline infrastructure and services.

2.17 "**Transnet National Ports Authority** (TNPA)" – an operating division of Transnet responsible for the safe, effective, and efficient economic functioning of the national port system, which it manages in a landlord capacity and who provides port infrastructure and marine services at the eight commercial seaports in South Africa in accordance with the provisions of the National Ports Act;

2.18 "**Transnet Freight Rail** (TFR)" – the freight rail division of Transnet that provides rail network infrastructure and operates rail services over major rail corridors to transport commodities for export, regional and domestic markets. Its rail network and rail services provide strategic links between ports, terminals and production hubs in the SADC region.

3 INTRODUCTION

3.1 TRANSNET SOC Ltd

3.1.1 Transnet SOC Ltd ("Transnet"), a State-owned Company with the Department of Public Enterprises as the Shareholder representative on behalf of Government, is mandated to:

- Assist in lowering the cost of doing business in South Africa.
- Enable economic growth; and
- Ensure security of supply by providing appropriate port rail and pipeline infrastructure.

3.2 TRANSNET NATIONAL PORTS AUTHORITY

3.2.1 TNPA, as prescribed in the National Ports Act, no 12 of 2005 ("Ports Act"), was created as a landlord port authority responsible for the safe, efficient, effective and economic functioning of the national ports system, which it manages, controls and administers on behalf of the State.

3.2.2 Its prescribed core functions in terms of Section 11 of the Ports Act are to:

- Plan, provide, maintain and improve port infrastructure.
- Promote the use, improvement and development of ports and control land use within the ports, having the power to lease port land under conditions that it determines.
- Promote greater representation and to increase participation in port operations for historically disadvantaged people.
- Provide or arrange marine-related services i.e., pilotage services, tug assistance, berthing services, dredging and hydrographic services.
- Ensure that adequate, affordable and efficient port services and facilities are provided, including regulatory oversight over all port activities; and
- Provide aids to navigation to assist the navigation of vessels within port limits and along the coast.

3.2.3 The Operating Division occupies a strategic position in the country's transport logistics chain, managing South Africa's eight commercial Seaports along 2 798km of coastline.

3.3 TRANSNET FREIGHT RAIL

3.3.1 TFR provides rail network infrastructure and operates rail services over major rail corridors to transport commodities for export, regional and domestic markets. Its rail network and rail services provide strategic links between ports, terminals and production hubs in the SADC region.

- It maintains 30 400km of railway track (80% of Africa's total rail) and its network includes 3 928 kilometers of branch lines that serve as feeders to main lines.
- TFR has 1 500 km dedicated heavy haul lines operates world-class heavy haul coal and iron ore export lines and transports a broad range of bulk and general freight commodities including mining, agricultural, manufacturing goods, bulk liquids, containerised freight and automotive units and components.

3.3.2 TFR's presence in the Northern Cape:

- The ore line is one of the two main heavy haul lines in South Africa and the closest rail main line to the proposed Boegoebaai or alternatively chosen Northern Cape Port.
- The iron ore corridor stretches 861 km from Sishen in the Northern Cape to Saldanha Bay on the Western Cape coast. The ore line provides a world-class platform of heavy haul capabilities (30 tons per axle), technologies and efficiencies. The traction is 50 kV AC and the line is signaled.
- The current iron ore export operation is optimised with 348 CR13/14 wagon trains with a 100 ton payload per wagon.

4 BACKGROUND

4.1 Project Development: Evolving Rationale

4.1.1 The Northern Cape has an industrial trajectory that warrants the development of a new deep-sea commercial port. In response, the Boegoebaai Port, Rail and Infrastructure Development Project was envisaged as a preferred greenfield, deep-water port development supported by a new rail link of approximately 550km.

4.1.2 The initial commodity mix for the port included dry bulk, break-bulk and containerised products with subsequent market developments positioning the port as a green hydrogen hub.

4.1.3 This investment will stimulate regional and provincial socio-economic development by:

a) Expanding the Mining and Industrial base

In specific, provision of a cost-effective logistics solution for manganese exports in the main. In specific it is a catalyst for emerging miners -currently constrained by high transportation costs and unable to secure capacity on already oversubscribed export channels.

b) Enabling the Northern Cape's Provincial Economic Development strategy including the Green Hydrogen Strategy.

4.2 Project Scope Development: Background

4.2.1 In 2015 TNPA conducted an initial pre-feasibility study for the development of a new deep-water port in Boegoebaai. The feasibility study was not carried forward given limited market information available at that stage.

4.2.2 In 2019, the Northern Cape Department of Transport, Safety and Liaison (NCDTSL) conducted a separate feasibility study with cost estimates at a pre-feasibility level of confidence for the port and back of port development. The NCDTSL utilised a Public Private Partnership (PPP) procurement mechanism to initiate the study. The outcome of the feasibility study was presented to National Treasury (NT) by NCDTSL and received a conditional Treasury Approval 1 (TA1). The conditions of the TA1 required the NCDTSL to:

a) Illustrate how the proposed port development would impact existing ports.

b) Establish the impact of the COVID-19 pandemic on projected volumes (at that stage)

c) Secure the land required for the port development.

d) Ensure that issues of port ownership are addressed in accordance with the National Ports Act, 2005.

e) Benchmark cost estimates against Transnet's cost of building ports and related infrastructure.

4.2.3 There have been several engagements between the Northern Cape Provincial Government and TNPA on the development of the Boegoebaai port as per the TA1 directive. TNPA has received various study reports from the NCDTSL that included the proposed port development layouts.

4.2.4 The port layouts indicated a progressive development approach highlighting initial and end state development (see Figure 4-1).

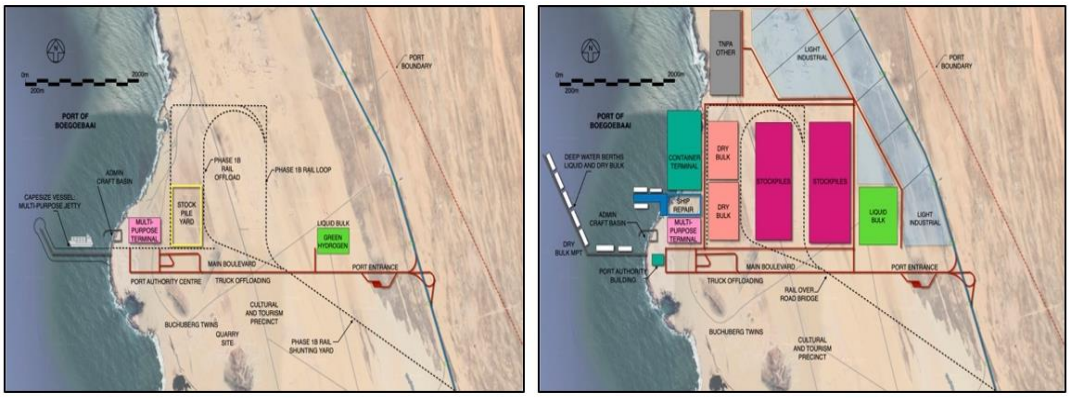

Figure 4-1: Initial (left) and end state (right) proposed port layouts

A common challenge identified related to the terrain and geometric constraints of penetrating and descending the Anenous Mountains Pass.

In noting the remoteness of Boegoebaai port location concerns were raised regarding the economic viability of rail connectivity to the proposed port location. The view was informed by estimates derived from earlier concept studies that identified three potential routes, as illustrated in Figure 4-2. Given that the rail solution was planned for the future phases of the port

development, alternative rail alignments were explored at a concept level to develop a view of the optimal least cost Port and Rail solution.

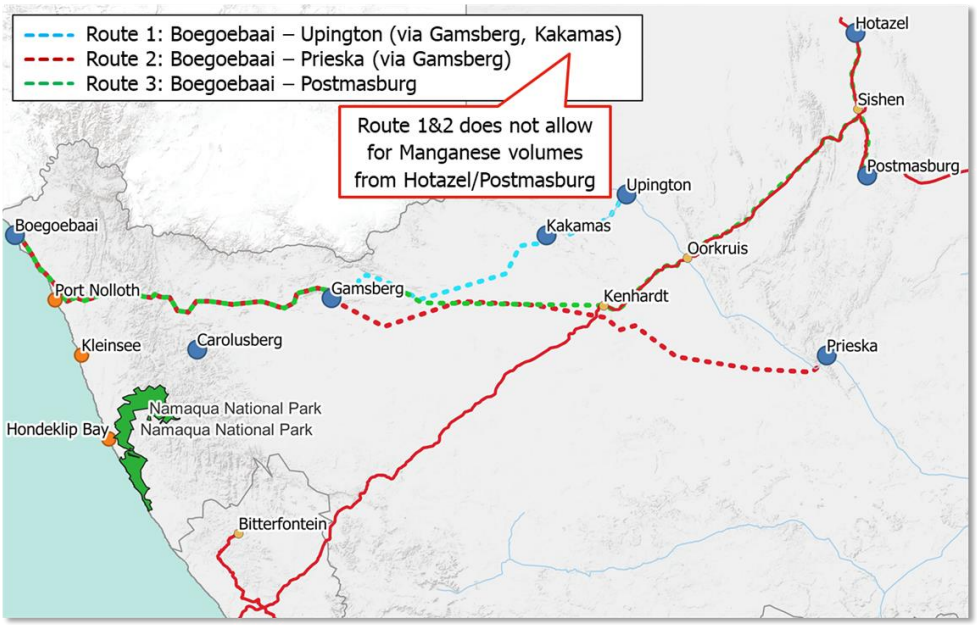

Figure 4-2: Initial preliminary route alignments

From this preliminary rail alignment work, two (2) further technical options emerged as indicated in Figure 4-3 with a 3rd option bypassing the green mountainous region depicted by the yellow alignment on the eastern side of the Namaqua National Park.

Source: Joint Transnet/ NCEDA workshop (26-28/07/22)

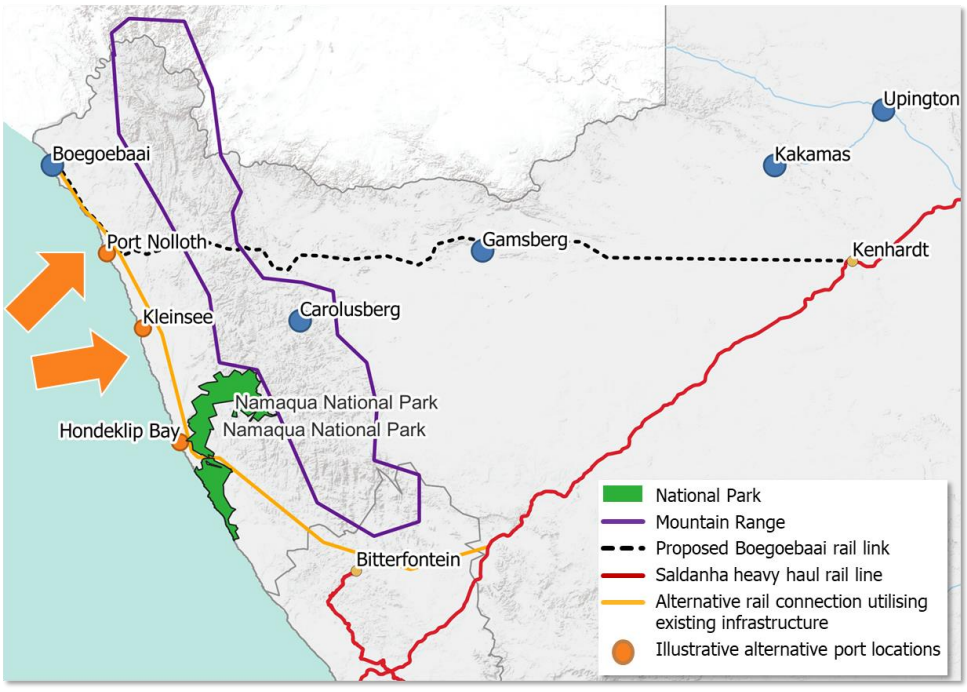

Figure 4-3: Summary of preliminary route alignments

In optimising the rail investment being the (initial) larger cost element, an alternative location to the Boegoebaai port between the northern limit of the Namaqua National Park and the Provincial border would be required if possible, to determine a position where it is most proximate to the Saldanha heavy haul line and the proposed back of port area.

The optimisation would require that the alternative port cost is also determined to ensure that the port cost is equitable to that of Boegoebaai or less in order to ensure that the optimized rail investment costs are not translated to the port cost.

No further development work regarding the alternative port location and optimised rail alignment was undertaken as part of the studies done to date.

5 REQUEST FOR QUALIFICATIONS

5.1 The objectives of this RFQ are hence, firstly, to gather a potential pool of experienced prospective Developers who could potentially bid to undertake the Project. To achieve this Transnet intends, through this RFQ to:

5.1.1 Validate market appetite by development companies or consortiums for the design, funding and construction of the Project;

5.1.2 Evaluate Respondents' experience, capacity and capability to deliver the Project;

5.1.3 Identify qualifying Respondents' who can deliver the scope of the Project;

5.1.4 Formulate the confirm the scope and extent of the Project;

5.1.5 Inform the structuring of an RFP that will follow to ensure that the Project is delivered on time within acceptable costs, quality and sustainable standards; and

5.1.6 Determine the appropriate risk and commercial structures between Transnet and the selected Developer in undertaking the Project including potential funding solutions.

5.2 Transnet requests that all entities or companies that may wish to submit bids, in response to a possible RFP in future with respect to the Project, respond to this RFQ in the manner and form herein specified.

5.3 The submission of an RFQ Response and meeting the minimum capability criteria is a compulsory requirement to participate in any subsequent RFP in future. Respondents who do not submit an RFQ Response will not qualify to proceed to the next stage.

5.4 Transnet's expectation is that the envisaged port should be sufficiently operational by 2026 to, as a minimum, support the import of construction material and equipment for the establishment of the various port precincts, envisaged back of port developments and planned SEZ.

5.5 Respondents are to note the following:

5.5.1 Reports and studies relevant to the scope definition will be provided as annexures to this RFQ electronically.

5.5.2 In proposing a possible solution, Respondents should propose options for site locations in addition to the base option (being Boegoebaai) provided by Transnet as well as the optimal rail connectivity to all such locations. The final options shall be developed, investigated and optimized in detail for the subsequent RFP phase.

5.5.3 Transnet is not prescriptive with regards to the proposals for (1) rail connectivity to the Boegoebaai port location, and (2) the alternative port location and optimized rail connectivity save that the proposals must identify the least cost solution for a combined port and rail solution and Transnet seeks information, which will assist in the event that it progresses to the RFP stage of the Project.

5.5.4 Respondents are requested to submit information in their responses to this RFQ on how best Transnet could package the Project in the event that it progresses to the RFP stage of the Project.

5.5.5 Respondents are requested to submit information in their responses to this RFQ on how they intend to fund the Project together with its preferred investment recovery model

5.5.6 Respondents are requested to provide any other information in respect of the Project that they deem necessary to bring to Transnet's attention.

5.5.7 Respondents are to note that Transnet reserves the right to separate the delivery of the port and rail scopes in the RFP stage.

6 INFORMATION TO BE PROVIDED BY THE RESPONDENT IN ITS RFQ RESPONSE

6.1 Information: Level of maturity for the RFQ

6.1.1 Respondents are required to submit the requested information in the RFQ Response, which information should include the details requested together with supporting documentation in respect thereof. These responses will be taken forward into the adjudication for the RFQ.

6.1.2 Respondents are to note that the information is required at a desktop (concept) level in the RFQ stage. The preferred options (alternative solutions) will be properly defined by successful RFQ Respondents who proceed to the RFP stage.

6.2 Evaluation Criteria

6.2.1 The Evaluation Criteria that the RFQ Bid Response is required to satisfy are provided in Annexure T and comprise both Administrative and Substantive Responsiveness.

6.3 Threshold Scores

6.3.1 The evaluation criteria include minimum threshold scores that are structured as outlined in Table 6-1, below.

Table 6-1: Threshold Scores

Element	Qualifying criteria Scores		Minimum Threshold Score
Design	Qualifications and Experience of Key Persons	25	60%
Funding	Funding Capability	30	60%
Construction	Company Previous Experience	15	60%
	Traceable references	5	
	Approach Paper	15	
	Project Programme	5	
	Project Organogram	5	

6.4 Respondent's Company / Consortium Profile

6.4.1 The name of the Respondent, and the Respondent's full registration details.

6.4.2 The name and contact details of the person appointed by the Respondent as its representative in the event that the Project Officer wishes to engage with the Respondent on any aspect of the RFQ Response.

6.4.3 A comprehensive company profile detailing the Respondent's previous experience and track record, in the disciplines outlined below, in undertaking the design, funding and construction of greenfield, deep-water ports and heavy haul rail lines the nature outlined in this RFQ (or similar) which is to include the CVs of the Respondent's executive team members.

a) Engineering and design (marine and rail disciplines)
b) Marine construction
c) Rail construction
d) Project construction management
e) Project financing
f) Transaction structuring.

7 THE PROPOSED PROJECT

7.1 Functional Engineering Analysis and Concept Design

PORT

7.1.1 The Respondents shall validate the development cost of the proposed Boegoebaai Port.

7.1.2 The Respondents shall, at a desktop level, identify and cost alternative possible port site locations to the south of Boegoebaai on the Northern Cape coastline at any position south of where the Orange river enters to the sea in closer proximity to existing rail infrastructure and the prosed back of port area. This is to assess whether an alternative port location will potentially reduce the cost associated with the rail link without creating a compensating cost increase in the port cost.

7.1.3 The site location study must propose a sufficient number of alternative sites investigated at a desktop study level culminating in the least total cost for marine work and rail connection solutions for an operating port.

7.1.4 The required port infrastructure shall be designed (and later constructed) in accordance with the minimum TNPA specifications discussed in 7.1.6 with further requirements attached to this RFQ as Annexure A: Port Design Basis.

7.1.5 Respondents are to note that a decision regarding the final port location shall be further investigated in subsequent phases of the project.

7.1.6 Port Design Assumptions:

The port facility is required to handle the following dry bulk, liquid and break-bulk cargo in addition to the detailed Port Design Specification documents attached to this Annexure A: Port Design Criteria

a) Dry bulk commodities: up to 17 million tons per annum

b) Liquid bulk consisting of diesel fuels and green hydrogen: 1.3 mtpa and 400 000m^3

c) Containers: up to 1.2 mtpa

d) Break-bulk commodities: 0.5 mtpa

The submission must include a port site location for the most appropriate, cost-effective location on the Northern Cape coastline at any position south of where the Orange river enters to the sea within the Northern Cape Province but not encroaching into any restricted areas including the National Park no-go areas optimally proximate to the proposed back of port area and must include the following:

a) Break waters and all marine works

b) Deep water berths for liquid and dry bulk

c) Administration craft basin

d) Ship repair basin

e) Multi-purpose terminal

f) Container terminal

g) Back of port facilities including but not limited to a dry bulk storage area, stockpile area for dry bulk commodities, liquid bulk storage site, the ability to carry out layout planning for light industrial back of port sites together with all infrastructural services.

h) Port related buildings (port control, port administration, port access gateway)

i) Port related services (sewer, water, electricity, stormwater, electronics)

j) Terminal operator buildings (warehouses, administration building, satellite ablution buildings)

RAIL

7.2.1 The Respondents shall, at a desktop level, identify and cost possible rail routes to the current Boegoebaai site location using the options indicated in Figures 5.2 and 5.3 in addition to any other feasible options that may be identified (7.1.1).

7.2.2 The Respondents shall also, at a desktop level, identify and cost possible rail routes to the alternative port locations as may be identified above (7.1.2).

7.2.3 The required rail infrastructure shall be designed (and later constructed) in accordance with the minimum TFR specifications as discussed in 7.2.5 with further requirements attached to this RFQ as Annexure A: Rail Design Assumptions.

7.2.4 Respondents are to note that a decision regarding the final rail route shall be further investigated and verified at more detail in subsequent phases of the project in accordance with the Bidders stated methodology.

7.2.5 Rail Design Criteria:

Track and Train Design Criteria based on the following as well as the detailed Rail Design Specification documents attached to this Annexure B: Manual for Track Maintenance.

Port location options must be augmented by a rail connectivity (routing) study connecting the existing TFR rail network in the Northern Cape to the preferred port location at the lowest cost. The route selection must in addition to the above rail specification consider the availability of the rail corridor, land at the end points for rail yards, social and environmental factors, operational infrastructure and maintenance facilities.

Rail design criteria that must be considered in the route selection is the approved TFR standards for an "S line" at heavy haul standards. The ore line is designed to the following criteria:

a) Axle loading: 30 tons/axle (tal).

b) Traction: 50 kV AC.

c) Authorization: colour light signalling.

d) Rail gauge: 1067 mm

Operational design criteria that must be considered, include:

a)Optimal Train length

b)Tractive effort (noting that a full diesel operation could be compromised by the length of tunnels)

c)Train technologies such as distributed power.

7.2.5.1 Corridor Geometric Design

Bidders must ensure that the geometry of the proposed corridor is suitable for the functioning of the intended railway. The geometric design must be based on the Transnet Freight Rail

Manual / Standards for Track Maintenance, 2012. The corridors must be designed to support 60 km/h design speed.

7.2.5.2 Horizontal Alignment

The horizontal alignment design of a railway line determines the maximum speed that a railway vehicle can safely travel on the line. The sharper the curvature of the line the lower the maximum speed. The horizontal alignment design parameters must be applied to all route options based on the design parameters as shown in the table below.

Table 7-1: Horizontal Alignment Design Parameters

Description	Value
Maximum Design Speed	60 km/h
Minimum Curve Radius	300 m
Minimum Transition Curve Length	80 m

Source: Transnet Freight Rail Manual for Track Maintenance, 2012

7.2.5.3 Vertical Alignment

The vertical alignment of a railway line has an impact on both the construction cost and the cost of operations. The flatter the alignment the higher the construction cost is likely to be (depending on the route topography). A flat alignment, however, requires less energy to run trains and results in low operating cost. In designing the vertical alignment a reasonable balance has to be drawn between the line construction cost and its running cost. The length of the design train and mode of power i.e. either head-in or distributed power also influences the permissible minimum length of grades. It is preferable to avoid multiple changes of grade within a train length. Vertical alignment design parameters must be applied to all route options based on the design parameters as shown in the table below.

Table 7-2: Vertical Alignment Design Parameter

Description	Value
Maximum Design Speed	60 km/h
Design train length	1.3 km
Ruling Gradient (both directions)	1:80
Minimum length of grades	1.3 km

LEAST COST LOGISTICS SOLUTION

7.2.6 The Respondents shall recommend the least cost option based on a view of the lowest capital cost possible for the assessed port locations and associated rail links.

7.3 Design Methodology

7.3.1 The Respondent is requested to submit a proposal detailing the planned methodology for the design funding and construction of (1) the rail connectivity to the Boegoebaai port location, and (2) the alternative port location and optimised rail connectivity. The methodology must include an outline of the data required in order to do the necessary technical studies and models and how it will be obtained.

7.4 Preparation of the Pre-Feasibility Stage Programme

7.4.1 The Respondent shall submit an activity programme, in the form of a Gantt chart, which will reflect the various activities stemming from this scope of work with the duration for each activity summarised in a milestone plan.

7.4.2 The Respondents shall submit a formal cost proposal required to undertake the Pre-feasibility Stage and full Project scope.

7.5 Information relevant to the Project Status

7.5.1 The Respondent shall comment on the proposed Boegoebaai project regarding the project lifecycle stage reached based on the information supplied (concept, design and construction programme, and costing).

7.5.2 The Respondents shall provide projected timelines to operationalize the port and future rail link for all options considered.

7.5.3 The Respondents shall indicate what, if any, is the anticipated use of existing rail infrastructure on the Saldanha (heavy haul) line and shall detail the point of connection.

7.5.4 The Respondents shall indicate what, if any, are the technical interface information and constraints required to execute the Project.

7.6 Funding and Commercial Transaction Structure

7.6.1 The Respondents shall submit an initial Project funding proposal (to include the funding proposal and the structuring thereof) to undertake the design and construction of both the port and rail Scopes of Work as defined in the Project.

7.6.2 The Respondents shall provide details on a proposed commercial structure, having regard to the expected return on the investment in the port and rail infrastructure development with due regard to the statutory role and function of the TNPA as per the provisions of the National Ports Act. Options offered will be considered as indicated in the evaluation criteria.

7.6.3 The Respondents shall indicate how the proposed commercial structure could integrate with a suitable operating and business model. Please elaborate and unpack your envisaged operating and business model explaining the rationale, therefore, with due regard to the statutory role and function of the TNPA as per the provisions of the National Ports Act.

7.7 Alignment with Government's Strategic Objectives

7.7.1 The Respondent must prepare a Socio-Economic Impact plan outlining the Respondent's Project contribution to new jobs, skills development, use and development of SMMEs and localisation.

7.7.2 The Respondents will be required to quantify the impact of the proposed port and rail solution on the natural and social environment to contain any impacts within acceptable levels. This

would include the avoidance of environmentally sensitive areas; land ownership and acquisition plans; community and stakeholder considerations.

7.8 Compliance

7.8.1 The Respondent must provide a summary of critical regulatory approvals required to ensure the success of the Project.

7.8.2 Environmental Analysis and Assessment Methodology: It is recommended that the Respondent provides proposed site locations that are in the least environmentally sensitive areas (e.g., greenfield areas) that will require the lowest amount of environmental legislative intervention and shall take particular note of all no-go areas along the Northern Cape coastline as indicate in Figure 5-2.

7.8.3 The Respondent shall submit the following:

a) The environmental approvals required, with reference to the relevant acts, that will be required for each proposed port location and rail connection;

b) An outline of the required environmental assessments as a function of the scope, functional design and location of the port site and rail connection, e.g. a Marine Impact Assessment (MIA);

c) An outline of any additional potential environmental hindrances or fatal flaw risks to the project implementation with solutions to overcome these.

7.8.4 The Respondents are to note that the environmental studies shall be finalized once the scope, design and final port site location and rail connection is selected in each port location and the relevant legislated environmental approval requirements and applications are lodged with the respective competent authority.

7.9 Information Relevant to the Timing of the Project

7.9.1 The Respondents shall indicate, during the RFQ stage, the time required to:

a) Prepare an RFP bid response, considering any due diligence that a Bidder will need to carry out; and

b) Finalise all the requirements to achieve financial close.

7.9.2 The Respondents shall indicate the estimated timing of the Commissioning Date from Financial Close for each recommended option. Respondents are to provide the necessary supporting documentation in support of such assertion.

7.9.3 The Respondents shall outline key issues relevant to the timing of the Respondents' submission for this Project that the Respondent would like to bring to Transnet's attention; and

7.9.4 The Respondents shall indicate what the anticipated critical path between Financial Close and the Commissioning Date for the Project would be.

8 FORMAT AND SUBMISSION OF RFQ RESPONSES

8.1 Submission of RFQ Responses

8.1.1 The RFQ Responses must be submitted to Transnet by no later than 12h00 on **02nd November 2022.**

8.1.2 RFQ Responses reaching Transnet later than the date and time specified above may, in Transnet's sole discretion, not be considered by Transnet.

8.1.3 All costs incurred by a Respondent in connection with this RFQ and the preparation of its responses hereto shall be borne by the Respondent;

8.1.4 The Respondent will not have to pay any monies in order to submit an RFQ Response;

8.1.5 The Respondent is encouraged to submit any additional information that, in its view, would assist Transnet in the further development of the Project.

8.2 Submission of the RFQ Response

8.2.1 The documents contained therein must be:

a) In Microsoft Word format, version 2007 or later, save where the document cannot be accessed by Microsoft Word, in which event it must be provided in a PDF format, or Microsoft Excel format, version 2007 or later; and

b) Properly indexed, readable and capable of being opened.

8.2.2 Transnet has implemented a new electronic tender submission system, the e-Tender Submission Portal, in line with the overall Transnet digitalization strategy where suppliers can view advertised tenders, register their information, log their intent to respond to bids and upload their bid proposals/responses on to the system.

a) The Transnet e-Tender Submission Portal can be accessed as follows:

- Log on to the Transnet eTenders management platform website/ Portal ((transnetetenders.azurewebsites.net)
- Please use **Google Chrome** to access Transnet link/site);
- Click on "ADVERTISED TENDERS" to view advertised tenders;
- Click on "SIGN IN/REGISTER – for bidder to register their information (must fill in all mandatory information);
- Click on "SIGN IN/REGISTER" - to sign in if already registered;
- Toggle (click to switch) the "Log an Intent" button to submit a bid;
- Submit bid documents by uploading them into the system against each tender selected;
- No late submissions will be accepted. The bidder guide can be found on the Transnet Portal transnetetenders.azurewebsites.net

8.3 Format of RFQ Responses

8.3.1 The Respondent is requested to complete the RFQ Response and provide all the information required in terms of this RFQ and address every item in Section 6.

8.3.2 All pages should be numbered consecutively from beginning to end and there should be an index to the entire RFQ Response.

8.3.3 The RFQ Response can be contained in more than one document and with properly indexed Annexures as the Respondent may consider appropriate to provide the information requested. All documents comprising the RFQ Response must be visible from the index to the RFQ.

8.4 Language of the RFQ Response

8.4.1 The RFQ Response and all documents forming part of it must be in English.

8.4.2 Any printed literature submitted with the RFQ Response may be in another language so long as it is accompanied by an English translation (made by an accredited translator) of the entire document.

8.4.3 For the purpose of interpretation of the RFQ Response, Transnet will rely on the English translation provided.

8.4.4 All correspondence and any other documentation and oral communication exchanged between the Respondent and Transnet shall be in English.

8.5 Signing of the RFQ Response

8.5.1 The Respondent is requested to provide a signed letter by its authorized representative with its RFQ Response.

8.6 Further Information

8.6.1 Transnet reserves the right to seek additional information from the Respondent regarding its RFQ Response, as it may, in its sole discretion, determine, whether such information has been requested under this RFQ or otherwise, and may request the Respondent to present supplementary information, in respect of its RFQ Response.

8.6.2 The Respondents may, following the submission of an RFQ Response, be requested to engage with Transnet and/or other relevant government stakeholders to discuss matters relevant to its RFQ Response. Any meetings will take place via MS Teams unless otherwise arranged.

9 CONTACT WITH THE PROJECT OFFICER

9.1 The Respondent must give the name and contact details of the person whom it appoints to undertake all contact with the Project Officer in its RFQ Response, as provided for above (Information to be provided by Respondents in their RFQ Responses).

9.2 After the submission of its RFQ Response, the Respondent may only communicate with Transnet through such person and Transnet shall be entitled, at its sole discretion, to disregard any communication from the Respondent, that does not come from such contact person, and that does not go directly to the Project Officer. Once the Respondent has been issued with a unique identification number this is to be used in all communications with Transnet.

9.3 Where engagement is required with the Respondent as highlighted above, other representatives of Transnet and the Respondent will be requested to be available for such engagement.

10 FORMAL BRIEFING

10.1 A non-compulsory briefing session meeting will be conducted via Microsoft Teams on the **16th August 2022** at **10h00.** Interested parties can join the briefing session by clicking on the following link: Click here to join the meeting

10.2 Interested parties who wish to submit an RFQ Response and who did not participate in the non-compulsory information sharing session will not be excluded from submitting an RFQ Response.

11 REQUESTS AND CLARIFICATIONS

11.1 The Respondent may request clarification on any item contained in this RFQ by no later than **14 October 2022**.

11.2 All enquiries, queries, and requests for clarification in respect of this RFQ must be in writing and addressed to the Project Officer and emailed to **Alfred.Matsepe@transnet.net**.

11.3 Transnet will endeavour to respond to all reasonable written queries and requests for clarification raised by any Respondent.

12 CONFIDENTIALITY

12.1 The information contained in this RFQ is confidential and proprietary to Transnet. In accepting this RFQ, "suppliers", "service providers" and/or "Agents" agree to the following conditions, under the applicable legislation:

12.1.1 Each party recognises and agrees that the Confidential Information has been compiled, created, and maintained by special effort and expense of the other party;

12.1.2 Each party recognises and agrees that disclosing or disseminating Confidential Information to a third party will have a materially adverse effect on the other party and agrees not to disclose or disseminate the Confidential Information to any third party. Except as necessary to perform its obligations hereunder, each party shall not use, reproduce, or draw upon the Confidential Information or circulate it within its own organisation;

12.1.3 Each party shall provide notice to the other party of any demand made upon it under lawful process to disclose or provide the other party's Confidential Information. Such party agrees to co-operate with the other party if it elects to seek reasonable protective arrangements or oppose such disclosure, at the expense of the party that is seeking the protective arrangements or opposing the disclosure;

12.2 Any Confidential Information disclosed pursuant to such lawful process shall continue to be Confidential Information, the access to such Confidential Information shall be limited to those persons:

12.2.1 only with a need to review such information for the purposes for which the disclosure was required; and

12.2.2 who agree in writing to keep the Confidential Information confidential.

13 OFFERING OF COMMISSION OR GRATUITY

13.1 If a Respondent, or any person employed by him, is found to have either directly or indirectly offered, promised or given to any person in the employ of Transnet, any commission, gratuity, gift or other consideration, Transnet shall have the right and without prejudice to any other legal remedy which it may have in regard to any loss or additional cost or expenses, to disqualify the RFQ Respondent from further participation in this process and any other subsequent processes in this regard;

13.2 In such an event, the Respondent will be responsible for all and any loss that Transnet may suffer as a result thereof. In addition, Transnet reserves the right to exclude such a Respondent from future business with Transnet.

14 ANNEXURES

14.1 Annexure A: Port Design Basis

14.2 Annexure B: Manual for Track Maintenance

14.3 Annexure C: Environmental Basic Screening Report

14.4 Annexure D: TA1 Feasibility Business Case

14.5 Annexure E: FEL 1 Railway Drawings

14.6 Annexure F: FEL 1 Railway Report

14.7 Annexure G: FEL 1 Phase 1 External Road Report

14.8 Annexure H: Quarry Site Identification and Assessment Report

14.9 Annexure I: Boegoeberg Hydrographic Survey Report

14.10 Annexure J: Northern Cape Corridor Design Report

14.11 Annexure K: Boegoebaai Port Preliminary Geotechnical Investigation

14.12 Annexure L: Breakwater Trade-off Study

14.13 Annexure M: Quay Trade-off Study

14.14 Annexure N: Meteocean recovery report

14.15 Annexure O: Meteocean deployment report

14.16 Annexure P: Seismic report

14.17 Annexure Q: Boegoebaai Port Summary of available site information

14.18 Annexure R: List of Projects Executed

14.19 Annexure S: Business Case Validation (July 2022)

14.20 Annexure T: RFQ Technical Evaluation Criteria