

**Tender Reference: ORTIA7738/2025/RFP**

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## **TERMINAL A REFURBISHMENT**

# **PROFESSIONAL TEAM(S) FOR THE PROVISION OF PROFESSIONAL PROJECT MANAGEMENT, MULTI-DISCIPLINARY ENGINEERING, ARCHITECT, QUANTITY SURVEYING AND HEALTH & SAFETY SERVICES FOR THE TERMINAL A REFURBISHMENT AT O.R. TAMBO INTERNATIONAL AIRPORT**

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## **February 2025**

Indicate which service/s you are submitting your bid for by ticking the box provided. (Bidder(s) / Tenderers can participate in one or more discipline by selecting those that they are interested in and will be evaluated on what they select). Bidders are requested to also submit signed contracts for the various disciplines they select.

Number	Services	√
1	Multi-Disciplinary Engineers	
2	Construction Health and Safety Agent	
3	Project Manager	
4	Quantity Surveyor	
5	Architect	

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 South Africa, 1632  
 P O Box 75480, Gardenview, Gauteng, South Africa, 2047  
[www.airports.co.za](http://www.airports.co.za)

Airports Company South Africa SOC Ltd Reg No 1993/004149/30 VAT no 4930138393 Board of Directors: F Zikalala Mvelase (Interim Chairperson), Dr K Badimo, D Hlatshwayo, A Khumalo, G Mancotywa, L Mbotya (Chief Financial Officer), M Mpofo (Chief Executive Officer), Y Pillay, S Sambo, N Siyotula, F Sefara (Company Secretary)

## TENDERER'S DETAILS

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

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**Request for Proposals for the Provision of Professional Project Management, Multi- Disciplinary Engineering, Quantity Surveying and Health & Safety Services for the design and construction supervision of Terminal A Refurbishment at O.R. Tambo International Airport for a Period of three (3) years.**

<b>Bid Number:</b>	<b>: ORTIA7738/2025/RFP</b>
<b>Issue Date</b>	<b>: 07 February 2025</b>
<b>Query Closing Date</b>	<b>: 03 March 2025</b>
<b>Compulsory Briefing Session and Time</b>	<b>: 19 February 2025 @ 11h00 am</b>
<b>Bid Closing Date and Time</b>	<b>: 17 March 2025 @ 11h00 am</b>

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Annex A	Compliance with Codes and Standards
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## 1. SECTION 1: INSTRUCTIONS TO BIDDERS

### 1.1. Access to RFB/P/I documents

Tenders are available on [www.etenders.gov.za](http://www.etenders.gov.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 **11h00(AM) on Monday 17 March 2025** using the following method(s):

#### 1.1.1. Hand delivery:

**ACSA Tender Office**

\_\_\_\_\_

3<sup>rd</sup> Floor ACSA North Wing Offices

\_\_\_\_\_

O.R. Tambo International Airport

The bid document must be delivered to the address below and must be addressed as follows:

#### 1.1.2. Tender box: C

The Tender box is located at:

\_\_\_\_\_

Tender Box C

\_\_\_\_\_

3<sup>rd</sup> Floor, North Wing Offices

\_\_\_\_\_

O.R. Tambo International Airport

#### 1.1.3. Proposals must both be in printed format (**an original and a copy**) together with an electronic copy of the bid documents using a USB flash drive or an accessible link. The original will be legal and binding, in the event of discrepancies between any of the submitted documents; the original will take precedence.

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## 1.2. Alternative Bids

As a general rule ACSA only accepts bids which have been prepared in response to the bid invitation. However, for this bid alternative bids will be accepted provided the alternative bid is accompanied by the original bid response which materially complies with the specifications of this bid invitation, an offer which materially complies with the requirements of this bid. Alternative bids will also be evaluated using the pre-determined evaluation criteria stipulated in this bid document.

## 1.3. Late Bids

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

## 1.4. Clarification and Communication

Name: Motlhabane Molamu

Designation: SCM Specialist Category Management

Email: [Motlhabane.molamu@airports.co.za](mailto:Motlhabane.molamu@airports.co.za)

1.4.1. Request for clarity or information on the bid may only be requested until **Monday 03 March 2025** close of business. 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.

1.4.2. 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.

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### 1.5. Compulsory Briefing Session

A compulsory briefing session will be held on **Wednesday 19 February 2025 from 11:00 am**. The session will be held at the following location:

**The Media Room (Next to the Post Office)**

**Central Terminal Building (CTB)**

**O R Tambo International Airport**

### 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.

### 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.

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**1.8. Validity Period**

1.8.1. ACSA requires a validity period of one 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

Free Call: 0800 00 80 80 or 086 726 1681

Email: [office@thehotline.co.za](mailto:office@thehotline.co.za)

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## SECTION 2: BACKGROUND, PURPOSE, AND SCOPE OF WORK

### 2.1 Background and/or Purpose of this Bid

Terminal A, developed in the early 1990s, requires refurbishment to meet contemporary standards and identified non-compliances remediated. An assessment of certain structural, electrical and mechanical features has revealed the need for rehabilitation work, ensuring safety and compliance with current regulations. Given the age of the terminal building, there are fittings and fixtures that have exceeded their useful life and these needs to be addressed to maintaining functionality and aesthetics. In summary, the project seeks to address service quality, operating efficiency, ensure safety compliance, and modernize the terminal infrastructure where relevant.

### 2.2 Scope of Work

The scope of work to provide for the Terminal A Refurbishment project will include but not limited to (Condition assessment to be conducted):

#### **Terminal A Refurbishment works scope of work:**

- Signage as well as monitors.
- Creating a new evacuation plan for emergencies.
- Constructing the corridor.
- Additional 2D bar code reader at CTB security.
- Creation of flight monitoring counters (10) to improve check-in counters and streamline airline operations. This will include Common Use Terminal Equipment (CUTE) systems for functionality.
- Additional network and UPS points for Common Use Self Service (CUSS) machine re-positioning
- Improve lighting (LED lights).
- Improve ambience of the Terminal (concept ceiling, artworks, and plants).
- Transit process redesign (Subject to approval by ACC and Planco).
- Additional security cameras for corridors.
- Roof: Accumulation of water on the roof and leakage to the ceiling contravenes the SANS 10400-L:2011 and needs to be assessed, replace existing roof sheets with new sheets, gutters and downpipes, where provided, must be sized in accordance with the requirements of SANS 10400-R, waterproofing system is in a dilapidated condition.
- All structural steel members and connections (Columns, base plates, bolts, beams): Condition assessment to be carried out in line with ISO 13822:2010. Corrosion damage analysis of steel members to be conducted. Corrosion propagation to be determined.

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- Sewer system: Assessment of entire sewer system on Terminal A to determine potential leakages and factors like contaminated sewer lines, improper ventilation, and faulty plumbing to be determined.
- Odour control: Relocation of septic tank and sump vents for odour control.
- Ablution Facilities: Showing signs of wear and tear. Water leakages and blocked pipes have been identified. Modernization of ablution facilities to be considered.
- Walls which are in a deteriorated condition to be repainted. Patching and repair is required.
- Tiles in some sections are damaged and need to be replaced. Modernization to be considered.
- Doors and glazing panels: The doors and glazing panels need attention; both the doors and handles display signs of wear and vandalism.
- Fire protection compliance
- HVAC replacement (Indoor units and ducting).
- Substations: Upgrading of access control to all substation or machines, placement of all signs required in line with Occupation Health and Safety Act 85 of 1993 regulations, condition assessment of all MV panels, LV switchboards, transformer, generators.
- MV Switchgear: Review of the protection settings for the entire MV switchgear.
- MV Cables: Development of MV cables schedule, naming, and tagging.
- Low voltage systems: Upgrading of the main distribution boards, improvement of the Access control to all electrical distribution boards, tidying up of all electrical installation and wirings/cables -this includes development of the LV cable schedule, naming, and tagging, protection of exposed breakers and distributions boards, inspect and test all distribution boards and provide certificates of compliance for all the distribution boards.
- Small power: Provision for power-skirting with normal switch socket outlets (SSO's) and dedicate socket outlets (DSSO's) to provide power in individual offices, open plan working areas, rest areas, pause rooms, and any other open areas where necessary, for normal general use the new SANS 164-2 sockets with the three pin socket are proposed, refurbishment or replacement of power skirting in areas where it already exists.
- Lighting: Replacement of current light fittings with the latest and energy efficient LED light fittings in all areas, provision for lighting in all areas with inadequate lighting and on all stairs to ensure compliance with Occupation Health and Safety Act 85 of 1993 regulations. Moving of all lighting circuits to essential power. Confirm the capacity of all lighting circuits in terminal and confirm the ability of the backup generators in terminal A to carry all the lighting circuits.
- Earthing & Lighting Protection: Assessment and improvement of the all the earth conductors. Measurement/testing of the earth resistivity of all the earth rods. Continuity testing for the earthing and

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lighting protection. Review and assessment of the current earthing & lightning protection for compliance with the applicable SANS Standards..

**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	Stage 5	Stage 6
Check if all the documents have been received	Mandatory Requirements	Evaluate on functionality or the technical aspect of the bid	Evaluate price and Preference	Post tender negotiations (if possible)	Security Vetting (if deemed necessary)

**3.3 Mandatory 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:

- Attendance of compulsory briefing session – The attendance register signed by the bidders representative will be utilised to confirm attendance of compulsory briefing.
- Tenderer must complete and sign the form of offer in C1.1

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### 3.4 Functionality

The functionality evaluation will be conducted by 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:

#### 3.4.1 Functionality Criteria

The functional evaluation will be based on a threshold, where bidders which fail to achieve a minimum of **60%** on the functional stage will not be considered further in the evaluation. The bidders must meet the minimum of each sub-criteria as shown in the functionality table. The thresholds on each element of the evaluation are as follows:

All key persons must be professionally registered with the relevant Councils recognised by the Council for the Built Environment – (CBE) - ACSA will verify all registrations.

Project reference form (Appendix E) must be filled completely, and contactable references must be provided. Completion certificates and appointment letters will not be accepted.

CVs should include information stated in Appendix G and proof of registration should be attached on Appendix H.

All projects for References and Key Resources demonstrated must be completed.

**Note: Schools/ Clinics/ Residential Buildings for company and personnel experience will not be accepted.**

#### Functionality Table

##### MULTI-DISCIPLINARY ENGINEERS

#	Functionality Element	Min	Max
1.	<p><b>COMPANY EXPERIENCE</b></p> <p><b>Multi-disciplinary engineering company experience in major civil and structural works.</b></p> <p>Proof that Tenderer has done Civil and Structural Engineering professional services on major building works (high-rise building/ malls/ shopping centers/ office buildings/hotels/hospitals/International Conference Centre/ Warehouses/</p>	15	25

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	Terminal Buildings only) of with a construction value of R 100 million and above (inclusive of VAT) each project.  <b>0-1 Project = 0 points</b> <b>2 Projects = 15 points</b> <b>3 or more Projects = 25 points</b>		
<b>2.</b>	<b>KEY PERSONNEL EXPERIENCE &amp; REGISTRATION</b> <b>2.1. CIVIL/STRUCTURAL ENGINEER EXPERIENCE</b> Proof that Civil Engineer has done Engineering professional services work for civil works projects (high-rise building/ malls/ shopping centers/ office buildings/hotels/hospitals/International Conference Centre/ Warehouses/ Terminal Buildings only) with a construction value of R50 million and above (inclusive of VAT) each project. <b>1 Project = 0 points</b> <b>2 Projects = 10 points</b> <b>3 or more Projects = 20 points</b>  <b>2.2. PROFESSIONAL REGISTRATION</b> Proof that the Engineer is professionally registered with the Engineering Council of South Africa (ECSA) as a Professional Engineer/ Technologist.	<b>10</b>       <b>5</b>	<b>20</b>       <b>5</b>
	<b>2.3. MECHANICAL ENGINEER EXPERIENCE</b> Proof that Engineer has done Engineering professional services work for major building projects ((high-rise building/ malls/ shopping centres/ office buildings/hotels/hospitals/International Conference Centre/ Warehouses/ Terminal Buildings only) with a construction value of R30 million and above (inclusive of VAT) each project. <b>0-1 Project = 0 points</b> <b>2 Projects = 10 points</b> <b>3 or more Projects = 20 points</b>	<b>10</b>	<b>20</b>

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	<b>2.4. PROFESSIONAL REGISTRATION</b>  Proof that the Engineer is professionally registered with the Engineering Council of South Africa (ECSA) as a Professional Engineer/ Technologist.	<b>5</b>	<b>5</b>
	<b>2.3. ELECTRICAL ENGINEER EXPERIENCE</b>  Proof that Engineer has done Engineering professional services work for major buildings projects (high-rise building/ malls/ shopping centres/ office buildings/hotels/hospitals/International Conference Centre/ Warehouses/ Terminal Buildings only) with a construction value of R20 million and above (inclusive of VAT) each project.  <b>0-1 Project = 0 points</b> <b>2 Projects = 10 points</b> <b>3 or more Projects = 20 points</b>	<b>10</b>	<b>20</b>
	<b>2.4. PROFESSIONAL REGISTRATION</b>  Proof that the Engineer is professionally registered with the Engineering Council of South Africa (ECSA) as a Professional Engineer/ Technologist.	<b>5</b>	<b>5</b>
	<b>Total =</b>	<b>60</b>	<b>100</b>

**ARCHITECT**

#	Functionality Element	Min	Max
1.	<b>COMPANY EXPERIENCE</b>  <b>Architectural company experience in major construction projects.</b>  Proof that Tenderer has done Architectural professional services on major construction project/s (high-rise building/ malls/ shopping centers/ office buildings/hotels/hospitals/International Conference Centre/ Warehouses/ Terminal Buildings only) with a construction value of R100 million and above (inclusive of VAT) each project.  <b>0-1 Project = 0 points</b> <b>2 Projects = 30 points</b> <b>3 or more Projects = 60 points</b>	<b>30</b>	<b>60</b>

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2.	<b>KEY PERSONNEL EXPERIENCE &amp; REGISTRATION</b> <b>2.1. ARCHITECT EXPERIENCE</b> Proof that Architect has done Architectural professional services for construction projects (high-rise building/ malls/ shopping centres/ office buildings/hotels/hospitals/International Conference Centre/ Warehouses/ Terminal Buildings only) with a construction value of R50 million and above (inclusive of VAT) each project. <b>1 Project = 0 points</b> <b>2 Projects = 20 points</b> <b>3 or more Projects = 30 points</b>	20	30
	<b>2.2. PROFESSIONAL REGISTRATION</b> Proof that the Architect is professionally registered with the South African Council for the Architectural Profession (SACAP) as a Professional Architect/Technologist.	10	10
	<b>Total =</b>	<b>60</b>	<b>100</b>

### **PROJECT MANAGEMENT**

#	Functionality Element	Min	Max
1.	<b>COMPANY EXPERIENCE</b>  <b>Project Management company experience in major construction projects.</b>  Proof that Tenderer has done Project Management professional services on major construction project/s with a construction value of R100 million and above (inclusive of VAT) each project.  <b>0-1 Project = 0 points</b> <b>2 Projects = 30 points</b> <b>3 or more Projects = 60 points</b>	30	60

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2.	<b>KEY PERSONNEL EXPERIENCE &amp; REGISTRATION</b>		
	<b>2.1. PROJECT MANAGER EXPERIENCE</b> Proof that Project Manager has done Project Management professional services for construction projects with a construction value of R50 million and above (inclusive of VAT) each project.  <b>1 Project = 0 points</b> <b>2 Projects = 20 points</b> <b>3 or more Projects = 30 points</b>	20	30
	<b>2.2. PROFESSIONAL REGISTRATION</b> Proof that the Project Manager is professionally registered with the South African Council for the Project and Construction Management Professions (SACPCMP) as a Professional Construction Project Manager.	10	10
	<b>Total =</b>	<b>60</b>	<b>100</b>

### QUANTITY SURVEYING

#	Functionality Element	Min	Max
1.	<b>COMPANY EXPERIENCE</b>  <b>Quantity Surveying company experience in major construction projects.</b>  Proof that Tenderer has done Quantity Surveying professional services on construction project/s with a construction value of R100 million and above (inclusive of VAT) each project.  <b>0-1 Project = 0 points</b> <b>2 Projects = 30 points</b> <b>3 or more Projects = 60 points</b>	30	60

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2.	<b>KEY PERSONNEL EXPERIENCE &amp; REGISTRATION</b> <b>2.1. QUANTITY SURVEYOR EXPERIENCE</b> Proof that Quantity Surveyor has done Quantity Surveying professional services for construction projects with a construction value of R50 million and above (inclusive of VAT) each project. <b>0-1 Project = 0 points</b> <b>2 Projects = 20 points</b> <b>3 or more Projects = 30 points</b>	20	30
	<b>2.2. PROFESSIONAL REGISTRATION</b> Proof that the Quantity Surveyor is professionally registered with the South African Council for the Quantity Surveying Profession (SACQSP) as a Professional Quantity Surveyor.	10	10
	<b>Total =</b>	<b>60</b>	<b>100</b>

### **CONSTRUCTION HEALTH & SAFETY AGENT**

#	Functionality Element	Min	Max
1.	<b>COMPANY EXPERIENCE</b> <b>Construction Health and Safety Agent company experience in major construction projects.</b> Proof that Tenderer has done Construction Health and Safety Agent professional services on major construction projects with a construction value of R50 million and above (inclusive of VAT) each project. <b>0-1 Project = 0 points</b> <b>2 Projects = 30 points</b> <b>3 or more Projects = 60 points</b>	30	60

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2.	<b>KEY PERSONNEL EXPERIENCE &amp; REGISTRATION</b> <b>2.1. CONSTRUCTION HEALTH &amp; SAFETY AGENT EXPERIENCE</b> Proof that Quantity Surveyor has done Construction Health and Safety Agent professional services for construction projects with a construction value of R20 million and above (inclusive of VAT) each project. <b>0-1 Project = 0 points</b> <b>2 Projects = 20 points</b> <b>3 or more Projects = 30 points</b>	20	30
	<b>2.2. PROFESSIONAL REGISTRATION</b> Proof that the Construction Health and Safety Agent is professionally registered with the South African Council for the Project and Construction Management Professions (SACPCMP) as a Construction Health and Safety Agent.	10	10
	<b>Total =</b>	<b>60</b>	<b>100</b>

### 3.5.1. 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 or 90/10 for bids with the rand value above R50 million*. A maximum of 80 or 90 points is allocated for price based on the following formulae (delete formula not applicable):

$$80/20 \quad \quad \quad 90/10$$

$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \quad \quad \text{OR} \quad Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where:

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

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### Evaluation of Preference

ACSA will score specific goals out of 20 or 10 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 or out of 10. ACSA will not disqualify the bidder. See below Specific goals that must be achieved for this bid:

Paste applicable goal here:

Item	Specific Goals	Score	Score
		20	10
1.	51% owned by Black male and Black women and Black youth and People living with disabilities	20	10
	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	8
	51% owned by Black male or Black women or Black youth or People living with disabilities	10	6
	Less than 51% owned by Black male, Black women, Black youth, People living with disabilities	5	4
	Other	0	0

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## SECTION 4: 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:

#### Returnable Documents and Information

<b>RETURNABLE DOCUMENTS AND INFORMATION</b>	<b>SUBMITTED [Yes or No]</b>
Priced offer NEC3 PSC Part C2	
Declaration of Interest and Politically Exposed Persons Section 5	
Certificate of Attendance of Compulsory Briefing Section 6	
Declaration of Forbidden Practices Section 7	
Terms and Conditions of RFP Section 8	
Bidders must accept the ACSA Terms and Conditions Section 9	
Confidentiality and Non-Disclosure Agreement Section 10	
Certificate of Authority to Sign Tender Appendix A	
Certificate of Authority of Joint Ventures (where applicable) Appendix B	
Record of Addenda to Tender Documents Appendix C	
Proposed Amendments and Qualifications Appendix D	
Schedule of the Tenderer's Experience Appendix E	
CV and Experience of Key Personnel Appendix F	
Proof of Professional Registration Appendix G	

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Letter of Good Standing with the Workers Compensation Commissioner Appendix J	
SBD 4 Form Bidder's Disclosure Appendix N	
SBD 6.1 Form Preference Points Claim Appendix O	
SBD 6.2 Form Declaration for Local Content and Production for PPPFA Designated Sectors Appendix P	

#### 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:

<b>OTHER RETURNABLE DOCUMENTS AND INFORMATION</b>	<b>SUBMITTED [Yes or No]</b>
Tax Pin number (ACSA may not award to a bidder whose tax affairs have not been declared to be in orders by SARS) Appendix K	
Names and identity numbers of Directors / Trustees / Members / Shareholders and Senior management Appendix L	
Certificate of Incorporation of the bidding entity showing ownership split Appendix L	
Central Supplier Database Report (CSD) Appendix M	

#### 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: DECLARATION FORM

5.1 DECLARATION OF INTEREST AND POLITICALLY EXPOSED PERSONS

**Making a Declaration (Note to SCM Official request as a returnable document I.D. document for Directors / Trustees / Members / Shareholders and Senior management of the bidding entity)**

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

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Identity Number

---

Position held in the bidding entity

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Registration number of the bidding entity

---

Tax Reference number of the bidding entity

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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:

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**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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**SECTION 6: CERTIFICATE OF ATTENDANCE OF COMPULSORY BRIEFING SESSION**

This is to certify that  
 I, .....  
 Representative of tenderer)  
 .....  
 .....  
 of (address)  
 .....  
 .....  
 e-mail: .....  
 telephone number: .....  
 fax number: .....  
 visited and examined the site on date: .....

Tenderer's Representative ..... Position: .....

Signature: ..... Date: .....

ACSA's Representative: .....

Name: ..... Position: .....

Signature: ..... Date: .....

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**SECTION 7: DECLARATION OF FORBIDDEN PRACTICES**

I/We hereby declare that we have not/been found guilty of any illegal activities relating to corruption, fraud, B-BBEE fronting, anti-competitive practices and/or blacklisted by an organ of State Owned Company, etc. and/or any other forbidden practices.

I/We declare the following:

	Description	Penalty	Organ of State / State Owned Company
a)			
b)			

Furthermore, I/We declare that to the best of my/our knowledge there is /are no further practices to be declared or which are in the process of being finalised. The following are alleged practices which have not yet been finalised.

	Description	Organ of State / State Owned Company
a)		
b)		

This declaration was signed on \_\_\_\_\_ of \_\_\_\_\_ 202\_\_\_\_\_

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

Signature: \_\_\_\_\_

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## SECTION 8: TERMS AND CONDITIONS OF RFP

### 8.1 Conditions of the request for proposal

- 8.1.1 This RFP is open only to bidders who are registered and duly authorised to provide the Services in South Africa.
- 8.1.2 Any bids received after the tender closing date and time shall not be considered by ACSA and therefore be disqualified. These bids shall be retained unopened and destroyed after the award of the contract to the successful bidder unless a written request for the return thereof is received from the relevant bidder within thirty (30) days of the award.
- 8.1.3 Except where specifically provided for in this RFP, a bidder may make no changes to its bid after the closing time and date.
- 8.1.4 ACSA reserves the right to award the contract on the basis of bid submitted by a bidder subject to ACSA's terms and conditions and by submission of its bid the bidder agrees to be legally bound thereby if its bid is accepted by ACSA.
- 8.1.5 ACSA or its duly appointed representatives shall be the sole adjudicators of the acceptability and or feasibility of the bids. The decision shall be final and except as required by law or otherwise, no reason for the acceptance or rejection of any bid will be furnished.
- 8.1.6 If the bid has been awarded on the strength of information furnished by a Bidder, which information is proved to have been incorrect, in addition to any other legal remedy it may have, ACSA may at any time during the life of the contract:
- a) Recover from the relevant bidder all costs, losses or damages incurred by it as a result of the award; and/or
  - b) Cancel the award of the bid and/or contract and claim any damages, which it may have suffered or will suffer as a result of having to make less favourable arrangements.
- 8.1.7 The Bidder shall be liable to pay for losses sustained and/or additional costs or expenditure incurred by ACSA as a result of cancellation. ACSA shall furthermore have the right to recover such losses, damages or additional costs by way of set off against monies due or which may become due to the Bidder in terms of the said contract.
- 8.1.8 If ACSA and the successful Bidder fail to enter into or execute a formal written contract within thirty (30) days of the award (or such later date as may be determined by ACSA as a result of the bidder's failure to comply with any representation made in the bidder's bid, then the award shall be deemed null and void. ACSA's aforesaid rights are without prejudice and in addition to any

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other rights that ACSA may have in order to claim damages. For the avoidance of doubt, in the event the bid of a successful bidder is accepted by ACSA, no agreement shall come into being until the formal contract has been negotiated and executed between ACSA and the successful bidder.

- 8.1.9 ACSA reserves the right to amend the terms and conditions of this RFP at any time prior to finalisation of the contract between the parties and shall not be liable to any bidder or any other person for damages of whatsoever nature which they may have suffered as a result of such amendment. All bids are submitted at the entire risk of the bidder.
- 8.1.10 All representations, agreements or arrangements arising from bids submitted in terms hereof (including any negotiations that follow) shall not be binding on ACSA, its officers, employees or agents unless reduced to writing and signed by a duly authorised representative of ACSA.
- 8.1.11 ACSA reserves the right to postpone the closing date for submission of bids or to withdraw the RFP at any time.
- 8.1.12 Appendix 1 must be executed in the name of the business actually proposing to perform the Services if awarded the contract. Appendix 1 must be signed by an authorised representative of the bidder.
- 8.1.13 In the case of a joint venture or partnership between The Service Provider, evidence of such a joint venture must be included in the bid in the form of a Joint Venture Agreement or Memorandum of Understanding. Each member of the joint venture may complete and sign Appendix 1. Alternatively, all the members of the joint venture may in writing nominate one member of the joint venture to complete and sign Appendix 1 on behalf of the joint venture. This written authority must be signed by duly authorised members of the joint venture and be submitted with the proposal.

## 8.2 Binding Arbitration Provision

- 8.2.1 It is a condition of participation in this RFP process between the bidder and ACSA that should any dispute or difference arise between the parties, this shall be resolved by a single Arbitrator -
- Concerning the purport or effect of the RFP documents or of anything required to be done or performed there under;
  - Concerning any aspect of the RFP process to anything done or decided there under: or
  - Concerning the validity of the award of the RFP to any bidder or the failure to award same to any Bidder, then such dispute or difference shall be finally resolved by arbitration.
- 8.2.2 Such arbitration shall be by a single arbitrator who shall be –
- Selected by agreement between the parties, or failing such agreement nominated on the application of any party by the Arbitration Foundation of Southern Africa (AFSA); and

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- The arbitrator shall have power to open up, review and revise any certificate, opinion, decision, requisition or notice relating to all matters in dispute submitted to him/her and to determine all such matters in the same manner as if no such certificate, opinion, decision, requisition or notice had been issued.
- 8.2.3 Upon every or any such reference, the costs of an incidental to the reference and award shall be in the discretion of the arbitrator, who may determine the amount of the costs, or direct them to be taxed as between attorney and client or as between party and party and shall direct by whom and to whom and in what manner they shall be borne and paid.
- 8.2.4 The award of the arbitrator shall be final and binding on the parties and any party shall be entitled to apply to the Courts to have such award made an order of court.
- 8.2.5 Save as set out in this clause, the arbitration shall be conducted in accordance with the rules of the Arbitration Foundation of Southern Africa.
- 8.2.6 The arbitration shall be held in Johannesburg in the English language.
- 8.2.7 However, nothing in this clause shall preclude any party to the arbitration from seeking interlocutory relief in any court having jurisdiction pending the institution of a review or other appropriate proceedings for legal redress.
- 8.2.8 Such arbitration shall be commenced and concluded within 30 days of the dispute having noted.

### **8.3 RFP Acceptance**

- 8.3.1 ACSA reserves the right to reject: -
  - a. Incomplete bids;
  - b. Late bids;
  - c. Conditional bids; and
- 8.3.2 ACSA reserves the right to withdraw the RFP at any time without giving rise to any obligation to be responsible for any loss or financial damage which may be incurred or suffered by any bidder.
- 8.3.3 This RFP implies neither obligation to accept the lowest or any bid nor any responsibility for expenses or loss, which may be incurred by any bidder in preparation of his bid.
- 8.3.4 Bidders may include with their bids any descriptive matter, which, if referred to in the RFP, will form part of the RFP. In case of any discrepancy, however, the issued RFP and supporting documents and information completed therein by the bidder will be considered as the valid and binding bid.
- 8.3.5 ACSA reserves the right to award portions of the contract to different Bidders and is not obligated to accept the whole or only one bid for purposes of the award of the contract or contracts.

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- 8.3.6 ACSA reserves the right to not award more than one contract to a Bidder.
- 8.3.7 Notwithstanding any other provision to the contrary in this document, no ACSA employee or any person related to or associated (including spouse, child, cousin, friend) with an ACSA employee may (individually or through a corporate vehicle which includes a company, close corporate, trust, partnership etc.) submit a bid for consideration by the Evaluation Committee unless interest is declared and approved as per Delegated Level of Authority.

**SECTION 9: ACSA TERMS AND CONDITIONS OF RFP AND BIDDERS PARTICULARS**

TO: Airports Company South Africa Limited.

Bid No: ORTIA7738/2025/RFP

**1. Bidder’s Name and Contract Details**

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

**2. Proposal Certification**

We hereby submit a Proposal in respect of the provision of professional project management services for the design and construction supervision of the 20” fuel feeder line at O.R. Tambo International Airport in accordance with Airports Company South Africa’s requirements.

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- 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,
- We have read, understand and agree to be bound by the content of all the 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 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 project only; it has no impact, influence or effect on any other project for which a Proposal may be submitted.
- 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 Tenderer for a period which lapses after one hundred and twenty (120) calendar days calculated from the closing date for Proposal submission.

Thus done and signed at		on this the		day of		2025
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Signature:	
Name:	

For and behalf of:

Tendering entity name:	
Capacity:	

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**SECTION 10: 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;

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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 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);

- 1.1.12 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 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.

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

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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.

1.1. If the receiving party requires the use of such Company IP, a request must be sent to [Motlhabane.molamu@airports.co.za](mailto:Motlhabane.molamu@airports.co.za) Each single request by the same receiving party shall be treated as a new request.

6.2 Should the Company provide its consent in terms of clause 6.2 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.

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6.3 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

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

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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.
- 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;

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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.

**SIGNED at \_\_\_\_\_ on \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_**

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**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: \_\_\_\_\_

**AS WITNESSES**

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

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

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# LIST OF RETURNABLE DOCUMENTS

## PART T2

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**Appendix 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.

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**Appendix B. Certificate of Authority of Joint Ventures (where applicable)**

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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**Appendix C. 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 .....

Tenderer .....

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**Appendix D. 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 RFP 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 .....

Tenderer .....

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## **Appendix E: Schedule of the Tenderer's Experience**

The experience of the tenderer or joint venture partners in the case of an unincorporated joint venture or consortium as it relates to the bidder's experience will be evaluated.

Tenderers should briefly describe their experience in the following form.

Tenderer must complete the below form.

**Note:**

- **When completing the below form(s), Tenderer's must take cognisance of the evaluation criteria.**
- **Bidders are must complete 1 form per project. Bidders must make additional copies of the form.**

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PROJECT REFERENCE FORM



Consultant Company Name: \_\_\_\_\_

Client Company Name: \_\_\_\_\_

Project Description: \_\_\_\_\_

Project Construction Value (excl. VAT): \_\_\_\_\_

Project Start Date: \_\_\_\_\_

Project Completion Date: \_\_\_\_\_

Successfully Completed?  Yes  No

Project Scope:

The purpose of the form is to assist with tender adjudication and to gain an understanding of consultant project experience. All information contained herein will be used strictly for tender evaluation purposes and will remain confidential.

Client details:

Representative Name: \_\_\_\_\_

Position: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Client Email: \_\_\_\_\_

**NOTE: BIDDERS MUST ENSURE THAT CLIENT DETAILS ARE ACCURATE BECAUSE THEY WILL BE USED FOR VERIFICATION DURING ADJUDICATION. UNCONTACTABLE REFERENCES WILL RESULT IN 0 POINTS.**

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**Appendix F: CV and Experience of Key Personnel**

Name:		
Surname:		
Registration No:		
Date of Birth:		
Name of current position in tendering enterprise:		
Number years experience		
Overview of post graduate working experience ( <i>year, organisation and position</i> )		
<b>Outline of RELEVANT experience of projects implemented in the built environment:</b>		
<b>Project Name and Description</b>	<b>Project value</b> (Note: value refers to total value of project NOT value of fees)	<b>Project completion dates</b>

***(Attach CV's of project personnel to this page)***

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**Appendix G: Proof of Professional Registration**

Attach proof of professional registration.

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**Appendix H: Letter of Good Standing with the Workers Compensation Commissioner**

Attach letter of good standing with Workmen's Compensation in accordance with the *Compensation for Occupational Injuries and Diseases Act, 1993 – COIDA*.

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## **Appendix I: SARS Tax Pin Certificate**

All bid submissions must have a valid original or certified tax 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 pin certificate in their personal capacities.

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## Appendix J: Certificate of Incorporation

Attach the certificate of incorporation of the bidding entity showing ownership split and names and identity numbers of Directors / Trustees /Members / Shareholders and Senior Management.

Please attach: **Identity documents of the Directors and**

**Certificate of Incorporation**

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**Appendix K: Bidders must provide proof of registration with National Treasury's Central Supplier Database (CSD)**

Attach here

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**Appendix L: SBD 4 FORM**

**BIDDER'S DISCLOSURE**

**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 interest<sup>1</sup> 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.

---

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Full Name	Identity Number	Name of State institution

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**

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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 consortium<sup>2</sup> 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 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

---

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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ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

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

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## Appendix M: SBD 6.1 FORM

### PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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 To be completed by the organ of state

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 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 .

#### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS / PREFERENCE	

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<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>
--	------------

- 1.5 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.
- 1.6 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.

## 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:

<b>80/20</b>	<b>or</b>	<b>90/10</b>
$P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$	or	$P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$

Where

$P_s$  = Points scored for price of tender under consideration

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Pt = Price of tender under consideration  
Pmin = 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:

**80/20**

$$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

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—
- (a) 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
  - (b) 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,**

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corresponding points must also be indicated as such.

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

Item	Specific Goals	Score	Score
		20	10
1.	51% owned by Black male and Black women and Black youth and People living with disabilities	20	10
	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	8
	51% owned by Black male or Black women or Black youth or People living with disabilities	10	6
	Less than 51% owned by Black male, Black women, Black youth, People living with disabilities	5	4
	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;

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- 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;
  - (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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## Appendix N: SBD 6.2 FORM

### DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

#### 1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

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Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

**The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.**

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

**2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
xxxxxx	xx%

3. Does any portion of the goods or services offered have any imported content?

*(Tick applicable box)*

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on [www.reservebank.co.za](http://www.reservebank.co.za)

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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**NB: Bidders must submit proof of the SARB rate (s) of exchange used.**

- 3. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

**LOCAL CONTENT DECLARATION**  
**(REFER TO ANNEX B OF SATS 1286:2011)**

**LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)**

**IN RESPECT OF BID NO.** .....

**ISSUED BY:** (Procurement Authority / Name of Institution):  
 .....

**NB**

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thdti.gov.za/industrial\\_development/ip.jsp](http://www.thdti.gov.za/industrial_development/ip.jsp). Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, ..... (full names),  
 do hereby declare, in my capacity as .....  
 of .....(name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and

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- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_

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