



**ANNEXURE A1**

**ADDENDUM 5:**

**TENDER NUMBER: TNPA/2023/10/0002/44106/RFP**  
**DESCRIPTION OF THE WORKS: PROVISION OF A SERVICE PROVIDER FOR THE REFURBISHMENT OF THE LATIMER'S LANDING JETTY AT THE PORT OF EAST LONDON FOR A PERIOD OF TWENTY-FOUR (24) MONTHS**

Request to Regional Procurement Manager to approve **Addendum No:5** for the aforesaid RFP:

The following information is furnished in addition and in amplification and substitution where applicable of matters contained in the tender documents issued in respect of the above-mentioned works:

1. The Request for Proposals (RFP) in respect of the bid described herein above was issued on the 19 February 2024 with the closing time of 16h00 on 14 March 2024. The closing date of the RFP was initially extended to 16h00 on today's date, 28 March 2024.
2. On 27 March 2024, the Makanda High Court, Eastern Cape Division, under case number 1100/2024 ordered Transnet SOC Ltd to extend the closing time for the RFP until the finalisation of Part B (Review Application).
3. In accordance and in compliance with the terms of this Order of Court, Transnet hereby further extends the closing date from 28 March 2024 to 16h00 to the provisional date of 28 June 2024 to 16h00.
3. Take notice that the extension date of 16h00 28 June 2024 is a provisional date which is subject to the judgment of a review application instituted by H & I Construction (Pty) Ltd against Transnet SOC Ltd under the above-mentioned case number in respect of the preferential points scoring applied in the bid.
4. The allocation of the provisional extension date is required for the practical implementation of the court judgment and loading thereof on the Transnet SOC Ltd, e-Tender platform.

**WITNESSES:**

1. \_\_\_\_\_

**TRANSNET SOC LTD**

2. \_\_\_\_\_

Date: 28/03/2024

**TO: Transnet National Ports Authority**

**TENDER NUMBER TNPA/2023/10/0002/44106/RFP**

Receipt of **Addendum No. 5 dated 28 March 2024** is hereby acknowledged.

**WITNESSES:**

1. \_\_\_\_\_

**TENDERER**

2. \_\_\_\_\_

Date: \_\_\_\_\_



IN THE HIGH COURT OF SOUTH AFRICA  
EASTERN CAPE DIVISION, MAKHANDA

CASE NO: 1100/2024

BEFORE THE HONOURABLE MADAM ACTING JUSTICE WATT

On the 27<sup>th</sup> day of March 2024

IN THE MATTER BETWEEN:

**H & I CONSTRUCTION PTY LTD**

**Applicant**

and

**TRANSNET SOC LTD**

**First Respondent**

**TERRASTRATA CONSTRUCTION (PTY) LTD**

**Second Respondent**

**STEFFANUTTI STOCKS LTD**

**Third Respondent**

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Having heard Adv. Nepgen (SC), Counsel for the Applicant and Adv. Ntsepe, Counsel for the Respondents and having read the documents filed of record

**IT IS ORDERED THAT:**

1. The Applicant's non-compliance with the time periods provided for in the Uniform Rules be and is hereby condoned.
2. The First Respondent be and is hereby interdicted and restrained from proceeding with the tender for the provision of a service provider for the refurbishment of the Latimer's Landing Jetty at the port of East London with reference TNPA/2023/10/0002/44106/RFP ("the Tender") pending the finalisation of part B of the Notice of Motion.

3. The First Respondent be and is hereby directed to extend the closing date of the Tender to after the finalisation of part B of the Notice of Motion.
4. The First Respondent's extension of the closing date in paragraph 3 above shall be done prior to the current closing time and date of 16h00 on 28 March 2024.
5. The costs of part A of the Notice of Motion be and are hereby reserved for determination in part B of the Notice of Motion.

BY ORDER OF COURT



S. KLEU  
REGISTRAR  
W R&C

