

Transnet SOC Ltd

acting through its operating division, Transnet National Ports Authority

Registration Number

1990/000900/30

www.transnet.net

BRIEFING NOTE NO. 8 (TNPA/2022/12/0002/19592/RFP)

10 July 2023

REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF A TERMINAL OPERATOR TO OPERATE AND MAINTAIN PORT AND COMMON USER INFRASTRUCTURE FINANCED, DESIGNED AND CONSTRUCTED BY THE TNPA, AND TO DESIGN, DEVELOP, FINANCE, CONSTRUCT, OPERATE, MAINTAIN TERMINAL INFRASTRUCTURE AND TERMINAL EQUIPMENT REQUIRED FOR THE HANDLING OF LIQUID NATURAL GAS AT SOUTH DUNES IN THE PORT OF RICHARDS BAY FOR A MINIMUM PERIOD OF 25 (TWENTY-FIVE YEARS)

BROAD - BASED BLACK ECONOMIC EMPOWERMENT:

1. Through this Briefing Note 8, Transnet National Ports Authority (TNPA) corrects and clarifies the Broad Based Black Economic Empowerment requirements as provided for in the Request for Proposals (RFP) for the appointment of a Terminal Operator to undertake the Project (as defined in the RFP) in relation to the Richards Bay LNG Project **TNPA/2022/12/0002/19592/RFP**.
2. In accordance and compliance with recent legislative developments and requirements the TNPA hereby amends and corrects the RFP as follows:

2.1. General Clarification

2.1.1. The requirements of the RFP in relation to submission of a Broad Based Black Economic Empowerment (B-BBEE) Contribution Level Certificate as a qualification criteria as set out in the RFP are hereby removed.

2.1.2. The RFP requirements in respect of Substantive Responsiveness, Mandatory Returnables and Preference Point Allocation as provided in the relevant clauses of RFP must be amended as set out below.

2.2. This Briefing Note #08 amends the RFP as follows:

2.2.1. Clause 26.1.3: The second sentence in this clause is hereby deleted;

2.2.2. Clause 26.1.8: The entire clause is hereby deleted;

2.2.3. Clause 26.1.14: The reference to the B-BBEE requirement's in clause 75 of Part is hereby deleted;

2.2.4. Clause 27.3: The entire clause is deleted;

2.2.5. Clause 75.1.2: The Table at 75.1.2 is replaced with the Table below:

PART II QUALIFICATION CRITERIA
<ul style="list-style-type: none"> • <i>Qualification Criteria 1: Administrative Responsiveness</i> <ul style="list-style-type: none"> - <i>Timely Submission of Bid Response</i> - <i>Bid Response Duly Signed</i> - <i>Submission of all Mandatory Returnable</i>
<p><i>Bidders who do not comply with the Administrative Responsiveness requirements will not be eligible for evaluation under Part III Evaluation Criteria."</i></p>

2.2.6. Clause 75.2.3.1: The entire clause is deleted, and the submission of a B-BBEE Contributor Level Certificate is no longer a mandatory returnable.

2.2.7. Clause 75.3: The entire clause is deleted;

2.2.8. Clause 76.3.12.3. Points awarded for B-BBEE Status Level Contribution is hereby amended and will be scored as follows:

Summary of Preference Criteria	Points	RFP Reference
B-BBEE Status Level Contributor	90/10	Clause 76.12 of Part III of this RFP
1	10	
2	9	
3	6	
4	5	
5	4	
6	3	
7	2	
8	1	
Non – Compliant Contributor	0	

3. Please note that the formula for calculating points allocation for the Concession Fee Offer as set out in Clause 76.3.11.5 of the RFP is incorrect, the correct formula is:

$$Ps = 90 (1 + (Pt - Pmax) / Pmax)$$

4. Kindly take note, for the avoidance of doubt, that the closing date for the submission of bids **remains the 29th of July 2023 at 10:00:00 AM (CAT).**

Yours sincerely

Project Office