

1. Annexure B06: Confidentiality Undertaking

Each Member and Key Contractor is required to complete the attached undertaking as part of the RFQ Response.

**TO BE SUBMITTED ON THE LETTERHEAD OF THE MEMBER OR KEY CONTRACTOR
INDIVIDUALS WHO ARE MEMBERS MUST SUBMIT THE UNDERTAKING IN A
PERSONAL CAPACITY AND WITHOUT A LETTERHEAD.**

[insert date]

City of Johannesburg

[Insert Address]

Attention: [Insert Official's name]

Dear Sir

REQUEST FOR QUALIFICATION FOR THE DEVELOPMENT OF AN ALTERNATIVE
WASTE TREATMENT FACILITY THROUGH A PUBLIC-PRIVATE PARTNERSHIP FOR THE
CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY – CONFIDENTIALITY
UNDERTAKING

Capitalised terms in this letter shall have the same meaning as ascribed thereto in the RFQ,
unless the context indicates otherwise.

In submitting this RFQ Response and appending the signature of our duly authorised
representative, we as Member/Key Contractor (~~delete identifier that is not applicable~~)
undertake and accept the following:

1. We agree and warrant to keep its RFQ Response confidential and not share such
Response with any third parties.
2. We accept that all information and data submitted by the Respondent will become the sole
property of the City, with the exception of copyrighted material, trade secrets or other
proprietary information clearly identified as such by the Respondent.

3. We accept the requirements of the Constitution of the Republic of South Africa Act, 1996, the MFMA, the Promotion of Access to Information Act No. 2 of 2000 and the Promotion of Administrative Justice Act No. 3 of 2000, all of which are relevant to the determination of whether the City will be able to safeguard the Respondent's confidential information.
4. We agree, by virtue of our participation in this RFQ Response, to indemnify the City, its representatives, and its Advisors, and hold it harmless from any loss, damage, liabilities, claims, actions, proceedings, demands, costs, charges or expenses of whatsoever nature suffered for the City's refusal to disclose market confidential, trade secret or other proprietary information to any person seeking access thereto.
5. We confirm that we have instructed our directors, officers, and Advisors to abide by our commitment to this confidentiality undertaking and not disclose any third party information made available to us in communication from the City on this RFQ.

Yours faithfully

Name:

Designation:

Who warrants their authority hereto