



Request for Quotation for the Provision of the Appointment of Professional Engineering Services for the Upgrade of Fire Systems at Kimberley Airport for a Period of 3 years.

Bid Number: : KA2723/2024/RFQ

Issue Date : 17 April 2024

Query Closing Date : 03 May 2024

Compulsory Virtual Briefing Session Date and Time : 23 April 2024 @11:00AM

Non-Compulsory Site Inspection Date and Time : 30 April 2024 @10:00AM

Bid Closing Date and Time : 20 May 2024 @12:00PM

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www.airports.co.za

Airports Company South Africa SOC Ltd Reg No 1993/004149/30 VAT no 4930138393 Board of Directors: Advocate S Nogxina (Chairperson), M Mpofo (Chief Executive Officer), N Zikala-Mvelase, N Nokwe-Macamo, Y Pillay, K Esterhuizen, GA Victor, D Hlatswayo, Dr KH Badimo, F Sefara (Company Secretary)

BIDDER'S DETAILS

1	NAME OF TENDERER (BIDDING ENTITY)	(FULL NAME, i.e. CC, (Pty) Ltd, JV, SOLE PROPRIETOR)
2	TEL NUMBER	
3	EMAIL	
4	NAME OF CONTACT	
5	NATIONAL TREASURY CSD REGISTRATION NUMBER	MAAA

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1. SECTION 1: INSTRUCTIONS TO BIDDERS

1.1. Access to RFQ documents

Tenders are available on www.etenders.gov.za and www.airports.co.za. Kindly print and complete.

Submission of bid documents

The envelopes containing bid documents must have on the outside, the bidder's return address, the full description of the bid, bid number and the details of the Supply Chain Management department where the bid will close. The documents must be signed and completed by a person who has been given authority to act on behalf of the bidder. The bottom of each page of the bid documents must be **signed or stamped** with the bidder's stamp as proof that the bidder has read the bid documents. Bid documents must be submitted on or before **12 PM on 20 of May 2024** using the following method(s):

1.1.1. Email submissions:

The bid documents must be sent to the following email address:

Lerato.Phalo@airports.co.za

- Bidders must not email their submission as one big attachment. Kindly break your submission in at least (04) four or more attachments of 4mb each.
- Bidders are requested to submit all bids in the format instructed, no other format will be acceptable

1.2. Late Bids

Bids which are submitted after the closing date and time will not be accepted.

1.3. Clarification and Communication

Name:	Lerato Phalo
Designation:	Buyer
Tel:	011 409 3902
Email:	Lerato.Phalo@airports.co.za

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1.3.1. Request for clarity or information on the bid may only be requested until **03 of May 2024**. Any responses to queries or for clarity sought by a bidder will also be sent to all the other entities which have responded to the Request for Proposal/Bid /Information invitation.

1.3.2. Bidders may not contact any ACSA employee on this bid other than those listed above. Contact will only be allowed between the successful bidder and ACSA Business Unit representatives after the acceptance of the letter of award bid. Contact will also only be permissible in the case of pre-existing commercial relations which do not pertain to the subject of this bid.

1.4. **Compulsory Briefing Session**

A compulsory virtual briefing session will be held on **23 of April 2024 at 11 AM**. The session will be held at the following location:

Microsoft Link

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 344 886 546 262

Passcode: jyFN9K

Dial-in by phone

[+27 21 834 0841,,795623987#](#) South Africa, Cape Town

[Find a local number](#)

Phone conference ID: 795 623 987#

Passcode: Zhtfcz

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1.5. Non-Compulsory Site Inspection

A non-compulsory site inspection will be held on **30 of April 2024 at 11h00 AM**. The session will be held at the following location:

Kimberley Airport

**Kimberley Airport
Group Floor, ACSA Information Desk
Comp Patterson RD
Diskobolos
Kimberley
8300**

Tel No. 053 830 7145

Bidders will be collected at the ACSA Information Desk for site inspection at 11H00am on the 30 April 2024. Late bidders will not be allowed access to the airside/ restricted areas.

The potential bidders must bring the reflective jackets.

Bidders should visit the permit office at least one-hour prior the briefing session and site inspection to obtain visitor access cards. Every bidder must come to site with the following:

- a) Reflective jacket/ vest
- b) Identity Document (not driver's license)

Protocol for site inspection:

- a) While on site bidders shall always adhere to ACSA safety protocol.
- b) Protective gear (PPE) shall be worn before entering Airside. ie. retroreflective safety vest/ jacket.
- c) The bidders' representatives are required to bring a certified copy of their identity document, not older than 3 months, or an original ID document. Failure to bring this document to site will result in the bidder not being able to access Airside.

1.6. Bid Responses

Bid responses must be strictly prepared and returned in accordance with this bid document. Bidders may be disqualified where they have not materially complied with any of ACSA's requirements in terms of this bid document. Changes to the bidder's submission will NOT be allowed after the closing date of the bid. All bid responses will be regarded as offers unless the bidder indicates otherwise. No bidder or any of its consortium/joint venture members may have an interest in any of the other bidder/joint venture/consortium participating in this bid.

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1.7. Disclaimers

It must be noted that ACSA reserves its right to:

- 1.7.1. Award the whole or a part of this bid;
- 1.7.2. Split the award of this bid;
- 1.7.3. Negotiate with all or some of the shortlisted bidders;
- 1.7.4. Award the bid to a bidder other than the highest scoring bidder where objective criteria allows;
- 1.7.5. To reject the lowest acceptable bid received; and/or
- 1.7.6. Cancel this bid.

1.8. Validity Period

- 1.8.1. ACSA requires a validity period of hundred and twenty (120) business/working days for this bid. During the validity period the prices which have been quoted by the bidder must remain firm and valid. It is only in exceptional circumstances where ACSA would accommodate a proposal to change the price.

1.9. Confidentiality of Information

- 1.9.1. ACSA will not disclose any information disclosed to ACSA through this bid process to a third party or any other bidder without any written approval from the bidder whose information is sought. Furthermore,
- 1.9.2. ACSA will not disclose the names of bidders until the bid process has been finalised.
- 1.9.3. Bidders may not disclose any information given to the bidders as part of this bid process to any third party without the written approval from ACSA. In the event that the bidder requires to consult with third parties on the bid, such third parties must complete confidentiality agreements, which should also be returned to ACSA with the bid.

1.10. Hot – Line

ACSA subscribes to fair and just administrative processes. ACSA therefore urges its clients, suppliers and the general public to report any fraud or corruption to:

Airports Company South Africa TIP-OFFS ANONYMOUS

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Free Call: 0800 00 80 80 or 086 726 1681

Email: office@thehotline.co.za

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SECTION 2: BACKGROUND, PURPOSE, AND SCOPE OF WORK

2.1 Background

The airport has five (5) hose reels, seven (7) fire hydrants, fire extinguishers and several fire detectors (Smoke & Heat) installed within various areas of the Terminal building (Restaurant, Baggage Hall, Admin passages and offices, departure, Toilets), Fire and Rescue building, Main Gate building, Car Rental building and M&E Building. The entire fire detection system is connected to a central control monitoring Fire Panel which is located at the Main Gate.

Since 2010 to date, Kimberley Airport never upgraded or replaced their Fire detection system and the National Fire Protection Association (NFPA) Standard 72 - National Fire Alarm and Signaling Code, recommends that fire alarms be replaced every ten (10) years or in line with the manufacturers recommendations which is also generally (10) years.

Following the ten-year period of operation, the detector's might have dropped below 70% of its initial light output, which causes it to stop operating within its designed specification. After 15 years, it is no longer considered reliable, and there may not be parts available for its repair.

The electrical sub-stations (electrical switch gear room, transformer room, CCR Room and diesel generator room) and core room are currently monitored with heat detection and the provision of portable CO2 Fire extinguishers for use during a fire emergency. This poses a risk to the electrical infrastructure as the substation are remotely located and are not permanently occupied, in a case of a fire breakout there is a risk of complete equipment loss.

2.2 Purpose of this Tender

The purpose of this bid is to solicit the services of a Professional Engineering Consultant for the Upgrade of Fire Systems Project at Kimberley Airport.

The project will be executed in a live environment, with minimal disturbances to operations.

ACSA requires the services of Professional Engineering Consultant to undertake Engineering Design & Engineering Management Services (Deliverables stipulated in the ECSA Gazetted Guideline). The lead consultant shall where necessary appoint third-party specialists to conduct investigations.

2.3 Project Scope of Work:

To improve the fire protection capabilities of the electrical substations and minimise human intervention during fire breakout by installing an automatic fire suppression system and to improve the protection of building occupants and minimise the damage associated with fire.

- The scope involves sourcing of professional services to investigate and produce a design for fire systems to ensure adequate coverage in terms of fire suppression and detection system. Update drawing and submit to the local Council for approval in-line with SANS requirements for an automatic fire suppression system and the wiring of detection system meeting the requirements of the National

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Electrical Code or NFPA 72 Chapter 12 and the upgrade is in line and meet the IUM insurer requirements and ASIB compliance requirements.

- Installation of fire detection and fire suppression system at all electrical substations, core room, Terminal building, Fire and Rescue building, Main Gate building, Car Rental building and M&E Building at Kimberley Airport, core rooms and upgrading of the Fire detection system.
- Interface of all fire systems to one panel.

2.3.1 Additional Project deliverables

- a) Close Out Project in line with Employers Asset Management procedure which shall include;
- A list of assets created in accordance with the ACSA Data Dictionary. (ACSA will provide the Data Dictionary)
 - The list of assets must contain all the details required to complete the ACSA Capitalisation form, these are:
 - Date new asset was complete and came into use.
 - List of assets to be disposed.
 - New asset: what is the expected life span of this equipment/infrastructure - consider when deciding under which asset class to add asset.
 - Provide: Serial numbers, Make and model, Asset Description, Cost Centre
 - Also inform if there are different components (items that have a different life span)
 - Bar codes to be added, will be done after all assets has been identified. Barcodes available from ACSA Finance office
 - The above must match the BOQ attached to the Completion Certificate.
 - Photos with GPS coordinates are required. See example below.

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2.3.2 Scope of Works for the Professional Engineering Consultant

2.3.2.1 Normal Engineering Services (Stage 1 to 6) as described in the ECSA Gazetted Guideline, March 2021. See attached Annexure C5.7 .

a) Stage 1- Initiation

- i. Complete an Inception Report for the full construction scope of works.
- ii. Stage 1 is complete when an Inception Report is approved by ACSA.

b) Stage 2- Concept and Viability

- i. All deliverables per the ECSA Gazetted Guideline, March 2021
- ii. Complete a Concept Design Report for the full construction scope of works.
- iii. Stage 2 is complete when a Concept Design Report is approved by ACSA.

c) Stages 3 - Detail Design

- i. All deliverables per the ECSA Gazetted Guideline, March 2021
- ii. Complete an engineering detail design.
- iii. Complete a detailed cost estimate for the full construction scope of works.
- iv. Complete a detail design report including the update of fire rational design for the full construction scope of works.

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- v. Accept design liability by signing off the Detail Design Report and Engineering Design Drawings.
- vi. Stage 3 is complete when a Detail Design Report is approved by ACSA.

d) Stages 4 - Documentation and Procurement

- i. Compile construction BOQ, Project Specification and Tender document with the full construction scope of work.
- ii. Attend Bid Specification and Bid Evaluation meetings, present draft tender to BEC.
- iii. Write a tender evaluation report – evaluation of the preferred bidder's pricing.
- iv. The stage is complete when the Final Tender document is accepted, advertised, and the bid evaluation is complete.

e) Stages 5 – Contract Administration and Inspection

- i. All deliverables as per the ECSA Gazetted Guideline, March 2021.

f) Stage 6 – Close Out

- i. All deliverables as per the ECSA Gazetted Guideline, March 2021.

2.3.2.2 Additional Services

a) Engineering Management Services

- i. The provision of Engineering Management Services (Stages 1 – 6 deliverables as stipulated in the ECSA Guideline Gazette).

b) Construction Monitoring

- ii. The provision of Level 2 Part Time Site Monitoring during construction. It is estimated that most of the construction work will take place at night/ during non-operational hours.
 - a. Below are Kimberley Airport's operating hours.
 - Monday - Friday: 06:00 – 18:30
 - Saturday: 07:00 - 16:30
 - Sunday: 09:00 - 18:00

c) Construction Health and Safety Agent

- Act as Employer's agent in terms of the Occupational Health and Safety Act, 1993 (Act No 85 of 1993) and the Construction Regulations, 2014.



- The **Professional Health and Safety Agent** will be required to provide services as prescribed in the South African Council for the Project and Construction Management Professional (SACPCMP) document. Refer to the attached Annexure.
- The Principal Consultant shall appoint a Professional Occupational Health and Safety Agent that is registered with SACPCMP as a Pr. CHSA.
- The Pr. CHSA shall be appointed for Stage 3 - 6 deliverables as stipulated in the SACPCMP 2009 Guideline document, which is attached as an Annexure to this tender.
- The appointed Professional Health and Safety Agent for this bid will monitor the appointed Occupational Health and Safety Officer appointed under the contractor to ensure compliance with the latest Occupational Health and Safety Regulations and advise the Employer of any non-conformance.
- The bidder will provide weekly audits for the duration of the construction period. Monthly reports are to be issued electronically to the Engineer and Employer at an agreed date prior to the monthly contractor site meeting.

The Health and Safety Professional will perform the duties of Occupational Health & Safety Agent to ensure:

- ACSA Safety policies and procedures are adhered to.
- Work is carried out safely without impacting the Airport Operational Environment

The Service Provider, in submitting a tender for this professional services contract, shall be deemed to have acknowledged acceptance of the appointment as the Employer's agent in terms of the Occupational Health and Safety Act, 1993 (Act No 85 of 1993) and the Construction Regulations, 2014, should the Employer accept the tender. The Service Provider shall, as such, execute all of the duties of the Employer as contemplated in the Construction Regulations.

The cost of the OHS specialist must be included in the fee tendered for this aspect of the project.

The Service Provider shall, apart from conducting his own activities in compliance with the Occupational Health and Safety Act, 1993 (Act No 85 of 1993) and Construction Regulations, 2014, ensure that any sub-consultants/sub-contractors employed by the Service Provider also comply with the requirements of the Act and Regulations. The Service Provider shall enter into an agreement with the Employer in this regard before the commencement of any work related to this contract.

Furthermore, the service provider shall be required to ensure that weekly site audits (physical and administration audits) are conducted and a close out report is issued upon completion.

ACSA requires a Pr. CHSA to undertake the duties per the Occupational Health and Safety Act and the Construction Regulations in terms thereof, on behalf of the Employer. The appointed Engineer

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shall source the services of a Professional Health and Safety Agent, or provide the service if an internal resource exists, provided that the resource has the necessary registration criteria as listed in this document. The services should include the following:

- The OHS Agent must arrange, formally and in writing, for the contractor to provide documentary evidence of compliance with all the requirements of the Occupational Health and Safety Act.
- The OHS Agent must execute the duties of the Employer, as his appointed agent, as contemplated in the Construction Regulations.

The construction health and safety agent's activities shall include, but not limited to the following: The Professional Health and Safety Agent to complete the deliverables stipulated in the SACPCMP Guideline Scope of Services (Stages 3 - 6) for Construction Health and Safety Professionals.

The OHS Agent shall be appointed for the below stages;

- Stage 3 – Design Development
- Stage 4 – Documentation and Procurement
- Stage 5 – Construction
- Stage 6 – Close Out
- Mutually Agreed Additional Services

The appointed Professional Health and Safety Agent for this bid will monitor the appointed Occupational Health and Safety Officer appointed under the contractor to ensure the contractor is compliant with the latest Occupational Health and Safety Regulations and advise the Employer of any non-conformance and corrective action that will be undertaken.

2.3.2.3 Professional Team Registration Requirements

a) Engineering

- Principal/ Lead Engineer
 - Registered with ECSA as a Professional Mechanical Engineer or Technologist with at least 6 years project related experience.
- Mechanical Engineer/ Engineering Technologist/ Fire Specialist
 - Registered with ECSA as a Professional Mechanical Engineer or Technologist/ Fire Specialist with at least 3-5 years project related experience.
- Construction Monitoring Engineer/ Technologist/ Technician (Construction Monitoring Services)
 - Qualification (BEng/ BSc/ BTech/ NHD) in Electrical/ Mechanical Engineering and at least 3-5 years' project related experience.

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b) Other Specialist Investigations, if required:

- Construction Health and Safety Agent
- Provision of architectural drawings for existing buildings
- Other testing and investigations (To be determined by Engineer)

(Third-Party Service Providers to have applicable registrations in accordance with their discipline)

Note: Should any other Engineers or specialists perform work on this project, they shall have the necessary professional industry registration as required by the Employer.

2.4 OTHER INFORMATION

2.4.1 Site Information

The site of the works is Kimberley Airport. The works will be carried out on Landside and on restricted areas. Figure 2.5 below shows the airport layout. The access to restricted areas has stringent access control measures put in place. The Consultant is reminded that this is a National Key Point and as such must adhere to all airport's rules and regulations regarding health and safety, environmental, security, fire and access control.



Figure 3.1: Aerial Image, Kimberley Airport.

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2.4.2 Access

- The Consultant shall liaise with ACSA Security Staff in order to obtain access permits for his staff and vehicle working at the airport.
- Personnel and vehicles entering or leaving the site will be subjected to routine searches.
- The Consultant shall obtain the “gate permit” from the Project Manager before material and equipment are brought and removed from the airside.
- The Consultant shall include in his rates the costs for access permits and no extra payment or claim of any kind will be allowed on account of difficulties of access to site.

2.4.3 Permits

- The Consultant shall familiarize himself with ACSA's safety and security requirements relating to permits to prevent any unnecessary work delay.
- This shall include the permit application process.
- The Consultant shall have no claim against ACSA in the event that a permit request is refused.
- The following table is not all inclusive, but is provided for illustration purposes:

Permit	Required by/for	Department
AVOP – Airside Vehicle Operator permit	All drivers of vehicles on airside	ACSA Safety
Airside Vehicle Permit	All vehicles that enter airside	ACSA Safety
Personal permit	All persons employed on the airport	ACSA Security
Cell phone permit	All persons taking cell phones to airside	ACSA Security
Lap top permit	All persons taking lap top computers to airside	ACSA Security
Camera permit	All persons taking cameras or camera equipment to airside	ACSA Security
Hot Works Permit	All welding and/metal cutting services	ACSA Safety / Fire & Rescue

2.4.4 Cell phones and two-way radios

- Proof of having attended the Airside Induction Training course is required for all personal permit applications.
- Fees are levied for these courses. Fees are further levied for all permit renewals and refresher courses where applicable.
- No work shall be done without a written permission in the form of a permit/works order.

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2.4.5 Hidden and other services within site

There might be water and sewer pipes located underground. Also, there are other cables going through the trenches and these must be treated as live cables. There are also communication cables located underground.

2.4.6 Form of Contract

The Conditions of Contract are selected from the NEC3 Professional Services Contract, April 2013. **The Form of Offer is contained in Annexure L.1, Bidders are to complete the form of offer in full and sign.**

2.4.7 Extent of Services

Refer to Scope of Work.

The services to be provided in terms of this project are inextricably linked to the Employers capital budget. The project will be managed in accordance with the Framework for Infrastructure Delivery and Procurement Management (FIDPM) and ACSA Project Management Processes and Procedures. The Employer reserves the right to terminate the project at any stage should no budget be available.

2.4.8 Reference data

A compulsory clarification session will be held to clarify the Scope of Works and answer queries. Existing Services information shall be made available when the Service Provider is appointed. All existing services information to be verified before commencing design or construction works.

2.4.9 Timeframes and Milestones

Milestones set by the Employer typically revolve around budget cycles and the need to spend the budget in any given financial year. The financial year ends 31 March each year, and the Service Provider will be expected to establish a project programme, in consultation with the Employer, that takes cognisance of the budgets available and the budget cycles. Once agreed, the Service Provider is expected to ensure that the programme is adhered to, and to intervene timeously if necessary.

The Service Provider shall submit a revised programme as and when required by the Employer.

The project must be delivered as part of the overall milestone delivery programme (indicatively shown below). ACSA operations cannot be affected by milestones missed and Service Providers are to therefore plan their project programmes carefully.

See the below project milestone deliverables. **The intention is to provide the works stipulated within the timelines provided, or sooner.** The **construction period is estimated to be 7 months**, and the Service Provider is to consider parallel works activities to shorten this duration where possible.

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Key Milestone Dates

Milestone/Deliverable	Review / Approval	Date Required
ECSA Stage 1 - Inception	Major Role Players / Sponsor	2024/08/02
ECSA Stage 2 - Concept and Viability	Major Role Players / Sponsor	2024/09/16
ECSA Stage 3 - Design Development	Major Role Players / Sponsor	2024/11/15
ECSA Stage 4 - Procurement	Major Role Players / Sponsor	2025/02/28
ECSA Stage 5 - Construction	Major Role Players / Sponsor	2025/09/30
ECSA Stage 6 - Project Close Out	Major Role Players / Sponsor	2026/09/30

During the project lifecycle the Service Provider shall provide a project programme compatible with MS Projects. The below minimum information is required in Gantt Chart format:

- programme activities,
- task dependencies and/ interdependencies,
- task durations,
- project critical path,
- start and completion date
- total duration of project

2.4.10 Reporting

Aside from the reports required in terms of this appointment (Inception, Concept, Detail Design and Cost Report), the Service Provider may be required to prepare, or contribute to, ad hoc reports on specific aspects of any works project.

The appointed Principal Consultant shall compile a monthly project monitoring report (Project Board Report) as an overall project performance indicator. The monthly progress report shall contain a cost report indicating expenditure in respect of both the Service Provider's appointment and the various specialists, together with the anticipated spend to the end of the financial year in question. It is anticipated the successful bidder shall manage all consultants appointed under this contract.

The Bidder shall also make allowance for writing other reports in the pricing schedule.

2.4.11 Disbursements

Disbursements will be paid on a proven cost basis. (Refer to Pricing Schedule).

2.4.12 Use of reasonable skill and care

The Service Provider is required to provide all aspects of the service with all reasonable care, diligence and skill in accordance with generally accepted professional techniques and standards, and to ensure that all legal requirements are met, and that all legal processes are adhered to.

It is important to note that the proposed infrastructure is to be built/ installed on Airside. Safety of persons and property is of paramount importance, closely followed by the minimisation of disruption and inconvenience to operations. The Service Provider is to adhere to ACSA Occupational Health and Safety

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requirements at all times. No leniency will be granted for breach of policy. Resources will be required to attend Airside Induction Training before entering airside.

2.4.13 Meetings

Regular meetings are necessary for the management of the project, including but not limited to cost review, project board and project management meetings scheduled during the lifecycle of the project. The relevant senior personnel are expected to attend on behalf of the Service Provider and consultants as and when required.

i. **Employer Management Meetings**

The Service Provider will be expected to attend **monthly** Employer Management meetings to provide feedback on project progress. The Service Provider shall facilitate and co-ordinate these meetings and ensure all the required project stakeholders are present. Programme, risk, and overall project issues shall be presented and proposed solutions discussed with the Employer.

ii. **Project Board Meetings**

The Service Provider will be expected to attend **monthly** Project Board meetings with the Employer. The objective of this meeting is to provide ACSA Senior Leadership with overall project progress. The Service Provider is expected to complete a Project Board Report in preparation for this meeting. On appointment, the project board report template will be shared.

iii. **Client Management (Technical/ Non-Technical meetings)**

The Service Provider shall be responsible for all aspects of the project. Regular meetings (**a minimum of 2 meetings per month**) must be held with the designated representatives of the Employer. These meetings will be structured to gain final approval and obtain technical input from Employer for all design aspects of the work. The Service Provider shall arrange and co-ordinate meetings in advance to ensure all stakeholders are present.

iv. **Documentation and procurement stage Meetings**

During Stage 4: Documentation and Procurement stage - the Service Provider shall attend and participate in the scheduled meetings in order to present the tender document to the Employer and Contractors. The Engineer will be required to compile the tender document and participate in the tender evaluation located at Kimberley Airport.

v. **Site Meetings & Inspections**

During Stage 5: Contract Administration and Monitoring stage of this project, the Service Provider shall convene and run **fortnightly** site meetings where the Employer and Contractor will be present. Technical meetings with the contractor may also be required to ensure the successful implementation of this project. The Service Provider shall price for all site meetings and site inspections.

vi. **Ad-hoc Meetings**

The Service Provider will be expected to attend ad hoc meetings from time to time, with the Employer, Stakeholder Groups, or other Service Authorities, to address specific issues as and when the need arises.

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vii. General

The Service Provider shall be represented at all meetings by at-least one of the key personnel. The Service Provider shall provide secretarial services (for record keeping purposes) at all meetings.

2.4.14 Payment of fees

Payment of fees shall be paid in accordance with work completed as per the agreed cash flow approved by the ACSA Project Manager. Period for payment of monthly fee claims will be 30 days from date of invoice, that is correctly submitted and approved, in line with ACSA's payment cycle.

All fee claims are to be addressed to:
 Airports Company South Africa SOC Ltd
 Kimberley Airport
 Private Bag X5052
 Kimberley
 8301
 Vat No: 4930138393

and are to be submitted via the ACSA CTIA PPM, addressed to the ACSA Project Manager.

The Service Provider must ensure that the following are shown on the invoice:

- Service Provider Vat No. and address
- Service Provider banking details
- Employer's purchase order number;
- Employers VAT Registration no. and address
- the contract number and title; and
- the total amount claimed excluding VAT, and incl. VAT

2.4.15 Employers right to recover costs

The Employer reserves the right to recover, by way of a deduction from any amount due to the Bidder, any additional cost which the Employer incurs arising out of non-performance/negligence of the Bidder. Although this project documents may be scrutinised by the ACSA departmental specialists, this shall in no way relieve the Service Provider of their professional responsibility for the proper and prompt execution of duties. In the event of professional default or negligence, ACSA reserves the right to claim compensation or damages. ACSA shall also be entitled to have any documentation or calculations verified by other experts. In the event of any errors being proven therein, the Service Provider will be held liable for costs resulting there from.

2.4.16 Place for performing specific tasks

It is recommended that the successful bidder have a presence in Kimberley. Refer to the Disbursement and Claimable cost compensated by ACSA. The Service Provider's personnel may also be required to attend meetings elsewhere in the Kimberley area as and when required. Bidders are to price accordingly. It is

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anticipated that the bulk of the bidder's deliverables will be undertaken on site (Kimberley Airport). During construction, it is expected the successful bidder maintain a strong presence on site.

2.4.17 Safety and Security

It is an explicit condition of this appointment that partners, directors and/or the members of staff who will have an insight into the planning of projects requiring a security clearance, be kept to a minimum and that such persons will not object to be submitted to a security clearance if ACSA so requires.

All documents pertaining to these projects must be stored in a safe place when not in use to ensure that the level of security of the projects is maintained.

ACSA will not accept liability for any costs in this regard. The Service Provider is to ensure that his personnel always comply with airport security and safety. Further details are contained in the attached Annexure- ACSA Special Requirements.

2.4.18 Key Personnel/Resourcing

The proposed structure and composition of the project team i.e., key staff members functions and proposed technical support staff in the format of a project specific organisational chart must be submitted. The roles and responsibilities of each key staff member/expert must be set out as job descriptions. Should the Service Provider replace a resource, the applicable registrations as stipulated in this document shall apply.

The Service Provider must be adequately resourced to deliver the project to the satisfaction of the Employer.

Should there be a material change to the style, management, or composition of the Service Provider project delivery team which, in ACSA's opinion, substantially affects the strength of empowerment of previously disadvantaged professionals and skills transfer to such persons, then ACSA reserves the right to review the Service Providers continued involvement on this project.

In the event of the Service Provider failing to meet the agreed programme, ACSA reserves the right to insist that you supplement your resources to achieve and maintain programmed dates at no additional cost to ACSA.

In the event of the Service Provider failing to meet the agreed programme and budgetary constraints, ACSA reserves the right to take appropriate action for poor services rendered.

In the event key personnel are changed during the project lifecycle, approval must be sought from the ACSA Project Manager. Should personnel not meet the criteria of this Tender, ACSA reserves the right to terminate this appointment.

In the event of the Service Provider repeatedly breaching any of the items of this appointment in such manner that your conduct is inconsistent with the intention or ability to carry out the provisions of this appointment then ACSA shall be entitled at its sole discretion to prematurely terminate this appointment.

2.4.19 As-built documentation

All Consultants appointed for this project, shall submit Close Out documents at the end of the project lifecycle. During the submission of such documents to the Employer, the Principal Engineer will be

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required to provide written and signed off confirmation that the As-Built and Close Out information submitted to the Employer is a true reflection of what is built on site. Refer to Annexure.

2.4.20 Approvals

The Service Provider shall be responsible for overseeing/ managing the following approvals:

- Approval of the implementation programme
- Approval of the FIDPM Stage 1: Inception Report.
 - The Service Provider must sign off the report including engineering design drawings.
 - Final sign-off to be obtained from ACSA key stakeholders.
- Approval of the FIDPM Stage 2: Concept Design and Viability Report.
 - The Service Provider must sign off the report.
 - Final sign-off to be obtained from ACSA key stakeholders.
- Approval of the FIDPM Stage 3 Detail Design Report,
 - The Service Provider must sign off the Detail Design Report including engineering drawings.
 - Final sign-off to be obtained from ACSA key stakeholders.
- Approval of FIDPM Stage 4 – (Completion of Tender Documentation, i.e. Project Specification, Tender Drawings and Tender Document).
- Approval to proceed to various project stages.
- Approval to commence construction works.
- Wayleave approval or permits from all service authorities (*if required*).
- Approval of Construction Monitoring Engineer.
- Approval to utilise disbursements and contingencies as indicated in the pricing schedule.
- Approval to employ specialist sub-consultants.

Notwithstanding approvals received from the Employer, the Service Provider shall remain responsible for all work carried out in terms of this contract, which includes specialist subconsultant appointments.

2.4.21 Access to site

At Kimberley Airport access to public areas is not restricted, however, personal access permits are required for access to restricted areas. The Service Provider will be required to apply for such personal access permits prior to the commencement of the project.

The Service Provider shall make provision for the cost of obtaining permits in the pricing schedule. All resources must display a personal access permit when on site. (Refer to ACSA permit cost contained under the disbursement schedule).

Permits shall be obtained before access will be granted to airside. When access is required to site, the Employer shall be informed in advance.

2.4.22 Format of communication

All requests for formal approval from the Employer, or any other body, shall be submitted in writing. Ad-hoc communication between the Employer and the Service Provider may be conducted in electronic format (e-mail).

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All drawings, final reports and contract documents shall be submitted for approval in hardcopy format or unless agreed otherwise with Employer.

2.4.23 Previous Correspondence

Previous correspondence or discussion of whatever nature that has taken place about this appointment shall be deemed to be null and void and superseded by the terms and conditions contained herein.

2.4.24 Local Content

It is the policy of ACSA to give preference to South African manufacturers. The team is requested to ensure that, wherever possible, designs are based on locally manufactured equipment and materials, which can meet the specification requirements at competitive prices.

2.4.25 Copy Right

Copyright pertaining to all drawings and documentation for this project must be ceded to ACSA.

2.4.26 Professional Indemnity and Public Liability Insurance

Refer to Annexure C5.4 in the NEC PSC - ACSA Insurance requirements.

2.4.27 Non-disclosure

All information including design information, annexures and other supporting documentation for this project may not be shared with 3rd parties without written consent of ACSA. All persons involved in this project will be required to sign a non-disclosure agreement.

2.4.28 Applicable National and International Standards

The Service Provider shall ensure that cognisance of all National and International standards is taken in the execution of his/her own work and that of his/her sub-consultants in the design and compilation of specifications for this project. International Standards should only be used where no South African national standards exist, or where it is the norm to use or refer to international standards. All designs shall be in accordance with all applicable bylaws and building regulations. Aviation design compliance standards (ICAO) and ACSA policy and procedures shall be always adhered to.

FIDPM (Framework for Infrastructure Delivery and Procurement Management)

The project will also be delivered in line with the implementation of projects as set out in the Framework for Infrastructure Delivery and Procurement Management (FIDPM) which should be aligned to the project work stages. Bidders are to familiarise themselves with the project stage deliverables as stated in the FIDPM. See attached Annexure C5.7.

Projects will also be managed in accordance with the ACSA Project Management Manual and Processes.

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2.5 Pricing Schedule

Pricing Instructions

The appointment of the company, comprising the professional team will be in accordance with the Built Environment Professional Councils Guideline Scope of Services and Tariff of Fees for Persons Registered, unless stated otherwise elsewhere in this document and amended in line with ACSA's specific requirements. Bidders must only price in accordance with the pricing schedule below, as it will enable ACSA to compare priced offers. **Failure to submit a priced offer using the prescribed schedule will make the bid liable for disqualification.**

Guidelines amended by the Employer.

- The amounts inserted in the Activity Schedules are deemed to include all expenses, costs, profit, general obligations etc, necessary to carry out the professional services described in this Tender document.
- Pricing Assumptions mean the criteria as set out below, read together with all parts of this Tender document, which it will be assumed in the contract that the tenderer has considered when developing his prices.
- The short descriptions given in the Activity Schedule below are brief descriptions used to identify the activities for which prices are required. Detailed descriptions of the activities to be priced are provided in the Scope of Work.
- While it is entirely at the tenderer's discretion as regards pricing the Activity Schedule below, guideline tariffs of fees or indicative time-based fee rates are gazetted annually by each of the built environment professional bodies, which are useful documents that will give tenderers some idea of industry norms against which they may compare their rates, sums, percentage fees and/or prices as applicable.
- For the Activity Schedule, the following words shall have the meanings hereby assigned to them:
 - Unit: The unit of measurement for each item of work.
 - Quantity: The number of units of work for each item.
 - Rate: The agreed payment per unit of measurement.
 - Amount: The product of the quantity and the agreed rate for an item.
 - Sum: An agreed lump sum payment amount for an item, the extent of which is described in the Scope of Work, but the quantity of work which is not measured in any units.
 - Percentage Fee: The agreed fee for a service, the extent of which is described in the Scope of Works, expressed as a percentage of a construction contract value or part thereof.
- A rate, sum, percentage fee and/or price as applicable, is to be entered against each item in the Activity Schedule. An item against which no price is entered will be considered to be covered by the other prices or rates in the Activity Schedule.
- A price/rate shall be entered against each item in the Activity Schedule. Should the Tenderer not wish to make any charge in respect of an item, a rate of zero "R0.00" or "Nil" shall be entered.

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- The Employer reserves the right, by giving written notice to the Service Provider, to cancel the project at any time. Should the Employer exercise this right, the below shall be applicable.
 - Engineering & Engineering Management– Termination shall be administered per the Contract (NEC PSC) and ECSA Gazetted Guidelines.
 - Third Party Service Providers - If a termination is administered, Third Party Service Providers will only be paid for work done. The above applies to Occupational Health and Safety, Surveying, Geotechnical, Testing, Site Monitoring, Environmental Services, etc
- The Employer reserves the right, by giving written notice to the Service Provider, to cancel a project stage at any time.
- Traveling time, telephonic, electronic and fax communication, special postage and courier deliveries are not payable for this appointment. See disbursement Schedule.
- Tenderers must only price in accordance with the pricing schedule.
- Tenderers are to price for all engineering disciplines for this project under Normal Engineering Services.
- During the project lifecycle, the professional fees will be adjusted in line with the estimated construction value and percentage fee tendered. The first fee adjustment will be at the end of Stage 3: Design Development. The offered percentage is fixed and will be applied to the final construction awarded value for final fee calculation purposes.
- Project Closure fees will only be released upon completion and handover of all project documentation at the end of the project. Documents/data will be required in CAD dwg, MS Word, PDF and Excel format. All Third-Party services data must be submitted at project close out.
- The BPA provided by the Employer will contain the contingency allocation, however, the 10% contingency is not part of the professional fee due to the Service Provider unless agreed with the Employer.
The Contingency as contained in the pricing schedule may only be utilised when approved by the Employer. A formal justification for the release of the funds is required. The justification must be linked to a change in project scope, cost, or time.
- The monthly rate for construction monitoring services shall be all inclusive i.e. Travelling expenses, for either the return office to site or return home to site journeys, accommodation. Only on approval from the Employer, may the bidder claim the cost for these services as listed in the Activity Schedule.
- Claimable disbursement cost is listed in item 4.1.1 (i)(ii) below.

2.5.1 Disbursements

- i. Only project related costs listed below and presented to ACSA will be compensated by ACSA;
 - Miscellaneous cost (ACSA Permits, Construction Permits, Induction, Training Courses, etc)

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- Printing, binding, laminating
 - Building, wayleave or services permits.
 - Third party service provider costs
- ii. No payment for disbursement will be made for the following:
- Travelling and accommodation
 - Typing of correspondence, payment certificates, variation orders, progress reports or financial reports
 - Telephone calls
 - Cellular calls
 - Computer costs
 - Telefaxes (outgoing or incoming)
 - Emails (sent or received)
- iii. Disbursements will be paid at proven cost. The onus sits with the consultant to provide proof and prior Approval.

2.5.2 Claimable disbursement cost below:

TYPING AND DUPLICATING (EXCLUDING VAT)

Table 1: Rates for typing and duplicating undertaken by the consultant himself.

From	Typing of original/master per A4	Duplicating				Printed or copied binder set	
		On white paper		On coloured paper		A4	A3
		A4	A3	A4	A3		
2009-08-15	R20,00	R0,55	R1,00	R0,65	R1,15	R14,00	R18,00
2013-01-01	R22,00	R0,65	R1,60	R0,90	R1,70	R18,00	R24,00
2017-09-01	R28,00	R0,85	R2,10	R1,20	R2,40	R26,00	R34,00
2020-04-01	R31,00	R0,95	R2,35	R1,35	R2,70	R28,80	R37,70

From	Duplicating in colour	
	A4	A3
2009-08-15	*R7,00	*R11,00
2013-01-01	*R8,00	*R13,50
2017-09-01	*R8,50	*R14,00
2020-04-01	*R9,40	*R15,50

* Payable only upon prior written approval by Departmental Project Manager.

DRAWING DUPLICATION (EXCLUDING VAT)

Table 2: Rates for drawing duplication undertaken by the consultant himself.

From	Duplicating		
	A2	A1	A0
2009-08-15	R10,00	R14,00	R22,00
2013-01-01	R15,00	R20,00	R33,00
2017-09-01	R18,00	R26,00	R40,00
2020-04-01	R19,95	R28,80	R44,30

Note: Please use 2020 rates when claiming disbursements.

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Airport Permit & Training Costs

Airport Training Courses


1. AIT (Airside Induction Training)
Initial – R 570.00 Excl. VAT
Refresher – R 416.00 Excl. VAT

2. AVOP (Airside Vehicle Operator Permit)- Required for driving on Airside.
Initial – R 596.00 Excl. VAT
Refresher – R 416.00 Excl. VAT

3. General Security Awareness Training – R741 (Excl. Vat)

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PERMIT PRICE LIST ADJUSTMENT EFFECTIVE 01 MAY 2022		
 GEORGE AIRPORT <small>AIRPORTS COMPANY SOUTH AFRICA</small>		
PERMIT TYPE	INCREASED PRICE EX VAT	PRICE INC 15% VAT
PERSONAL PERMITS		
PERMANENT PERMIT - 6 DAYS TO 2YEARS	R173,72	R199,78
AVOP	R52,11	R59,93
DAMAGED CARD RE-PRINT	R104,23	R119,86
UPGRADING CATEGORY	R104,23	R119,86
LOST PERSONAL PERMIT		
1ST LOST INCLUDING AVOP (penalty does not include issue of new permit)	R104,23	R119,86
2ND LOST (penalty does not include issue of new permit)	R205,81	R236,68
3RD LOST NO ISSUE		
TEMPORARY PERSONAL PERMIT		
1 DAY	R25,90	R29,78
2 - 5 DAYS	R33,52	R38,54
PERMANENT VEHICLE PERMITS		
1 YEAR	R869,36	R999,76
1-3 MONTHS	R217,15	R249,72
4 - 6 MONTHS	R428,97	R493,31
6 - 12 MONTHS	R869,36	R999,76
CHANGE OF REGISTRATION	R77,71	R89,37
EDIT VEHICLE PERMIT	R77,71	R89,37
ADD ON PERMIT COSTS	R3 888,13	R4 471,34
TEMPORARY VEHICLE PERMIT		
1 DAY	R31,23	R35,91
2 DAYS	R58,68	R67,48
3 DAYS	R86,10	R99,01
LOST VEHICLE PERMIT	R1 610,72	R1 852,32
SAPS FINGERPRINT CRIMINAL CHECK R 75.00		
CELL PHONE PERMIT (1ST ISSUEAND RENEWAL FEE)	R52,25	R60,09
LOST CELL PHONE PERMIT FEE		

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2.6 Pricing Schedule

a) Engineering Management Services

Upgrade of Fire Systems Project at Kimberley Airport.		
Professional Engineering Management Services Fee Schedule		
Electrical/ Mechanical Engineering Management Services	Estimated Construction Value	R5 500 000.00
	Offered Fees (Excl. Vat)	
	Offered Percentage (%) in relation to Estimated Construction Value	
Fees as per ECSA Act No 46 of 2000 – (March 2021)	% of basic fee for each stage	Offered Fee (Excl. VAT)
PHASE 1		
Work-stage 1 Inception	5%	
Work-stage 2 Conception and Viability	20%	
Work-stage 3 Design development	30%	
SUB TOTAL PHASE 1	55%	
PHASE 2		
Work-stage 4 Documentation & Procurement	15%	
Work-stage 5 Construction (Contract administration and Inspection)	25%	
Work-stage 6 – Close-Out (Closure and final Report)	5%	
SUB TOTAL PHASE 2	45%	
TOTAL PHASE 1 & 2	100%	
TOTAL OFFERED PROFESSIONAL FEES (EX VAT) Excluding Recoverable expense		

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b) Normal Engineering Services

Upgrade of Fire Systems Project at Kimberley Airport.		
Normal Professional Engineering Services Fee Schedule		
Normal Engineering Services	Estimated Construction Value	R5 500 000.00
	Offered Fees (Excl. Vat)	
	Offered Percentage (%) in relation to Estimated Construction Value	
Fees as per ECSA Act No 46 of 2000 – (March 2021)	% of basic fee for each stage	Offered Fee (Excl. VAT)
PHASE 1		
Work-stage 1 Inception	5%	
Work-stage 2 Conception and Viability	15%	
Work-stage 3 Design development	20%	
SUB TOTAL PHASE 1	40%	
PHASE 2		
Work-stage 4 Documentation & Procurement	20%	
Work-stage 5 Construction (Contract administration and Inspection)	35%	
Work-stage 6 – Close-Out (Closure and final Report)	5%	
SUB TOTAL PHASE 2	60%	
TOTAL PHASE 1 & 2	100%	
TOTAL OFFERED PROFESSIONAL FEES (EX VAT) Excluding Recoverable expense		

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c) Time-Based service (Rates Only)

Item	Description	Unit	Amount	
			R	C
1.	Category A - Expert	Hour		
2.	Category B – Principal	Hour		
3.	Category C – Professional	Hour		
4.	Category D – Technical	Hour		

d) SUMMARY OF PRICING SCHEDULE

Upgrade of Fire Systems Project at Kimberley Airport - Total Offered Professional Fees for Normal Engineering and Management Services		
Professional Engineering Services	TOTAL PROFESSIONAL FEES	
Normal Services		
1. Professional Mechanical Engineering Services		
2. SUB-TOTAL 1 – NORMAL ENGINEERING SERVICES		
Additional Services		
3. Engineering Management Services		
4. Specialist Consultants (Provisional Sum)	R 400 000.00	
5. Construction Monitoring (Level 2 for a period of 6 months)	R/ month	Total Construction Monitoring fees for 6 months
6. SUB-TOTAL 2 – ADDITIONAL SERVICES		

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7. SUBTOTAL 3 – SUM of TOTAL OF SUBTOTAL 1&2	
Reimbursable Expenses	
8. Disbursements (10% of Sub-Total 3)	
Contingency	
9. Contingency (15% of Sub-Total 3)	
10. Total Offered Fee (Excl. Vat) Including Recoverable expense – Normal Engineering & Additional Services Including Disbursements & Contingency)	
11. ADD 15 % VAT	
12. Total Offered Fee (Incl. Vat) Including Recoverable expense - Engineering Services	

I, the undersigned, do hereby declare that the above is a properly priced Activity Schedule forming part of this Contract Document upon which my/our tender for Tender: **THE APPOINTMENT OF PROFESSIONAL ENGINEERING CONSULTANT FOR THE UPGRADE OF FIRE SYSTEMS PROJECT AT KIMBERLEY AIRPORT** has been based. I/we warrant that no amendments have been made to it from the original, other than amendments issued in any Addenda of this Tender.

NB: BIDDERS MUST COMPLETE THE FORM OF OFFER IN FULL AND SIGN. THE FORM OF OFFER IS CONTAINED IN THE NEC PROFESSIONAL SERVICES CONTRACT. SEE ANNEXURE L.1.

SIGNED ON BEHALF OF THE TENDERER:

Bidders must only price in accordance with the pricing schedule above, this will enable ACSA to compare priced offers. Failure to submit a priced offer using the prescribed schedule will make the bid liable for disqualification. Disbursements will be reimbursed at actual cost. The successful bidder will be required to provide proof of expenses in order to be reimbursed. Other expenses, for example accommodation (specify, e.g. three star hotel, bed and breakfast, telephone cost, reproduction cost, etcetera). On basis of these particulars, certified invoices will be checked for correctness.

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SECTION 3: EVALUATION CRITERIA

3.1 Evaluation Criteria

- 3.1.1 ACSA will use a pre-determined evaluation criteria when considering received bids. The evaluation criteria will consider **mandatory administrative, functionality/ Price and Preference**. During the evaluation of received bids ACSA will make an assessment whether all the bids comply with set minimum requirements and whether all returnable documents/information have been submitted. Bidders which fail to meet minimum requirements, thresholds or have not submitted required mandatory documents will be disqualified from the bid process.
- 3.1.2 The requirements of any given stage must be complied with prior to progression to the next stage. ACSA reserves the right to disqualify bidders without requesting any outstanding document/information.

3.2 A staged approach will be used to evaluate bids and the approach will be as follows:

Stage 1	Stage 2	Stage 3	Stage 4
Check if all the documents have been received.	Mandatory Requirements	Evaluate on functionality or the technical aspect of the bid.	Evaluate price and Preference.

3.3 Mandatory Administrative Requirements

A list of mandatory returnable documents must be consulted to understand which documents are required at the closing date and time. Further, to the mandatory returnable documents/information ACSA will only consider bidders which have:

- 3.3.1 The Form of Offer must be completed in full and signed. **The Form of Offer is contained in the NEC PSC. See Annexure L.1.**
- 3.3.2 Bidders must complete and acknowledge Bidder's Disclosure form SBD4.
- 3.3.3 Bidders must attend a virtual clarification meeting.
- 3.3.4 Acceptance of ACSA terms and Conditions of Bid Section 9 and Section 10.

NB:

- **No Bid will be awarded to any person whose tax matters have not been declared in order by South African Revenue Service.**

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- **No award will be made to an entity which is not registered on the CSD (Central Supplier Database) with National Treasury. Bidders must supply their unique number.**

3.5 Functionality

The functionality evaluation will be conducted by the end-user/operations/the Tender Preparation and Evaluation Committee which comprises of various skilled and experienced members from diverse professional disciplines. The evaluation process will be based on functionality criteria. The criteria will be as follows:

3.5.1 Evaluation

This will be conducted by the Bid Evaluation Committee which comprises of various skilled and experienced members from diverse professional disciplines. The evaluation process will be based on prequalification/threshold criteria. Points allocated for Functionality shall be evaluated in accordance with the criteria as listed below.

3.5.2 Threshold

The functional evaluation will be based on a threshold, where bidders **which fail to achieve a minimum on each functional stage will not be considered further in the evaluation.** The criteria of the evaluation are expressed in the table below.

Points allocated for functionality shall be evaluated in accordance with the criteria as listed below. Total points allocated shall be 100. Tenderer must score a **minimum score per each sub criteria and an overall minimum threshold of 70 points out of 100** is required to be achieved for the bidder to be successful.

Bidding entity must achieve an overall score of 70 points or higher. A bidding entity that fails to meet one of the minimum sub criteria will be disqualified.

<i>Evaluation Area</i>	<i>Evaluation Criteria</i>	<i>Maximum Point</i>	<i>Minimum Threshold Required</i>
1. Tenderer's / Companies Previous Experience	<p>Bidders to submit Rational Fire Design and Installation Management experience on completed Building projects (within the last 15 years). The construction value of each completed project must exceed R3 Million (excl. Vat).</p> <ul style="list-style-type: none"> • <3 Projects (0 Points) • 3 Projects (20 Points) • >3 Projects (30 Points) <p>Note: Bidders must complete Annexure B. Copies of signed Client Reference letters for completed projects listed on Annexure B to be provided for evaluation purposes. Attach Client Reference letters to Annexure C.</p>	30	20

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	<p>A valid signed and stamped reference letter to indicate the following information:</p> <ul style="list-style-type: none"> • Project Name • Scope of services rendered by the tenderer. • Construction value • Client Representative details (name, surname, designation, phone number and email address). <p>Note: Previously completed projects which will be considered for evaluation are those completed by the bidder from design phase to close out.</p>		
Sub-Total 1.		30	20
2. Experience of key staff	<p>Principal/ Lead Mechanical/ Electrical Engineer:</p> <p>Submit proof qualification and registration as a Professional Mechanical/ Electrical Engineer (Pr. Eng)/ Professional Mechanical/ Electrical Engineering Technologist (Pr. Tech Eng)/ Fire Specialist with Engineering Council of South Africa (ECSA).</p> <ul style="list-style-type: none"> • No submission of qualification and professional registration certificates (0 Points) • Qualification (BEng/ BSC/ BTech) and active professional registration (5 Points) <p>Proof of experience as a Lead Mechanical/ Electrical/ Engineering Technologist/ Lead Fire Specialist on completed Building Fire Systems projects (within the last 15 years). The construction/ installation & commissioning value of each completed project must exceed R3 Million (excl. Vat).</p> <ul style="list-style-type: none"> • <3 Projects (0 Points) • 3 Projects (20 Points) • >3 Projects (30 Points) <p>*Complete Annexure E and attach CV for evaluation purposes. Contactable references for projects listed on Annexure E to be provided.</p> <p>Copies of qualification and professional registration certificates to be attached to Annexure D. Certified copies will be requested upon tender award.</p>	5	5
		30	20

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	<p>Mechanical/ Electrical Engineer/ Technologist/ Fire Specialist:</p> <p>Submit proof of relevant registration as a Professional Mechanical Engineer/ Mechanical Engineering Technologist/ Fire Specialist with Engineering Council of South Africa (ECSA).</p> <ul style="list-style-type: none"> No submission of qualification and professional registration certificates (0 Points) Qualification (BEng/ BSc/ BTech) and active professional registration certificates (5 Points) <p>Submit proof of experience as a Mechanical Engineer/ Mechanical Engineering Technologist/ Fire Specialist on completed Building Fire Systems projects (within the last 15 years). The construction/ Installation & Commissioning value of each completed project must exceed R3 Million (excl. Vat) each.</p> <ul style="list-style-type: none"> <3 Projects (0 Points) 3 Projects (20 Points) >3 Projects (30 Points) <p>*Complete Annexure E and attach CV for evaluation purposes. Contactable references for projects listed on Annexure E to be provided.</p> <p>Copies of qualification and professional registration certificates to be attached to Annexure D . Certified copies will be requested upon tender award.</p>	5	5
Sub-Total 2.		70	50
Total 1, 2		100	70
<p>* All qualifications must be SAQA accredited. All foreign and technical qualifications provided must be SAQA-approved/accredited.</p>			

3.5.2 Price and Preference

This is the final stage of the evaluation process and will be based on the PPPFA preference point system. Bidders will be ranked by applying the preferential point scoring *80/20 for bids with the rand value equal to or below R50 million*. A maximum of 80 points is allocated for price based on the following formulae (delete formula not applicable):

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80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where:

Ps	=	Points scored for price of tender under consideration
Pt	=	Price of tender under consideration
Pmin	=	Price of lowest acceptable tender

Evaluation of Preference

ACSA will score specific goals out of 20 in accordance with the PPP Regulations 2022/2023. If a bidder fails to meet the Specific goals as outlined on the table below and to submit proof, the bidder will score zero (0) out of 20. ACSA will not disqualify the bidder. See below Specific goals that must be achieved for this bid:

Paste applicable goal here:

Item	Category	Specific Goals	Score
			20
1.	Construction	51% owned by Black male and Black women and Black youth and People living with disabilities	20
		51% owned by Black male or Black women or Black youth or People living with disabilities (at least two of the above designated groups must achieved)	15
		51% owned by Black male or Black women or Black youth or People living with disabilities	10
		Less than 51% owned by Black male, Black women, Black youth, People living with disabilities	5
		Other	0

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SECTION 4: LIST OF RETURNABLE DOCUMENTS

4.1 Mandatory Returnable documents

ACSA will disqualify from the bid process any bidder that has failed to submit mandatory returnable documents and information. Bidders should therefore ensure that all the mandatory returnable documents and information have been submitted. In order to assist bidders, ACSA has also included a column next to the required mandatory document and information to enable bidders to keep track of whether they have submitted or not. The mandatory documents and information are as follows:

MANDATORY RETURNABLE DOCUMENTS AND INFORMATION	SUBMITTED [Yes or No]
<i>Full completed and signed form of offer and acceptance (C1.1). Found in the NEC3 Contract document.</i>	
<i>Tenderers must complete and sign the declaration of interest form (SBD4)</i>	
<i>Certificate of Authority of Joint Ventures (where applicable)</i>	
<i>Certificate of Authority to sign Tender – Annexure A</i>	
<i>Schedule of the Tenderer’s Experience – Annexure B</i>	
<i>Tenderer’s Reference Letters – Annexure C</i>	
<i>Proof of Key Personnel’s Professional Registration – Annexure D</i>	
<i>Key Personnel’s CV and Experience – Annexure E</i>	

4.2 Other Returnable Documents and information

These types of documents and information are required but are not mandatory or are only mandatory at specific stages of the process. ACSA may request bidders to submit these documents or information after the closing date and time or might already have them on the system. Where a document or information is only mandatory at a specific stage in the process, ACSA may only disqualify a bidder for non-submission at that stage and after reasonable efforts were made to request the document from the bidder. The documents are as follows:

OTHER RETURNABLE DOCUMENTS AND INFORMATION	SUBMITTED [Yes or No]
<i>Eligibility for Preference Points (B-BBEE Recognition Level) – Annexure F</i>	
<i>BEE Certificate or Sworn BEE Affidavit from Accredited Provider – Annexure G</i>	

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OTHER RETURNABLE DOCUMENTS AND INFORMATION	SUBMITTED [Yes or No]
<i>SARS Tax Compliance Status (ACSA will not award to a bidder whose tax affairs have not been declared to be in orders by SARS) – Annexure H</i>	
<i>Provide proof of Registration with National Treasury’s Central Supplier Database (CSD) – Annexure I</i>	
<i>Names and identity numbers of Directors / Trustees / Members / Shareholders and Senior management – CSD Unique Number</i>	
<i>Letter of Good Standing in terms of Compensation Injuries and Diseases Act of 1993 (COIDA); or Federated Employee Manual Assurance (FEMA) Insurance – Annexure J</i>	
<i>POPIA Declaration – Annexure K</i>	
<i>Declaration of Politically Exposed Persons in Section 5</i>	
<i>Names and identity numbers of Directors (CIPC)</i>	
<i>Proposed Amendments and Qualifications</i>	
<i>Record of Addenda to Tender Documents</i>	

4.3 Validity of submitted information

Bidders must ensure that all conditions, documents and information which has been submitted in pursuance to this bid remains valid for the duration of the contract period. In the event where a validity document expires an updated document must be submitted. The duty is on the bidder to provide updated information to ACSA immediately after such information has changed.

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SECTION 5: RETURNABLE DOCUMENTS

5.1 DECLARATION OF INTEREST AND POLITICALLY EXPOSED PERSONS FORM

Making a Declaration

Any legal person or persons having a relationship with persons employed by ACSA, including a blood relationship, may submit a bid in terms of this tender document. In view of possible allegations of unfairness, should the resulting bid, or part thereof, be awarded to persons connected with or related to ACSA employees, it is required that the bidder or his/her authorised representative declare his/her position in relation to ACSA employees or any member of the evaluation or adjudication committee which will consider bids.

ACSA requires all bidders to declare that they have not acted in any manner inconsistent with the law, policy, or fairness. Furthermore, ACSA requires bidders to declare if they have Politically Exposed Persons (PEP) also known as Domestic Prominent Influential Persons (DPIP) in their organisation. See below definition of PEP/DPIP.

Politically Exposed Persons or DPIP are individuals who are or have been entrusted with prominent public functions in the country or a foreign country, for example Heads of State or of government, senior politicians, senior government, judicial or military officials, senior executives of state-owned corporations, important political party officials. Business relationships with family members or close associates of PEPs involve reputational risks similar to those with PEPs themselves. PEP status in the following areas shall be declared:

- Current or former senior official in the executive, legislative, administrative, military, or judicial branch of government or foreign government (elected or not)
- A senior official of a major political party or major foreign political party;
- A senior executive of government owned commercial enterprise
- or a foreign government owned commercial enterprise, being a corporation, business or other entity formed by or for the benefit of any such individual;
- A related and or inter-related immediate member of such individual; meaning spouse, parents, siblings, children, and spouse's parents or siblings etc

5.1.1 All bidders must complete a declaration of interest form below:

Full name of the bidder or representative of the bidding entity

Identity Number

Position held in the bidding entity

Registration number of the bidding entity

Tax Reference number of the bidding entity

VAT Registration number of the bidding entity

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I/We certify that there is / no PEP/DPIP conflict of interest/ no relationship between the bidding entity or any of its shareholders / directors / owner / member / partner/ senior management with any ACSA employee or official.

Where a relationship or PEP/DPIP conflict of interest exists, please provide details of the ACSA employee or official and the extent of the relationship below:

PEP/DPIP Declaration

DPIP/PEP Declaration for self/family member or close associate:

Nature of Political Exposure	Term of the office	Description of activities relating to political exposure

Full Names of Directors / Trustees / Members / Shareholders/ Senior Management of the bidding entity

Full Name	Identity Number	Personal Income Tax Reference Number

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5.1.2. I/We declare that we have not acted in any manner which promotes unfairness, contravenes any law or is against public morals. We further certify that we will in full compliance of this tender terms and conditions as well as ACSA policies in the event that we are successful in this tender.

Declaration:

I/We the undersigned _____ (Name) hereby certify that the information furnished in this tender document is true and correct. We further certify that we understand that where it is found that we have made a false declaration or statement in this tender, ACSA may disqualify our bid or terminate a contract we may have with ACSA where we are successful in this tender.

Signature

Date

Position

Name of bidder

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5. 2 BIDDER'S DISCLOSURE FORM SBD 4

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

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2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature	Date
.....
Position	Name of bidder

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5.3 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 SBD 6.1

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals / Preference.

1.3 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS / PREFERENCE	
Total points for Price and SPECIFIC GOALS	100

1.4 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.5 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

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2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) & \mathbf{or} & P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)
 \end{array}$$

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{min} = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) & \mathbf{or} & P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)
 \end{array}$$

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Where

Ps	=	Points scored for price of tender under consideration
Pt	=	Price of tender under consideration
Pmax	=	Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals/preference point allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% owned by Black male and Black women and Black youth and People living with disabilities	10	20		

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51% owned by Black male or Black women or Black youth or People living with disabilities (at least two of the above designated groups must achieved)	8	15		
51% owned by Black male or Black women or Black youth or People living with disabilities	6	10		
Less than 51% owned by Black male, Black women, Black youth, People living with disabilities	4	5		
Other	0	0		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

(a) disqualify the person from the tendering process;

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- (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

.....

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Form 5.5: CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT

between

AIRPORTS COMPANY SOUTH AFRICA SOC LIMITED

(Registration No. 1993/004149/30)

(“Airports Company”)

of

Western Precinct, Aviation Park

O.R. Tambo International Airport

1 Jones Road

Kempton Park

1632

AND

[NAME OF SERVICE PROVIDER]

(Registration No: _____)

(“_____”)

of

[Service Providers Address]

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1. INTERPRETATION

In this agreement -

- 1.1 "confidential Information" – is information which is confidential to the disclosing party, and includes whether in written, graphic, oral, proprietary, tangible, intangible, electronic or other form, and, -
- 1.1.1 any information in respect of know-how, formulae, statistics, processes, systems, business methods, marketing, trading and merchandising methods and information, promotional and advertising plans and strategies, pricing, financial plans and models, inventions, long-term plans, research and development data, user or consumer/ customer data and profiles, ideas, computer programmes, drawings and any other information of confidential nature of the disclosing party, in whatever form it may be;
- 1.1.2 the contractual business and financial arrangements of the disclosing party and others with whom it has business arrangements of whatever nature;
- 1.1.3 all information peculiar to the business of the disclosing party which is not readily available to a competitor of the disclosing party in the ordinary course of business;
- 1.1.4 the fact of and content of any discussions between the disclosing party and the receiving party as well as the existence and content of any agreement, which may be concluded between the disclosing party and the receiving party;
- 1.1.5 all other matters of a confidential nature which relate to the disclosing party's business;
- 1.1.6 generally, information which is disclosed in circumstances of confidence or would be understood by the parties, exercising reasonable business judgement, to be confidential;
- 1.1.7 all information of whatsoever nature relating to the disclosing party as contemplated in 2.1 below; but does not include information which -
- 1.1.8 is or hereafter becomes part of the public domain, otherwise than as a result of a breach or default of the receiving party or of a representative or affiliate of the receiving party;
- 1.1.9 can be shown to have been lawfully in the possession of the receiving party or its affiliates or consultants prior to its disclosure and is not subject to an existing agreement between the disclosing party and the receiving party;
- 1.1.10 is acquired by the receiving party independently from a third party who lawfully acquired such information without restriction and who had not previously obtained the confidential information directly or indirectly under a confidentiality obligation from the disclosing party;
- 1.1.11 is acquired or developed by the receiving party independently of the disclosing party and in circumstances which do not amount to a breach of the provisions of this agreement;
- is disclosed or released by the receiving party to satisfy an order of a court of competent jurisdiction or to otherwise comply with the provisions of any law or regulation in force at the time or the

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requirements of any recognised stock exchange; provided that, in these circumstances, the receiving party shall inform the disclosing party of the requirement to disclose prior to making the disclosure and provided further that the receiving party will disclose only that portion of the confidential information which it is legally required to so disclose; and the receiving party will use its reasonable endeavours to protect the confidentiality of such information to the widest extent lawfully possible in the circumstances (and shall co-operate with the disclosing party if it elects to contest any such disclosure);

For the purposes of this agreement the party, which discloses confidential information, shall be referred to as “the disclosing party” and the party, which receives the confidential information, shall be referred to as “the receiving party”.

- 1.2 “affiliate” – of a Party means any person, now or hereafter existing, who directly or indirectly controls, (*holding company*) or is controlled or is under common control of such Party (subsidiary company); a Person “controls” another person if it holds or is beneficially entitled to hold, directly or indirectly, other than by way of security interest only, more than 50% of its voting, income or capital;
- 1.3 “disclosing party” – the party disclosing confidential information in terms of this agreement and being Airports Company;
- 1.4 “receiving party” – the party receiving confidential information in terms of this agreement;
- 1.5 “the parties” – the Airports Company and _____.

2. **INTRODUCTION**

- 2.1 The parties intend to provide each other with certain information pertaining to their operations and the parties are in the process of discussing certain matters with a view to concluding an agreement (“the potential agreement”), which discussions have required and will require the disclosure to one another of information of a proprietary, secret and confidential nature. Whether or not the parties conclude the potential agreement will not affect the validity of this agreement.
- 2.2 If the confidential information so disclosed is used by the receiving party for any purpose other than that for which its use is authorised in terms of this agreement or is disclosed or disseminated by the

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receiving party to another person or entity which is not a party to this agreement, this may cause the disclosing party to suffer damages and material financial loss.

2.3 This agreement shall also bind the parties, notwithstanding the date of signature hereof, in the event that either party shall have disclosed any confidential information to the other party prior to date of signature hereof.

2.4 The parties wish to record the terms and conditions upon which each shall disclose confidential information to the other, which terms and conditions shall constitute a binding and enforceable agreement between the parties and their agents.

3 USE OF CONFIDENTIAL INFORMATION

Any confidential information disclosed by the disclosing party shall be received and used by the receiving party only for the limited purpose described in 2.1 above and for no other purpose.

4 NON-DISCLOSURE

4.1 THE RECEIVING PARTY undertakes that –

4.1.1 it will treat the disclosing party's confidential information as private and confidential and safeguard it accordingly;

4.1.2 it will not use (except as permitted in 3 above) or disclose or release or copy or reproduce or publish or circulate or reverse or engineer and/or decompile or otherwise transfer, whether directly or indirectly, the confidential information of the disclosing party to any other person or entity; and the receiving party shall take all such steps as may be reasonably necessary to prevent the disclosing party's confidential information falling into the hands of unauthorised persons or entities;

4.1.3 it shall not disclose the confidential information of the disclosing party to any employee, consultant, professional adviser, contractor or sub-contractor or agent of the receiving party (collectively referred to herein as "representative") or an affiliate of the receiving party, nor shall they be given access thereto by the receiving party -

4.1.4 unless it is strictly necessary for the purposes referred to in 2.1 above; and

4.1.5 the receiving party shall have procured that the representative, affiliate or consultant to whom or to which such information is disclosed or made available shall have agreed to be bound by all the terms of this agreement, and, in such event, the receiving party hereby indemnifies the disclosing party against any

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loss, harm or damage which it may suffer as a result of the unauthorised disclosure of confidential information by a representative, affiliate or consultant.

- 4.2 Any documentation or written record or other material containing confidential information (in whatsoever form) which comes into the possession of the receiving party shall itself be deemed to form part of the confidential information of the disclosing party. The receiving party shall, on request, and in any event if the discussions referred to in 2.1 above should not result in an agreement, return to the disclosing party all of its confidential information which is in physical form (including all copies) and shall destroy any other records (including, without limitation, those in machine readable form) as far as they contain the disclosing party's confidential information. The receiving party will, upon written or oral request from the disclosing party and within five (5) business days of the disclosing party's request, provide the disclosing party with written confirmation that all such records have been destroyed.

5. **COPIES**

- 5.1 The receiving party may only make such copies of the disclosing party's confidential information as are strictly necessary for the purpose and the disclosures which are not in breach of this agreement and authorised in terms of this agreement. The receiving party shall clearly mark all such copies as "Confidential".
- 5.2 At the written request of the disclosing party, the receiving party shall supply to the disclosing party a list showing, to the extent practical –
- 5.2.1 where copies of the confidential Information are held;
 - 5.2.2 copies that have been made by the receiving party (except where they contain insignificant extracts from or references to confidential information) and where they are held; and
 - 5.2.3 the names and addresses of the persons to whom confidential information has been disclosed and, if applicable, a copy of the confidentiality undertaking signed by such persons complying with the provisions of this agreement.

6. **THE USE OF THE COMPANY'S INTELLECTUAL PROPERTY**

- 6.1 The receiving party shall not use any intellectual property of the Company (including trademarks, service marks, logos, slogans, trade names, brand names and other indicia of origin) (collectively, the "**Company IP**") for any reason whatsoever without first obtaining the Company's prior written consent which consent the Company shall be entitled to grant solely at its own discretion.

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- 6.2 If the receiving party requires the use of such Company IP, a request must be sent to Lerato.Phalo@airports.co.za. Each single request by the same receiving party shall be treated as a new request.
- 6.3 Should the Company provide its consent in terms of clause 6.1 above, the receiving party shall comply with the Company's policies and standards with regard to the use of the Company IP. Such policies and standards shall be communicated to the receiving party at the time the Company grants the consent to the receiving party.
- 6.4 Failure to adhere to the provisions of this clause 6 or the policies, brand requirements and protocols that will be communicated by the Brand Custodians Office to the receiving party, shall result in the penalty equal to the value of 2% (two per cent) of the receiving party's annual turnover in the financial year in which the aforesaid failure occurred.

7. **DURATION**

- 7.1 Subject to Clause 2.3 this agreement shall commence or shall be deemed to have commenced on the date of signature of this agreement by the last party to sign the agreement.
- 7.2 This agreement shall remain in force for a period of **5** years ("the term"), or for a period of one (1) year from the date of the last disclosure of confidential information to the receiving party, whichever is the longer period, whether or not the parties continue to have any relationship for that period of time.

8. **TITLE**

- 8.1 All confidential information disclosed by the disclosing party to the receiving party is acknowledged by the receiving party:
- 8.1.1 to be proprietary to the disclosing party; and
- 8.1.2 not to confer any rights to the receiving party of whatever nature in the confidential information.

9. **RELATIONSHIP BETWEEN THE PARTIES**

- 9.1 The disclosing party is not obliged, by reason of this agreement, to disclose any of its confidential information to the receiving party or to enter into any further agreement or business relationship with the receiving party. Nothing herein shall imply or create any exclusive relationship between the Parties or otherwise restrict either Party from pursuing any business opportunities provided it complies at all times with the non-disclosure obligations set forth herein

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- 9.2 The disclosing party retains the sole and exclusive ownership of intellectual property rights to its confidential information and no license or any other interest in such confidential information is granted in terms hereof or by reason of its disclosure.
- 9.3 The termination of the discussions referred to in 2.1 above shall not release the parties from the obligations set out in this agreement.

10. **ENFORCEMENT, GOVERNING LAWS AND JURISDICTION**

- 10.1 This agreement shall be governed by and interpreted according to the laws of the Republic of South Africa, without reference to the choice of laws' provisions of the Republic of South Africa. In the event of a conflict between or inconsistency in the laws applicable in the various provinces of the Republic of South Africa, the law as applied and interpreted in the Gauteng Province shall prevail.
- 10.2 The parties irrevocably submit to the exclusive jurisdiction of the High Court of South Africa, Witwatersrand Local Division, in respect of any action or proceeding arising from this agreement.
- 10.3 The parties agree that, in the event of a breach of this agreement, monetary damages would not be an adequate remedy. In the event of a breach or threatened breach of any provisions of this agreement by the receiving party, the disclosing party (and/or its relevant affiliate) shall be entitled to injunctive relief in any court of competent jurisdiction and the receiving party shall reimburse the disclosing party for any costs, claims, demands or liabilities arising directly or indirectly out of a breach. Nothing contained in this agreement shall be construed as prohibiting a party or its affiliate from pursuing any other remedies available to it for a breach or threatened breach.
- 10.4 The failure by the disclosing party to enforce or to require the performance at any time of any of the provisions of this agreement shall not be construed to be a waiver of such provision, and shall not affect either the validity of this agreement or any part hereof or the right of the disclosing party to enforce the provisions of this agreement.

11. **DOMICILIUM**

- 11.1 The parties choose as their *domicilium* the addresses indicated in the heading to this agreement for the purposes of giving any notice, the payment of any sum, the serving of any process and for any other purpose arising from this agreement.
- 11.2 Each of the parties shall be entitled from time to time, by written notice to the other, to vary its domicilium to any other address which is not a post office box or poste restante.
- 11.3 Any notice required or permitted to be given in terms of this agreement shall be valid and effective only if in writing.

Tel +27 11 723 1400 Fax +27 11 453 9354
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 1632
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- 11.4 Any notice given and any payment made by one party to the other ("the addressee") which:
- 11.4.1 is delivered by hand during the normal business hours of the addressee at the addressee's domicilium for the time being shall be presumed, until the contrary is proved, to have been received by the addressee at the time of delivery;
- 11.4.2 is posted by prepaid registered post from an address within the Republic of South Africa to the addressee at the addressee's domicilium for the time being shall be presumed, until the contrary is proved, to have been received by the addressee on the fourth day after the date of posting;
- 11.4.3 is transmitted by facsimile to the addressee's receiving machine shall be presumed, until the contrary is proved, to have been received within one (1) hour of transmission where it is transmitted during normal business hours or, if transmitted outside normal business hours, within one (1) hour of the resumption of normal business hours on the next normal business day.

12. **GENERAL**

- 12.1 No party shall be bound by any representation, warranty, undertaking, promise or the like not recorded in this agreement.
- 12.2 No addition to, variation or agreed cancellation of this agreement shall be of any force or effect unless in writing and signed by or on behalf of the parties.
- 12.3 Any indulgence which either party may show to the other in terms of or pursuant to the provisions contained in this agreement shall not constitute a waiver of any of the rights of the party which granted such indulgence.
- 12.4 The parties acknowledge that this agreement and the undertakings given by it in terms hereof are fair and reasonable in regard to their nature, extent and period and go no further than is reasonably necessary to protect the interests of the parties.
- 12.5 The parties hereby confirm that they have entered into this agreement with full and clear understanding of the nature, significance and effect thereof and freely and voluntarily and without duress.
- 12.6 Neither party shall have the right to assign or otherwise transfer any of its rights or obligations under this agreement.
- 12.7 This agreement may be executed in several counterparts that together shall constitute one and the same instrument.
- 12.8 In this agreement, clause headings are for convenience and shall not be used in its interpretation.
- 12.9 Each clause of this agreement is severable, the one from the other and if any one or more clauses are found to be invalid or unenforceable, that clause shall not affect the balance of the clauses which shall remain in full force and effect.

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SIGNED at _____ on _____ day of _____ 202__

AIRPORTS COMPANY SOUTH AFRICA SOC LIMITED

the signatory warranting that he is duly authorised thereto.

Name: _____

Designation: _____

AS WITNESSES

1. _____

2. _____

SIGNED at _____ on _____ day of _____ 202__

[NAME OF SERVICE PROVIDER]

the signatory warranting that s/he is duly authorised thereto.

Name: _____

Designation: _____

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AS WITNESSES

1. _____

2. _____

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FORM 5.6: ACCEPTANCE OF TERMS AND CONDITIONS OF RFP AND BIDDER’S PARTICULARS

TO: Airports Company South Africa SOC Limited (ACSA)
 Airports Company South Africa Limited.

Proposal No: _____

1. Bidder’s Name and Contract Details

Bidder:	
Physical Address:	
Correspondence to be addressed to:	
Phone numbers:	
Email Address:	
Contact Person:	

2. Proposal Certification

We hereby submit a Proposal in respect of the **KA2723/2024/RFQ** in accordance with Airports Company South Africa’s requirements.

- We acknowledge that Airports Company South Africa’s terms and conditions (as amended and mutually agreed between the parties if necessary) shall apply to the agreement with the successful Bidder,

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- We have read, understand and agree to be bound by the content of all the conditions of this bid and documentation provided by Airports Company South Africa in this Request for Proposal.
- We accept that Airports Company South Africa’s Bid Adjudication Committee decision is final and binding.
- We acknowledge that the bidder/s, directors, shareholders and employees may be subjected to security vetting by Airport Company South Africa or its agent.
- We certify that all forms of Proposal as required in the Proposal document are included in our submission.
- We certify that all information provided in our Proposal is true, accurate, complete and correct.
- This Proposal is specific to this bid only.
- The undersigned is/are authorized to submit and sign the Proposal that shall be binding on closure of the Proposal submission.
- The Proposal is binding on this Bidder for a period which lapses after *one hundred and twenty (120) days* calculated from the closing date for Proposal submission.

Thus done and signed at		on this the		day of		202
-------------------------	--	-------------	--	--------	--	-----

Signature:	
Name:	

For and behalf of:

Bidding entity name:	
Capacity:	

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Form 5.7: Record of Addenda to Tender Documents

We confirm that the following communications received from the Employer before the submission of this response for Tenders, amending the Tenders documents, have been taken into account in this response:

	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

Attach additional pages if more space is required.

Signed _____ Date _____

Name _____ Position _____

Tender _____

Form 5.8: Certificate of Authority of Joint Ventures (where applicable)

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This Returnable Schedule is to be completed by joint ventures.

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms , authorised signatory of the company , acting in the capacity of lead partner, to sign all documents in connection with the tender offer and any contract resulting from it on our behalf.
Please attach JV agreement stipulation % share of each JV

NAME OF FIRM	ADDRESS	DULY AUTHORISED SIGNATORY
Lead partner		Signature: Name:
		Signature: Name:
		Signature: Name:

Signed _____ Date _____
 Name _____ Position _____
 Tenderer _____

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Form 5.9: Proposed Amendments and Qualifications

The Tenderer shall record any deviations or qualifications he/she may wish to make to the tender documents in this Returnable Schedule. The Tenderer’s attention is drawn to Terms and conditions of RFQ Section 10 regarding the Employer’s handling of material deviations and qualifications.

Page	Clause or item	Proposal

Attach additional pages if more space is required.

Signed _____ Date _____
 Name _____ Position _____
 Tender _____

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Annexure A: Certificate of Authority to Sign Tender

Insert certified copy of an extract from the minutes of a meeting of the Board of Directors or Members authorizing the person who signs the Submission to sign it on behalf of the Company, Corporation or Firm.

Signed	Date
Name	Position
Tenderer	

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Annexure B: Schedule of the Tenderer’s Experience

Bidders to present professional **Engineering Design and Management** experience on **completed projects** (within the **last 15 years**). This must be related to **Rational Fire Design, Installation and Commissioning on completed Building Projects**. Construction value of each completed project listed **must exceed R3 million (Excl. Vat)**.

Bidders are requested to submit a comprehensive portfolio of relevant (value and complexity) projects successfully completed.

As a minimum the bidder is to have successfully completed at **least three projects** with a construction value of **R3 000 000 (Ex. VAT)** or more to achieve a satisfactory score.

Bidders should very briefly describe the experience in this regard and attach to the schedule below.

The description should be in tabular format, with the below headings.

Projects	Name of Client (For which a same or similar service was rendered)	Project Description (Refer to functionality)	Value of Construction Contract Ex. VAT	Performance Period (Date)		Reference (Client contact details)
				Construction Start Date	Construction End Date	
Project No. 1						Name: Tel: Email:

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Project 2						Name: Tel: Email:
Project 3						Name: Tel: Email:

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Project 4						Name: Tel: Email:
Project 5						Name: Tel: Email:

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- **The Tenderer must complete Annexure B. Failure to complete may result in disqualification.**
- **Contactable references must be provided.**
- **Projects listed must be completed projects. Ongoing/incomplete projects will not be evaluated.**

I, the undersigned, warrants that he / she is duly authorized to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Note: When completing the above schedule, Tenderer's must take cognisance of the evaluation criteria as described on Section 3.

Signed Date _____

Name Position _____

Tender

Annexure C: Client Reference Letters

***Attach a copy of signed Client Reference letters for ALL projects listed in Annexure H for evaluation purposes.**

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A valid Client Reference letter should indicate the following:

- a. A valid signed reference letter should indicate the following information:
 -
 - Project Name
 - Service Provider Name
 - Scope of services rendered by the tenderer.
 - Construction value
 - Client Representative/ Principal Agent/ Project Lead details (name, surname, designation, phone number and email address).

(ATTACH CLIENT REFERENCE LETTERS HERE)

I, the undersigned, warrants that he / she is duly authorized to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Note: When completing the above schedule, Tenderer's must take cognisance of the evaluation criteria as described on Section 4.

Signed	Date	_____
--------	-------	------	-------

Name	Position	_____
------	-------	----------	-------

Tender _____

Annexure D: Proof of Qualification and Professional Registration

Please attach certified copies of Qualifications and Professional Registrations of Key Personnel as listed under Annexure E to this page.

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International qualifications must be accompanied by a valid SAQA accreditation letter/certificate.

Note: Tenderer’s must take cognisance of the evaluation criteria as described on Section 4

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date _____

Name Position _____

Tender

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Annexure E: Key Personnel CV and Experience
a) CV and Experience of Lead/Principal Engineer

Position held:		<input type="checkbox"/> Lead/Principal Electrical Engineer/ Engineering Technologist	
First Name			
Surname			
Nationality		Date of Birth	
Current Residence (City/ Town)			
Education (Qualification)		NQF Level	
Relevant Number of Years' Experience as an Engineer			
Professional Body:			
Affiliation/ Accreditation:			
Registration No.			
Personal Project Experience:			
Project 1	Company/Employer		
	Description of Project		
	Client/end user (of Project)		
	Construction Value (excl. VAT)		
	Commencement Date		
	Completion Date		
	Contactable Reference Details	Employer/Company Name	
Reference Person Name			
Contact Number			
Project 2	Company/Employer		
	Description of Project		
	Client/end user (of Project)		
	Construction Value (excl. VAT)		
	Commencement Date		
	Completion Date		

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	Contactable Reference Details	Employer/Company Name	
		Reference Person Name	
		Contact Number	
Project 3	Company/Employer		
	Description of Project		
	Client/end user (of Project)		
	Construction Value (excl. VAT)		
	Commencement Date		
	Completion Date		
	Contactable Reference Details	Employer/Company Name	
Reference Person Name			
Contact Number			
Project 4	Company/Employer		
	Description of Project		
	Client/end user (of Project)		
	Construction Value (excl. VAT)		
	Commencement Date		
	Completion Date		
	Contactable Reference Details	Employer/Company Name	
Reference Person Name			
Contact Number			
Project 5	Company/Employer		
	Description of Project		
	Client/end user (of Project)		
	Construction Value (excl. VAT)		
	Commencement Date		
	Completion Date		
	Contactable Reference Details	Employer/Company Name	
Reference Person Name			
Contact Number			

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When completing the above schedule, Tenderers must be cognisant of the evaluation criteria as described in the Tender Data.

Complete the above Template and attach **a detailed CV** indicating projects completed (year completed, start and end dates) as an Electrical Lead Engineer/ Engineering Technologist.

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b) CV and Experience of Electrical Engineer/ Engineering Technologist

Position held:		<input type="checkbox"/> Electrical Engineer/ Electrical Engineering Technologist	
First Name			
Surname			
Nationality		Date of Birth	
Current Residence (City/ Town)			
Education (Qualification)		NQF Level	
Relevant Number of Years' Experience as an Engineer			
Professional Body:			
Affiliation/ Accreditation:			
Registration No.			
Personal Project Experience:			
Project 1	Company/Employer		
	Description of Project		
	Client/end user (of Project)		
	Construction Value (excl. VAT)		
	Commencement Date		
	Completion Date		
	Contactable Reference Details	Employer/Company Name	
Reference Person Name			
Contact Number			
Project 2	Company/Employer		
	Description of Project		
	Client/end user (of Project)		
	Construction Value (excl. VAT)		
	Commencement Date		
	Completion Date		

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	Contactable Reference Details	Employer/Company Name	
		Reference Person Name	
		Contact Number	
Project 3	Company/Employer		
	Description of Project		
	Client/end user (of Project)		
	Construction Value (excl. VAT)		
	Commencement Date		
	Completion Date		
	Contactable Reference Details	Employer/Company Name	
Reference Person Name			
Contact Number			
Project 4	Company/Employer		
	Description of Project		
	Client/end user (of Project)		
	Construction Value (excl. VAT)		
	Commencement Date		
	Completion Date		
	Contactable Reference Details	Employer/Company Name	
Reference Person Name			
Contact Number			
Project 5	Company/Employer		
	Description of Project		
	Client/end user (of Project)		
	Construction Value (excl. VAT)		
	Commencement Date		
	Completion Date		
	Contactable Reference Details	Employer/Company Name	
Reference Person Name			
Contact Number			

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When completing the above schedule, Tenderers must be cognisant of the evaluation criteria as described in the Tender Data
Complete the above Template and attach a detailed CV indicating projects completed (year completed, start and end dates) as an Electrical Engineer/ Electrical Engineering Technologist.

Note:

- Experience of Lead/Principal Electrical Engineer
- Project Experience must be related to projects implemented from Initiation/ Design phase to Close Out. Refer to functionality criteria. "Commencement Date" refers to the project initiation date and "Completion Date" refers to the project close out date.
Experience of Electrical Engineer
- Project Experience must be related to projects implemented from Initiation/ Design phase to Close Out. Refer to functionality criteria. "Commencement Date" refers to the project initiation date and "Completion Date" refers to the project close out date.

Note: Tenderer's must take cognisance of the evaluation criteria as described on Section 4.

I, the undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date

Name Position

Tender

Tel +27 11 723 1400 Fax +27 11 453 9354
Western Precinct, Aviation Park, O.R. Tambo International Airport, 1 Jones Road, Kempton Park, Gauteng, South Africa, 1632
P O Box 75480, Gardenview, Gauteng, South Africa, 2047
www.airports.co.za

Airports Company South Africa SOC Ltd Reg No 1993/004149/30 VAT no 4930138393 Board of Directors: Advocate S Nogxina (Chairperson), M Mpofu (Chief Executive Officer), N Zikala-Mvelase, N Nokwe-Macamo, Y Pillay, K Esterhuizen, GA Victor, D Hlatswayo, Dr KH Badimo, F Sefara (Company Secretary)

Annexure F: Eligibility for Preference Points (B-BBEE Recognition Level)

1. Valuation of preference points is based on tenderer's B-BBEE verification certificate:
 - a) The certificate shall have been issued by:
 - i. A verification agency accredited by South African National Accreditation System (SANAS);
 - ii. A registered auditor approved by the Independent Regulatory Board of Auditors (IRBA);
 - b) The verification certificate must be valid at the tender closing date

2. In the event of a Joint Venture (JV), a consolidated B-BBEE verification certificate in the name of the JV shall be submitted.
 - a) The verification certificate shall identify:
 - i. The name and domicilium citandi et executandi of the tenderer
 - ii. The registration and VAT number of the tenderer
 - iii. The dates of granting of the B-BBEE score and the period of validity
 - iv. The expiry date of the verification certificate
 - v. A unique identification number

3. The standard and/or normative document, including the issue and/or revision used to evaluate the tenderer:
 - a) The name and/or mark/logo of the B-BBEE verification agency.
 - b) The scorecard (GENERIC, QSE, EME) against which the tenderer has been verified.
 - c) The B-BBEE status level
 - d) The SANAS or IRBA logo on the verification certificate.
 - e) The B-BBEE procurement recognition level.
 - f) The score achieved per B-BBEE element.
 - g) The % black shareholding.
 - h) The % black woman shareholding.
 - i) The % black persons with disabilities.

4. ACSA will not be responsible to acquire data that it needs for its own reporting systems and which may not form part of a verification agency's standard certificate format. The tenderer, at its own cost, must acquire the specified data listed in 3 above from its selected verification agency and have it recorded on the certificate.

Alternatively, such missing data must be supplied separately, but certified as correct by the same verification agency and also submitted.

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Signed

Date _____

Name

Position _____

Tender

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Annexure G: Certified Valid B-BBEE Verification Certificate (please attach here)

The bid must include an original or certified copy of the B-BBEE verification certificate issued by SANAS accredited ratings agency, or an IRBA Registered Accounting Practice. The certificate should be an original or a certified copy.

If bidding entity is an EME or QSE a Sworn Affidavit

In the event of a Joint Venture (JV), a consolidated B-BBEE verification certificate in the name of the JV shall be submitted.

Note: Tenderer's must take cognisance of the Pre-evaluation criteria as described on Section 2 and clause 5.4

Signed Date _____

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Annexure H: SARS Tax Clearance Certificate

All bid submissions must have a **valid original or certified tax clearance certificate or SARS Pin** as part of the compliance requirements. If a company or close corporation has not yet been formed at the time of submitting a bid, the prospective shareholders or members must each supply a tax clearance certificates in their personal capacities.

Please also attach: **Identity documents of the Directors and Certificate of Incorporation**

Signed Date _____

Name Position _____

Tender

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Annexure I: Bidders must provide proof of registration with National Treasury's Central Supplier Database (CSD)

Attach here

Signed Date _____

Name Position _____

Tender

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Annexure J: Letter of Good Standing

Bidders must produce a letter of Good Standing in terms of Compensation for Occupational Injuries and Diseases Act of 1993 (COIDA); or Federated Employee Mutual Assurance (FEMA) Insurance.

(Attach here)

Signed

Date _____

Name

Position _____

Tender

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Annexure K: POPIA Declaration

CONFIDENTIALITY AND DATA PROTECTION

Save as provided in this clause (*Confidentiality and Data Protection*), each Party shall, and shall procure that its Affiliate and their respective officers, directors, employees, agents, auditors and advisors shall, treat as confidential all information relating to the other Party or its Affiliates thereof or relating to their respective businesses that is of a confidential nature and which is obtained by that Party in terms of, or arising from the implementation of this Agreement, which may become known to it by virtue of being a Party, and shall not reveal, disclose or authorise the disclosure of any such information to any third party or use such information for its own purpose or for any purposes other than those related to the implementation of this Agreement.

The obligations of confidentiality in this clause shall not apply in respect of the disclosure or use of such information in the following circumstances:

in respect of any information which is previously known by such Party (other than as a result of any breach or default by any Party or other person of any agreement by which such Confidential Information was obtained by such Party);

in respect of any information which is in the public domain (other than as a result of any breach or default by either Party);

any disclosure to either Party's professional advisors, executive staff, board of directors or similar governing body who (i) such Party believes have a need to know such information, and (ii) are notified of the confidential nature of such information and are bound by a general duty of confidentiality in respect thereof materially similar to that set out herein;

any disclosure required by law or by any court of competent jurisdiction or by any regulatory authority or by the rules or regulations of any stock exchange;

any disclosure made by a Party made in accordance with that Party's pursuit of any legal remedy;

any disclosure by a Party to its shareholders or members pursuant to any reporting

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obligations that Party may have to its shareholders or members, provided that each such shareholder or member is notified of the confidential nature of such information and is bound by a general duty of confidentiality in respect thereof materially similar to that set out herein;

In the event that a Party is required to disclose confidential information as contemplated in this clause, such Party will:

advise any Party/ies in respect of whom such information relates (the "**Relevant Party/ies**") in writing prior to disclosure, if possible;

take such steps to limit the disclosure to the minimum extent required to satisfy such requirement and to the extent that it lawfully and reasonably can;

afford the Relevant Party/ies a reasonable opportunity, if possible, to intervene in the proceedings;

comply with the Relevant Party/ies' reasonable requests as to the manner and terms of such disclosure; and

notify the Relevant Party/ies of the recipient of, and the form and extent of, any such disclosure or announcement immediately after it was made.

Either Party may, by notice in writing, be entitled to demand the prompt return of the whole or any part of any confidential information supplied by it to the other Party, and each Party hereby undertakes to comply promptly with any such demand.

In line with the provisions of Protection of Personal Information Act, No 4 of 2013 (POPIA), particularly section 20 and 21, the service provider (referred to as Operator in POPIA) shall observe the following principles when processing personal information on behalf of the Company (referred to as Responsible Party in POPIA):

the Service Provider shall only act on the Company's documented instructions, unless required by law to act without such instructions;

the Service Provider shall ensure that its representatives processing the information are subject to a duty of confidence;

the Service Provider shall take appropriate measures to ensure the security of processing. The Service Provider shall ensure and hereby warrants that they have minimum IT and or physical security safeguard to protect personal information;

the Service Provider shall notify the Company immediately where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person.

the Service Provider shall only engage a sub-operator with the Company's prior authorisation and under a written contract;

the Service Provider shall take appropriate measures to help the Company respond to requests from data subjects to exercise their rights;

taking into account the nature of processing and the information available, the Service Provider shall assist the Company in meeting its POPIA obligations in relation to the security of processing, the notification of personal information breaches and data protection impact assessments;

the Service Provider shall delete or return all personal information to the Company (at the Company's choice) at the end of the contract, and the service provider shall also delete existing personal information unless the law requires its storage; and

the Service Provider shall submit to audits and inspections. The Service Provider shall also give the Company whatever information it needs to ensure that the Parties meet their Section 20(1) obligations.



1. SIGNATURES

FOR AIRPORTS COMPANY SOUTH AFRICA

THUS DONE AND SIGNED AT _____ ON THIS _____ DAY OF _____ 2024.

FOR SERVICE PROVIDER

THUS DONE AND SIGNED AT _____ ON THIS _____ DAY OF _____ 2024.

AUTHORIZED SIGNATORY _____

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Annexure L

CONTRACT DOCUMENTS

(To be completed and returned with the Bid Document)

Annexure L.1

NEC Professional Services Contract Form of Offer and Contract Data

(To be completed and returned with the Bid Document)

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