



RFI/EOI No. **BR/EOI/2023-24 (01) & HOAC_HO_42283**

For the Funding and Development of the Proposed New Railway Corridor underpinned by the Construction of the New Rail Link between Mmamabula (Botswana) and Lephalale (South Africa),
i.e. Mmamabula-Lephalale Rail Link

QUESTION	RESPONSE	RESPONSE DATE
1. Refer to the Item 3.3.3.3 on page 15, the client will provide the lands in Botswana side only, and the bidder will acquire the land in South Africa. We want to ask that Transnet can have any possibility to provide the land directly?	No. The service provider will be required to acquire the land in South Africa.	25 August 2023
2. Refer to the content of Page 15 in TFR, the service provider will be required to acquire the land in South Africa and the land acquisition analysis is needed for Bankable Feasibility Study. As we know, land acquisition often involves demolition and relocation, and this process will be a significant challenge for the service provider. Therefore, may you please clarify whether the clients will be responsible for the demolition and relocation work. If not, what measures will the clients take to assist with the demolition work?	The are currently no structures identified for the demolition and relocation work, however should there be a need for these processes, Transnet may assist where necessary.	25 August 2023
3. As we are a foreign entity, we understand that we have to submit the compliance documents of the country of our incorporation/registration. Kindly Confirm	International respondents can provide the company registration compliance documents from the countries where the company is registered as equivalent. However at award stage of the RFP, the successful bidder will be required to comply to the full requirements of Botswana and/or South Africa.	25 August 2023
4. We would request if existing documents related to the project such as Pre-feasibility reports, feasibility Report, DPR etc available from the authorities can be provided to the bidders. This will enable us to submit a comprehensive proposal for this project.	The preliminary feasibility study is still being developed and will be shared during the RFP stage with the shortlisted bidders.	25 August 2023
5. Please give an extension of at least 3 weeks in the submission deadline of the EOI.	This RFI/EOI has been in the market for a period of 2 months and we are working on very tight timeframes, therefore no extensions for the closing date shall be provided.	25 August 2023
6. Please provide further information regarding the scope of work	Botswana Railways and Transnet may change the scope	25 August 2023



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and deliverables required for this project? Also provide the extent of increase or decrease in the quantities/scope as indicated in EOI as per clause 10 (h) of Disclaimers?	during the RFP stage based on the responses received from the RFI/EOI.	
7. Please confirm that Compliance Requirements (Part B) is mandatory during RFI/EOI Stage for foreign bidder? Please clarify that Tax compliance for foreign bidder is mandatory during RFI/EOI stage.	International respondents can provide the company registration compliance documents from the countries where the company is registered as equivalent. However at award stage of the RFP, the successful bidder will be required to comply to the full requirements of Botswana and/or South Africa.	25 August 2023
8. As per Part-B, Terms and Conditions for Bidding, we need to have a Certificate of Incorporation/Business registration only in Botswana and we understand that no registration is required in South Africa. Kindly confirm	International respondents can provide the company registration compliance documents from the countries where the company is registered as equivalent. However at award stage of the RFP, the successful bidder will be required to comply to the full requirements of Botswana and/or South Africa.	25 August 2023
9. RFI/EOI selection Criteria – It is understood that the evaluation will be done only on Three Parameters. Please provide the weightage of marks for evaluation. Is there any specific scheme may be followed for evaluation	The selection criteria indicated in the RFI/EOI will be used as a guide for adjudicating Respondents.	25 August 2023
10. Please confirm that JV/Consortium is allowed even after notified as successful sole bidder in EOI/RFI stage?	Yes. Bidders may choose during the subsequent RFP process to enter into a Joint Venture.	25 August 2023
11. Security Clearance- It is understand that obtaining security clearance is under scope of the respondent. Please clarify what type of security clearances are required and how much time is required for such clearances and who will be the competent authority for issue of such clearance. Please also clarify that Governments of Botswana and South Africa will expedite and facilitate for such security clearances.	The security clearance matter shall be dealt with at the RFP stage with the short-listed bidders.	25 August 2023
12. Whether pre-feasibility study encompass additional related aspects	No. The pre-feasibility study does not encompass additional	25 August 2023



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and developments beyond the primary 113 km mainline, such as the upgrade of lines in the Waterberg area, the construction of the Multiple Purpose Terminal (MPT) at the port of Richards Bay, and the upgrade of the line connecting Morupule Coal Mine to Mmamabula (140 km)?	related aspects and developments beyond the primary 113 km mainline. The study's battery limit is between Mmamabula and Lephalale.	
13. Regarding the repayment structure, is it the responsibility of both Botswana Railways and Transnet to arrange their respective shares, or is Botswana Railways solely accountable for repayment as per the proposed mode of repayment by the service provider?	<ul style="list-style-type: none"> • The project SPV will be the borrower. The project developer will be taking the risk. • The borrowing terms and conditions will be determined by the project SPV. • The Client is amenable to different proposals by the Respondents. 	25 August 2023
14. Please provide information regarding Land Acquisition process in South Africa and how this process will be managed by the service provider along with the following: (a) Specific legal or regulatory requirements that the service provider must comply and followed. How will these requirements be enforced? (b) Expected timeline and costs for Land Acquisition and sharing of cost between the service provider and Transnet. (c) Specific Risk Management to be considered by service provider during Land Acquisition.	The information shall be shared during the RFP stage.	25 August 2023
15. As mentioned, the pre-feasibility study for the Mmamabula-Lephalale Rail Link is currently underway and is projected to conclude by September 2023. We believe that that this pre-feasibility study may not serve as a bankable Detailed Project Report (DPR). We are aware that, as the service provider, it is our responsibility to develop a thorough and bankable DPR well in advance of submitting our proposal in response to the Request for Proposal (RFP).	The appointed service provider will be required to produce a bankable feasibility report upon the award of the contract after the RFP stage.	25 August 2023



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16. Are there any specific reservations or limitations from the respective governments regarding the anticipated duration or completion date?	This information shall be shared during the RFP stage.	25 August 2023
17. Are there any specific environmental or social considerations that respondent must take into account when submitting their bids?	This information shall be shared during the RFP stage after the completion of the pre-feasibility study.	25 August 2023
18. Please provide more information about the procurement process, including any relevant regulations or policies that bidders must follow?	All information regarding the procurement process is provided in the RFI/EOI.	25 August 2023
19. Can you provide more information about the intellectual property rights associated with this project?	The intellectual property rights associated with this project will be determined by the SPV.	25 August 2023
20. Is there an existing internal understanding or arrangement between Botswana Railways and Transnet pertaining to cost and revenue sharing? Additionally, have any proposed agreements or arrangements in this regard been discussed?	The Client is amenable to different proposals by the Respondents.	25 August 2023
21. Does our role as the service provider encompass solely the aspects of design and construction, or are we also expected to be involved in subsequent operations?	This RFI/EOI is for Funding and Development, however the Client is amenable to different proposals by the Respondents.	25 August 2023
22. Is there any possibility of providing treasury guarantee to our bankers/financial institutions by the respective government?	The project SPV will be the borrower. There is no guarantor. The respective government will not guarantee the project. The project developer will be taking the risk.	25 August 2023
23. Can we undertake the execution of this project as a single package, or do we need to organize at least two separate packages, one for each jurisdiction in Botswana and South Africa?	Botswana Railways and Transnet intend to develop the Mmamabula-Lephalale Rail Link as one single project encompassing the work in Botswana and South Africa	25 August 2023
24. Whether the freight rates can be established by us as service provider or we required to adhere to the existing freight rates set by the respective governments?	The Client is amenable to different proposals by the Respondents.	25 August 2023
25. The respondent who didn't developed any similar cross-border infrastructure projects can submit the details and credential related	Yes. Please provide evidence of these and case studies of those project developed within the country.	25 August 2023



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to similar project within the country? Please refer clause 17 of Engineering, Procurement & Construction Management Pg. 20 of RFP.		
<p>26. In terms of Para 2 (Closing Date) of Section-2, last date of RFI/EOI submission is Friday, 15 September 2023 at 10.00 am South African Standard Time (SAST).</p> <p>Upon thorough consideration, we have determined that additional time is necessary to prepare and submit a quality proposal that meets all the RFI/EOI requirements.</p> <p>Hence, It is requested to please extend the RFI/EOI due date for at least one (01) month to submit the proposal.</p>	This RFI/EOI has been in the market for a period of 2 months and we are working on very tight timeframes, therefore no extensions for the closing date shall be provided.	25 August 2023
<p>27. Please clarify the RFI/EOI opening process and date of opening of submitted proposal. Also clarify, how it will be intimate/inform to respondents?</p>	All bids shall be submitted online to the submission portal on the tender document and there will be a tender submission register, however this register will not be shared with the bidders as per the POPI Act of 2013 in South Africa. All short-listed bidders shall be notified.	25 August 2023