

AFFIDAVIT

I, the undersigned

PATRICE ROBERT TIBERI

Identity number [REDACTED]

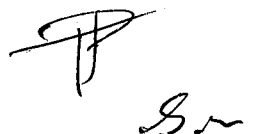
hereby make oath and state as follows:

1.

I am an adult male residing at [REDACTED]
[REDACTED] GAUTENG

2.

I depose of this Affidavit in my own free will and was not coerced or influenced thereto by anyone



3.

The facts deposed to in this affidavit fall within my personal knowledge and are true and correct.

The Kalagadi Tenders

4.

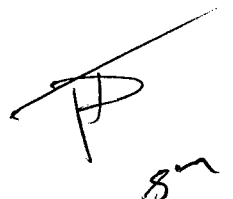
The Kalagadi CBE pricing as per the feasibility study carried out by MDM Engineering for Kalagadi Manganese for a new smelter at Coega was provided to Tubular (Mr. T Trindade) by Kalagadi (Aaron Maroeshe) as well as the allowable budget pricing in order to prepare the bidding document. This tender was awarded to Tubular.

5.

Katenge Tubular Construction tendered for:

Enquiry number **1084SMPP/10/2011AM/Kalagadi** which was awarded to Katenge Tubular Construction (Pty) Ltd (See Kalagadi Letter of Acceptance dated 28 September 2012)

Contract Number **KMM/TUBUL/SMPP/10/2012/GM/28/09**

Handwritten signature and initials in the bottom right corner of the page. The signature appears to be 'A' with a long horizontal stroke above it, and the initials 'SM' are written below it.

AJDC Trindade subsequently instructed Patrice Tiberi to prepare documentation for another Tubular entity (Tubular Chikuma JV) as he was not prepared for the BEE partner in KTC to benefit from this tender.

This decision was never disclosed to RMPS, the Katenge Construction BEE partners or even the KTC directors.

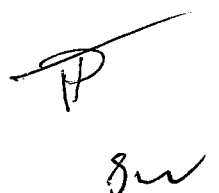
6.

This action was queried by the procurement Manager of Kalagadi and a response was provided by Mike Lomas on behalf of TTC as to this deviation (See TTC letter of 23 October 2012 signed by M Lomas)

7.

Sishen South

Philip Pope from (Professional Cost Accountants) 011-486-4872 provided the bidding prices of all other bidders to Tubular to revise their price to win the bid. Tubular put in a lower bid and was awarded the contract.

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ESKOM

I am of the view that someone within Eskom Holdings SOC told TTC after the bid was adjudicated and that Tubular had to put in a bid just under R 120 million to get the bid for the Kusile Waste Water Treatment Plant. This tender was awarded to the Tubular Zamani JV as apparently KTC did not qualify as KTC was not level 4 BEE partner (See KTC BEE Certificate used in the Kalagadi contract)



PATRICE ROBERT TIBERI

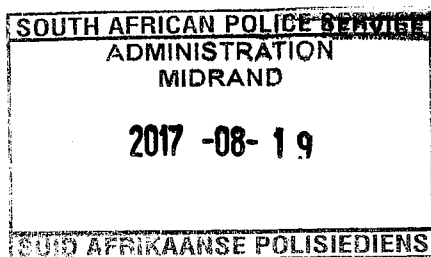
I CERTIFY THAT THE DEPONENT ACKNOWLEDGED TO ME THAT HE KNOWS AND UNDERSTANDS THE CONTENT OF THIS DECLARATION, THAT HE HAS NO OBJECTION TO TAKING THIS PRESCRIBED OATH AND CONSIDERS IT TO BE BINDING ON HIS CONSCIENCE.

THUS SIGNED AND SWORN TO BEFORE ME AT MIDRAND SAPS ON THIS 19... DAY OF AUGUST 2017.



7814980 2017
MIDRAND SAPS

COMMISSIONER OF OATHS



Name: *M. Samir S*

Address: *Migrants SPS*

Designation: *Police officer*

Tel: *011 347 1600*

E-mail: