



REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF SERVICE PROVIDER TO UNDERTAKE CALL-OUT FOR HAZARDOUS SUBSTANCE SPILL CLEANUP CONSISTING OF ANY FUEL SPILLS, HYDRAULIC OILS AIRPORTS COMPANY SOUTH AFRICA CAPE TOWN INTERNATIONAL AIRPORT

Requisition Number: : CIA RFQ 71756

Issue Date : Friday 12th January 2024

Closing Date : Friday 26th January 2024 at 14:00

Briefing Session and Site, Date and Time : N/A

Closing date for queries : Tuesday 23rd January 2024 at 15:00

CSD Supplier number : MAAA

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1. SECTION 1: INSTRUCTIONS TO BIDDERS

2. Submission of Quotations

The email subject heading containing bid documents must have RFQ number and the RFQ title. 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 quotation pack must be initialled or stamped with the bidder's stamp as proof that the bidder has read the quotation pack. Quotation pack must be submitted on or before **Friday 26th January 2024 at 14:00** using the following method either,

1.1.1. Email submissions:

The quotation pack must be sent to the following email address below:

Kamaal.allom@airports.co.za

Quotations must be in an electronic copy of the quotation pack. The original copy will be the legal and binding copy, in the event of discrepancies between any of the submitted documents; the original copy will take precedence.

Bidders must ensure that the subject line for email submission is the RFQ Number and RFQ Title

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

1.2. Alternative Quotations

As a general rule, Airports Company South Africa only accepts quotation which have been prepared in response to the RFQ. However alternative quotations will be accepted provided the alternative quotation is accompanied by the original quotation response which materially complies with the specifications of this RFQ. Alternative quotations will also be evaluated using the pre-determined evaluation criteria stipulated in this RFQ document.

1.3 Late Quotations

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



1.4 Clarification and Communication

Name: Kamaal Allom

Designation: Buyer

Tel: 021 937 138

Email: Kamaal.allom@airports.co.za

Request for clarity or information on the RFQ may only be requested until **Tuesday 23rd January 2024 at 15:00**. Any responses to queries for clarity sought by a bidder will also be sent to all the other entities which have been invited to the Request for Quotation/Information invitation.

Bidders may NOT contact any AIRPORTS COMPANY SOUTH AFRICA employee on this RFQ other than those listed above. Contact will only be allowed between the successful bidder and AIRPORTS COMPANY SOUTH AFRICA Business Unit representatives after the approval of a recommendation to award this RFQ. Contact will also only be permissible in the case of pre-existing commercial relations which do not pertain to the subject of this RFQ.

1.5 Non-Compulsory / Compulsory Briefing/ Site Inspection Session

A non/compulsory briefing as below details

Briefing/Site Inspection Session Requirements	N/A
Date	N/A
Time	
Venue or Microsoft Teams Link	
Access to Restricted Area, Cargo, Airside, Terminal	N/A
Documentation, e.g. ID, Passport, Temporary Permit, etc (note: Driver's License will not be acceptable)	N/A
Personal Protective Equipment, Safety boots	N/A

1.6 RFQ Responses

RFQ responses must be strictly prepared and returned in accordance with this RFQ document. Bidders may be disqualified where they have not materially complied with any of AIRPORTS COMPANY SOUTH AFRICA's requirements in terms of this RFQ document. Changes to the bidder's submission will not be allowed after the closing date of the RFQ. All RFQ 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 RFQ.



1.7 Extent of Services

The services to be provided in terms of this project are inextricably linked to the Employers Opex budget. The Project will be managed in accordance with the National Treasury Standard for Infrastructure Procurement and Delivery Management (SIPDM).

1.8 Reference data

A clarification session will be held to advise on project location.

1.9 Timeframes and Milestones

Milestones set by the Employer typically revolve around budget cycles and the need to spend the budget in any given financial year. The Employer may cancel this appointment at anytime during the project subject to budget availability.

1.10 Format of Communication

Ad-hoc communication between the Employer and the Service Provider may be conducted telephonically, per electronic format (e-mail) or meetings.

1.11 Meetings

The Bidder will be required to attend site meetings as per Scope of Services.

The Bidder will also be required to attend meetings with Service Manager as required. To be included in work stage pricing.

1.12 Key Personnel

Should it become necessary to replace any of the key personnel listed during this contract, they may only be replaced by individuals with similar or better qualifications and experience, who satisfy the minimum requirements and then only with the approval of the Employer.

1.13 Use of reasonable skill and care

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

The Bidders' attention is drawn to the fact that the proposed is within Airport Terminal building, Airside and remote sites like Swaartklip, Cargo, General Aviation Area, etc. Safety of persons and property is of paramount importance, closely followed by the minimisation of disruption and inconvenience to



passengers. The Bidder is to adhere to ACSA Occupational Health and Safety always. No leniency will be granted for breach of policy.

Access to all Airport Departure and Arrival areas to always remain free of obstruction.

1.14 Meetings

Site/Technical Meetings

During the Contract period, the Bidder shall attend all site or virtual meetings with the Employer as and when necessary.

1.15 Employers right to recover costs

The Employer reserves the right to recover, by way of a deduction from any amount due to the Bidder, any additional cost which the Employer incurs arising out of non-performance/negligence of the Bidder

1.16 Access to site

Access to public areas is restricted, however, personal access permits are required for access to restricted areas. The Bidder will be required to apply for such personal access permits prior to commencement of project.

All resources must wear a personal access permit always when on site. (refer to ACSA permit cost)

1.17 Format of communication

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

1.18 Non-disclosure

All information and other supporting documentation regarding this project may not be shared with 3rd parties without written consent of ACSA Procurement and ACSA Legal. All parties and companies involved in this project will be required to sign a non-disclosure at appointment. Confidentiality agreement to be signed.



1.21 **Fronting**

ACSA supports the spirit of broad based black economic empowerment and recognises that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent, and legally compliant manner. Against this background, ACSA condemns any form of fronting. ACSA, in ensuring that Suppliers conduct themselves in an honest manner will, as part of the tender evaluation process, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in tender documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures & Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry/investigation, the onus will be on the Supplier to prove that fronting does not exist. Failure to do so within 14 days from date of notification may lead to the disqualification of the Supplier and may also result in the restriction of the Supplier to conduct business with ACSA, in addition to any other remedies ACSA may have against the Supplier.

1.22 **Contract Award**

ACSA reserves the right to withdraw tenders, reissue tenders and/or divide the scope of supply and award more than one contract. ACSA shall not be obliged to accept the lowest or part or all of any tender submitted. No agreement between ACSA and the Supplier shall come into existence until such time as a written contract signed by ACSA and the Supplier is concluded, or an official purchase order is issued to the Supplier and becomes unconditional in accordance with its terms. The Supplier should not and cannot rely on any communication to the Supplier of a successful tender by ACSA staff and representatives as no legally binding agreement will come into existence until a formal written and legally binding and enforceable agreement is validly concluded and executed. Please further take note that even if a Supplier scores the highest points in a tender/auction the award is subject to a due diligence before a purchase order or contract can be concluded with ACSA.

ACSA reserves the right not to award any tender, including a tender that is technically compliant, if the tender is found to be commercially unattractive.

1.23 **Submission of Proposals**

The following requirements are to be adhered to:

- a) Should the Supplier tendering sub-contract more than 25% of the work, a sub-contracting Agreement or letter of intent between both parties should be submitted with the tender.
- b) Should the Supplier tendering make use of a sister company in providing the services, full documentation/proof is to be provided that the sister company is technically competent to provide the services, together with a full explanation on the distribution of the services to be provided
- c) An Agent or local Supplier cannot submit a tender on behalf of a Holding Company and vice versa



- d) Should a tender be submitted as a Joint Venture full details are to be provided on issues of providing services, payment details, liabilities, management, etc. and a signed undertaking of Agreement should the Joint Venture be awarded the contract.

1.24 Disclaimers

It must be noted that Airports Company South Africa may:

- a) Award the whole or a part of this RFQ;
- b) Split the award of this RFQ;
- c) Negotiate with all or some of the shortlisted bidders;
- d) Award the RFQ to a bidder other than the highest scoring bidder where objective criteria allows;
- e) Reject the lowest quotation submission received; and/or
- f) Cancel this RFQ.

1.25 Validity Period

AIRPORTS COMPANY SOUTH AFRICA requires a validity period of one hundred and twenty business days (120 business/working days) for this RFQ. 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 AIRPORTS COMPANY SOUTH AFRICA would accommodate a proposal to change the price.

1.26 Confidentiality of Information

AIRPORTS COMPANY SOUTH AFRICA will not disclose any information disclosed to AIRPORTS COMPANY SOUTH AFRICA through this RFQ process to a third party or any other bidder without any written approval from the bidder whose information is sought.

Bidders may NOT disclose any information given to the bidders as part of this RFQ process to any third party without the written approval from AIRPORTS COMPANY SOUTH AFRICA. If the bidder requires to consult with third parties on the RFQ, such third parties must complete confidentiality agreements, which should also be returned to AIRPORTS COMPANY SOUTH AFRICA with the quotation pack.

1.26 Hot – Line

AIRPORTS COMPANY SOUTH AFRICA subscribes to fair and just administrative processes. AIRPORTS COMPANY SOUTH AFRICA 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



1. SECTION 2: BACKGROUND, PURPOSE, AND SCOPE OF WORK

- 1.1. The Purpose of this RFQ is to Appointment of a service provider to all-out to CTIA for hazardous substance spill cleanup consisting of any fuel spills, hydraulic oils

BACKGROUND

2. **SCOPE OF WORK**

The purpose of this requisition is to source a service provider for CTIA's Fire Department that will provide:

1. Emergency response services and clean-up capabilities for hazmat spills on the aerodrome (e.g. chemicals, fuels, sewage).
2. Remediation in the event of a release to the environment.
3. Safe disposal of hazardous materials.
4. Supply hazmat materials, consumables, and equipment.
5. Disposal of hazardous waste from clean-ups (e.g., used absorbent materials) or from training exercises (burnt materials).

Emergency Response Services & Remediation

When requested, the service provider is required to undertake the following:

1. Respond to emergency incidents on or relating to Cape Town International Airport
2. Containment of hazardous material spills to limit downstream impacts and neutralise hazards on the aerodrome.
3. Remediation of the environment (land / water) in accordance with legislation
4. Assist with Emergency Reporting requirements in terms of the National Environmental Management Act, the National Water Act, and local authorities amongst others.
5. Removal, transportation, and safe disposal of hazardous and non-hazardous waste

Close out reports are to be issued post remediation of incidents.

Safe disposal certificates and waste manifest documents are to be provided for all waste disposed.

The service provider will be accredited in terms of the legislation, and specifically in terms of the City of Cape Town's Integrated Waste Management Bylaw to transport and dispose of waste.

Disposal of Waste

Spill absorbent booms used spill clean-up materials, and residue from training exercises will require disposal from time to time. The service provider will be responsible for the collection, removal, transportation, and disposal of waste to a suitable site.

The service provider will be accredited in terms of the legislation, and specifically in terms of the City of Cape Town's Integrated Waste Management Bylaw to transport and dispose of waste.

General



Service provider needs to make provisions for permits to access and operate within the aerodrome.

SECTION 3: EVALUATION CRITERIA

1.1. Evaluation Stages

AIRPORTS COMPANY SOUTH AFRICA will use pre-determined evaluation stages when considering received quotations. The evaluation criteria will consider the commitment made for local production and content (*where applicable*), functionality/technical (*where applicable*), Price and BEE, Objective Criteria (*where applicable*).

During the evaluation of received quotation packs AIRPORTS COMPANY SOUTH AFRICA 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 may be disqualified from the RFQ process.

The requirements of any given stage must be complied with prior to progression to the next stage. AIRPORTS COMPANY SOUTH AFRICA reserves the right to disqualify bidders without requesting any outstanding document/information.

- 1.2. **Mandatory Requirements Assessment** (*Include any minimum requirements and the submission of proof. The requirements could be on experience, at least three referees, certification, or proof of professional membership, etcetera)

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

Refer to SECTION 4 below for a list of mandatory documents and form

1.3. Local Content and Production

Bidders must complete and return SBD 6.2 (Declaration of Local Content and Production form) on the closing date and time of this RFQ. AIRPORTS COMPANY SOUTH AFRICA will disqualify any bidder which has not submitted the SBD 6.2 and the supporting Annexures (C, D and E) form by closing date and time. The form must be completed under **Section 4** of the RFQ document.

1.4. FUNCTIONALITY / TECHNICAL EVALUATION

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



criteria as listed below. The evaluation process will be based on threshold criteria where bidders which fail to achieve a **minimum threshold** on each element will not be considered further in the evaluation. The of the evaluation are as follows

Tenders will be pre-evaluated on the criteria set out below. Bidders that score less than **the required minimum of each** criteria will be regarded as non-responsive and will not be evaluated on price and B-BBEE.

Unclear, vague, fragmented or incomplete information provided will result in no points being allocated.

Bidders must ensure that only relevant information is submitted, for points to be awarded.

The criteria will be used to calculate points for the functionality of tenders and bidders should ensure that they submit all information in order to be pre-evaluated on the criteria mentioned below:

The maximum of points will be awarded at the sole discretion of ACSA's Bid Evaluation Committee based on the information provided.

A company's and its legacy firms past experience is not a duplication of Criterion Key staff and Personnel. This takes into consideration that the company as an entity has gained relevant experience in the past and showcase or demonstrate that the company is in the business of said Scope of Works.

Relevant experience is defined as the accumulation of knowledge or skill that results from direct participation in relevant/similar events or activities and/or as determined by ACSA and/or professional consulting engineer where applicable.

In order to claim points for the above, bidders must submit enough information as well as documentary proof of information on how long the business has been in existence (operating as a going concern) supported by Company or Business registrations documents and the following:

Points will only be awarded for relevant & completed experience obtained relevant to the Tender Scope of Works. To be able to gain points the Tenderer must submit proof that the company has obtained the relevant experience for this Tender's Scope of Works & Specifications, and not only parts thereof.

If experience is listed, please ensure it is applicable and relevant to the whole of this Tender and not only to parts thereof, otherwise the Bidder will not be awarded the necessary points. Tenderers to provide enough experience to score the total points as prescribed if no information is provided below or referred to as an additional attachment **NO POINTS WILL BE AWARDED**

References related to Experience

This section refers to the Company's and its legacy firms' references related to the experience. It also considers that the references are related & relevant to.

Bidders should provide copies of three (3) reference letters, on an official letterhead of the reference, in relation to the experience gained on projects relevant to the scope of work.

The following detail should be included in the reference letter:



- Detail of the work that have been successfully completed (like this scope of work).
- Was the work completed within the contractual time frame?
- Was the work completed within the Contract Price / Amount /Budget / Project programme/schedule. Meaning did the contractor keep to his budget and Scope of Works and not overspend without provisional approval and keep to the programme/schedule?
- Compliance with the Occupational Health & Safety regulations on the project.
- General performance on the project.
- The letter should also include who the contact person is with all his/her detail.

Bidders can provide their references with the attached questionnaire (see attachment), which have to be completed and signed by the references.

ACSA reserves the right to validate and verify the information from the references or to ask more questions or proof to satisfy the evaluation process.

Please note that points will not overlap, meaning points are awarded only once per reference/company/entity per project experience.

Please refrain from submitting multiple references from the same company on the same project. Please note it is the duty of the Bidder to ensure that the references given are relevant to the Scope of Works.

Functional Criteria

Criteria Description	Threshold	Weight
The bidding entity has the relevant experience in carrying out call outs responses and site clean outs. 0 – 4 years (15 points) 5 – 10 years (30 points) >10 years (50 points)	50	30
Provision of 3 reference letters for similar projects completed in the last 5 years. 3 reference letters provided indicating details of work completed, and successful completion thereof. (20 points) 3 reference letters indicating more than 50% value of work successfully completed in the past 2 years (15 points)	20	15
Demonstrate below accreditation:	30	30
	100	75



1.5. Price and BBEE

This is the final stage of the evaluation process and will be based on the PPPFA preference point system of **80/20**. Price will amount to 80 points, whilst preference will be 20 points. The award of business will be made to a bidder which has scored the highest overall points for this stage of the evaluation, **unless objective criteria exists**, justifying an award to another bidder or ACSA splits the award or cancels the bid, etcetera.



2. SECTION 4. RETURNABLE DOCUMENTS AND FORMS

Mandatory Returnable documents

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

MANDATORY RETURNABLE DOCUMENTS AND INFORMATION	SUBMITTED [Yes or No]
<i>Priced offer as per Pricing Schedule contained in Section 5</i>	
<i>SBD 4 Bidder's Disclosure Form</i>	
<i>Non-Disclosure Agreement</i>	
<i>SBD 6.2 (Declaration for local content and production for PPPFA designated sectors)</i>	

Other Returnable Documents and information

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

OTHER RETURNABLE DOCUMENTS AND INFORMATION	SUBMITTED [Yes or No]
<i>BEE Certificate and Scorecard or Sworn BEE Affidavit</i>	
<i>SARS Tax Compliance Status – CSD Unique Number (ACSA will not award to a bidder whose tax affairs have not been declared to be in orders by SARS)</i>	
<i>Names and identity numbers of Directors / Trustees / Members / Shareholders and Senior management – CSD Unique Number</i>	
<i>Declaration of Politically Exposed Persons in Section 4</i>	
<i>Verifiable Medical Certificate or Report as proof of disability</i>	



4.1 Validity of submitted information

Bidders must ensure that any document or information which has been submitted in pursuance to this bid remains valid for the duration of the contract period (in the event where any of such 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.



BIDDER'S DISCLOSURE AND POLITICALLY EXPOSED PERSONS DECLARATION FORM

Making a Declaration - *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) in their organisation. See below definition of PEP.

Politically Exposed Persons 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

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

Full name of the bidder or representative of
the bidding entity

Identity Number

Position held in the bidding entity

Registration number of the bidding entity



Tax Reference number of the bidding entity _____

VAT Registration number of the bidding entity _____

I/We certify that there is/ no PEP 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 conflict of interest exists, please provide details of the ACSA employee or official and the extent of the relationship below

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

Full Name	Identity Number	Personal Income Tax Reference Number

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



SBD 4: 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 interest¹ in the enterprise,

employed by the state?

YES/NO

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

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.



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

2.2.1 If so, furnish particulars:

.....

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

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

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

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



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

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder



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

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF BEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- 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

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) The 80/20 preference point system will be applicable to this bid

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) Preference.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
PREFERENCE	20
Total points for Price and Preference must not exceed	100

1.5 Failure on the part of a bidder to submit proof of Preference supporting documents together with the bid, will be interpreted to mean that preference points are not claimed.

1.6 The ACSA reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by ACSA.



2. DEFINITIONS

- (a) **B-BBEE** broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act
- (b) **Bid** a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of works, goods or services, through price quotations, advertised competitive bidding processes or proposals
- (c) **BBBEE Act** Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003)
- (d) **EME** Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act
- (e) **Functionality** the ability of a bidder to provide works, goods, or services in accordance with specifications as set out in the bid documents
- (f) **Prices** includes all applicable taxes less all unconditional discounts
- (g) **Proof of B-BBEE status level of contributor** B-BBEE Status level certificate issued by an authorized body or person
An affidavit as prescribed by the B-BBEE Codes of Good Practice
Any other requirement prescribed in terms of the B-BBEE Act
- (h) **QSE** a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act
- (i) **rand value** the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes

3. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = Price of lowest acceptable bid



4. POINTS AWARDED FOR PREFERENCE

- 4.1 A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender.
- 4.2 The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.
- 4.3 Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points

In terms of PPPFA Regulation 2023 Preferential Procurement Regulations, preference points must be awarded to a bidder for being in accordance with the table below:

5. BID DECLARATION

- 5.1 Bidders who claim points in respect of Preference must complete the following:

6. PREFERENCE CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 6.1 Preference: . = (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of audited Shareholders Certificated, the BEE Scorecard, or Sworn BEE Affidavit.

Specific Goals	Score	Bidder's Score
	20	
51% or higher owned by Black male and Black women and Black youth and People living with disabilities	20	
51% or higher owned by Black male or Black women or Black youth or People living with disabilities (at least two of the above designated groups must achieved)	15	
51% or higher owned by Black male or Black women or Black youth or People living with disabilities	10	
Between 30% and 51% owned by Black male, Black women, Black youth, People living with disabilities	5	
Less than 30% owned by Black male, Black, women, Black Youth, Black People living with disabilities and Other groups	0	



SUBCONTRACTING

Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
-----	--	----	--

If yes, indicate:

What percentage of the contract will be subcontracted _____ %

The name of the sub-contractor _____

The Preference of the sub-contractor _____

Whether the sub-contractor is an EME or QSE *(Tick applicable box)*

YES		NO	
-----	--	----	--



DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS SBD 6.2

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).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, 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)

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.thedtic.gov.za/industrial development/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:

Description of services, works or goods

Stipulated minimum threshold

- 3. Does any portion of the goods or services offer have any imported content? (Tick applicable box)**

YES		NO	
-----	--	----	--

- 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

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	

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

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the DTIC must be informed accordingly in order for the DTIC 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 RFQ NO. CIA RFQ 71756

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.thdtic.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
- (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.
- (f) 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: _____

SECTION 5 PRICING SCHEDULE / FORM OF OFFER

Item no.	Description	Frequency / Quantity	Unit Cost	Total Cost
1	25kg bag of spill absorbent material – includes delivery	10 bags per month		
2	5m spill boom sock – includes delivery	5 socks per month		
3	Degreaser for oil residue	20 L per month		
4	Collection of used clean-up materials, spill sorb, boom socks, training residue	10 bags spill sorb, 5 absorbent socks per month		
5	'Neutraliser Liquid' or similar for sewage spills	10 x 25 L per month		
6	Hazmat clean-up of spills / pollution (safe disposal certificates)	Ad-hoc call out 24-hour availability 365 days per year. On average 10 callouts per month		
7	Participation in emergency readiness exercises and planning	1x per year		
8	Remediation of contamination post hazmat outfall (includes remediation, removal, transportation of waste, emergency reporting, close out report, safe disposal certificates).	Ad-hoc call out 24-hour availability 365 days per year. On average 6 callouts per year.		
9	Shovels, brooms, bins, bags, Personal Protective Equipment used for hazmat handling & response	Ad-hoc		
10	Cleaning of oil traps – includes recycling / safe disposal and certificates (estimated capacity 48m3)	Every 3 months		
11	Cleaning of oil interceptor at Fire Simulator – includes water quality testing, recycling / safe disposal and certificates 48m3	Every 3 months		
12	ACSA permit fees	Allowance of 4 visits per year and for 2 personnel		
13	PPE			
	Sub-Total			
	VAT (15%)			
	Total Price Inclusive of VAT			

**Declaration:**

I/We the undersigned _____ (Name) hereby certify that the information furnished in this bid submission is true and correct. I declare that I am duly authorised to act and sign on behalf of the bidding company. We further certify that we understand that where it is found that we have made a false declaration or statement in this RFQ submission, ACSA may disqualify our bid or terminate a contract we may have with ACSA where we are successful in this RFQ process.

Signature

Date

Position

Name of bidder



ACCEPTANCE OF RFB TERMS AND CONDITIONS

TO: Supply Chain Management Office

Airports Company South Africa SOC Ltd.

Bid Reference No: **CIA RFQ 71756**

1. Bidder's Name and Contact 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 all-out to hazardous substance spill cleanup consisting of any fuel spills, hydraulic oils Cape Town International Airport.

- We acknowledge that ACSA's terms and conditions (as amended and mutually agreed between the parties if necessary) shall apply to the agreement with the successful Bidder/s,
- We have read, understand, and agree to be bound by the content of all the documentation provided by ACSA in this Request for Proposal.
- We accept that ACSA'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) days calculated from the closing date of proposal submission.

Thus done and signed at		on this the		day of		2024
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Signature:	
Name:	

For and behalf of:

Tendering entity name:	
Capacity:	



CERTIFIED B-BBEE CERTIFICATE

(Bidder to attach Certified BBB-EE Certificate from approved certification agency)

(a) If the certificate was issued by a verification agency the following must be on the face of the certificate:

SANAS logo, unique BVA number, must be an original certificate or a copy of the original, the name and physical location of the bidder, the registration number and, where applicable, the VAT number of the bidder, the date of issue and date of expiry of the certificate, the certificate number for identification and reference, the scorecard that was used (for example EME, QSE or Generic), the name and / or logo of the Verification Agency, the certificate must be signed by the authorized person from the Verification Agency and the B-BBEE Status Level of Contribution obtained by the bidder.

(b) If certificate was issued by an Auditor/ Accounting Officers:

The Accounting Officer's or Registered Auditor's letter head with full contact details, the Accounting Officer's or Registered Auditor's practice numbers, the name and the physical location of the bidder, the registration number and, where applicable, the VAT number of the bidder, the date of issue and date of expiry, the B-BBEE Status Level of Contribution obtained by the measured entity, the total black shareholding and total black female 11 shareholding, the B-BBEE Status Level of Contribution obtained by the bidder and must be an original certificate or a copy of the original.

(c) If the certificate was issued by registered auditors approved by IRBA

Clearly identify the B-BBEE approved registered auditor by the auditor's individual registration number with IRBA and the auditor's logo, clearly record an approved B-BBEE Verification Certificate identification reference in the format required by the SASAE, reflect relevant information regarding the identity and location of the measured entity, identify the Codes of Good Practice or relevant Sector Codes applied in the determination of the scores, record the weighting points (scores) attained by the measured entity for each scorecard element, where applicable, and the measured entity's overall B-BBEE Status Level of Contribution, reflect that the B-BBEE Verification Certificate and accompanying assurance report issued to the measured entity is valid for 12 months from the date of issuance and reflect both the issuance and expiry date, and the B-BBEE Status Level of Contribution obtained by the bidder and must be an original certificate or a copy of the original.

(d) A sworn affidavit prescribed by the B-BBEE Codes of Good Practice.

FAILURE TO COMPLY WITH THE ABOVEMENTIONED WILL RESULT IN NO PREFERENCE POINTS BEING AWARDED



Signed:

.....
.....

Date:
.....

Name:

.....
.....

Position:

.....
.....

Tenderer:

.....
.....



SCHEDULE OF BIDDER EXPERIENCE

Bidders Proof of experience								Rand value of works completed
Client (Company) Name	Project Name	Scope of Services	Contract Start Date (MM/YYYY)	Contract End Date (MM/YYYY)	Client Contact Name	Client Contact Telephone number	Letter of reference attached on Client letterhead (Yes/No)	
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
TOTAL YEARS OF EXPERIENCE (in years)								



Registration to the National Treasury’s Central Supply Database

The tenderer / bidder shall provide a printed copy of the Active Supplier listing on the National Treasury Central Supplier Database. (www.treasury.gov.za) In the case of a joint venture(JV), the bidder shall provide printed copies of the Active Supplier Listing on the National Treasury Central Supplier Database for each member of the JV. Bidders who are not registered on the Central Supplier Database and should attach proof of their application for registration. In the case of a Joint Venture, a printed copy of the Active Supplier Listing must be provided for each member of the Joint Venture. It is expected of all prospective service providers who are not yet registered on the Central Supplier Database to register without delay on the prescribed form. Airports Company South Africa reserves the right not to award tenders to prospective suppliers who are not registered on the Database

SIGNED ON BEHALF OF TENDERER:



Letter of Good Standing

The bidder needs to be registered and in good standing with a compensation insurer who is approved by the Department of Labour in terms of section 80 of the Compensation for Injury and Disease Act (COIDA Act 130 of 1993).

(a) A valid Letter of Good Standing from the Compensation Commissioner or a copy thereof, must accompany the bid documents.

(b) In the case of a Consortium/Joint Venture every member must submit a separate valid Letter of Good Standing from the Compensation Commissioner or a copy thereof with the bid documents.

(c) If a bid is not supported by a valid Letter of Good Standing from the Compensation Commissioner or a copy thereof, as an attachment to the bid documents, ACSA reserves the right to obtain such document after the closing date. If no such document can be obtained within a period as specified by ACSA, the bid will be disqualified.

(d) If a bid is accompanied by proof of application for valid Letter of Good Standing from the Compensation Commissioner, the original or copy thereof must be submitted on/or before the final date of award.

(e) Should a bidder's Letter of Good Standing from the Compensation Commissioner expire during the contract period, a valid certificate must be submitted within an time agreed upon by both ACSA and the Bidder.

(f) The right is reserved to not award a tender if a valid Letter of Good Standing from the Compensation Commissioner or a copy thereof is not submitted within the requested time.

SIGNED ON BEHALF OF TENDERER:

.....



Registration to the CIDB – N/A

Construction Industry Development Board (CIDB)

The bidder's CIDB registration number must be included with the tender. Airports Company South Africa will verify the bidder's CIDB registration during the evaluation process.

(a) The conditions of tender are the Standard Conditions of Tender as contained in Annexure F of the CIDB Standard of Uniformity in Construction in Procurement (May 2010) as published in Government Gazette No 31823, Board Notice 11 of 2009 of 30 January 2009. (See www.cidb.org.za)

(b) Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than the contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations, for a **N/A** or higher class of construction work, are eligible to have their tenders evaluated.

© verification of CIDB registration and status - Clause F.2.1.1 of the Conditions of Tender – “Eligibility”, requires a tenderer to be registered, as “Active”, with the CIDB (at time of tender closing), in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, for a EB class of construction work. Tenderers are to attach to this page a printout of their registration with the CIDB, as obtained from the CIDB website

<https://registers.cidb.org.za/PublicContractors/ContractorSearch>.

(d) Joint Ventures are eligible to submit tenders provided that;

- Every member of the joint venture is registered with the CIDB;
- The lead partner has a contractor grading designation in the **N/A** or higher class of construction work; and

(e) The combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal or higher than a contractor grading designation determined in accordance with the sum tendered for a or higher class of construction work or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations.

Tender offers will only be accepted if:

(f) The Bidder is registered with the Construction Industry Development Board (CIDB) in the appropriate CIDB Contractor grading designation before the tender closing date/time;

(g) The Bidder or any of its directors is not listed in the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;

SIGNED ON BEHALF OF TENDERER:

.....



Valid Tax Clearance Certificate

A valid Tax Clearance Certificate from the South African Revenue Services (SARS) shall be attached to this Schedule.

A copy of a Tax Compliance Status Pin and a Tax Compliance Certificate, printed from the South African Revenue Service (SARS) website, must accompany the bid documents. The onus is on the bidder to ensure that their tax matters with SARS are in order.

In the case of a Consortium/Joint Venture every member must submit a separate Tax Compliance Status Pin and a Tax Compliance Certificate, printed from the SARS website, with the bid documents.

If a bid is not supported by a Tax Compliance Status Pin and a Tax Compliance Certificate as an attachment to the bid documents, Airports Company South Africa reserves the right to obtain such documents after the closing date to verify that the bidder's tax matters are in order. If no such document can be obtained within a period as specified by ACSA, the bid will be disqualified.

The Tax Compliance Status Pin will be verified by ACSA

SIGNED ON BEHALF OF TENDERER:



Joint Venture Agreement

(Bidder to attach agreement/Memorandum of understanding between the parties.)

Indicate the type of tendering structure by marking with an X where applicable

Unincorporated Joint Venture (registration number for each member of the JV)	
Incorporated JV	

Please complete the following:

Name of lead partner/member of JV	
CIPC Registration Number (for each individual company /JV member)	
VAT Registration number (for each individual company /JV member)	
CIDB Registration number (for each individual company /JV member)	
Shareholding organogram breakdown (for each individual company / JV member) clearly identifying percentages owned by individual shareholders (full names and ID numbers) and other entities (provide full legal/trading name and respective identifying registration / trust members	
Contact Person	
Telephone number	
E-mail address	
Postal address (also each member of the JV)	
Physical Address (also each member of the JV)	



CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I, certify, on behalf of:

that: (Name of Bidder)

1. I have read, and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

- (a) has been requested to submit a bid in response to this bid invitation;
- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

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 consortium³ will not be construed as collusive bidding.



6. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid;
or
 - (f) bidding with the intention not to win the bid.
7. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery of the products or services to which this bid invitation relates.
8. 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.
- Joint venture or Consortium means an association of persons for combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.
9. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder



BRIEFING SESSION FORM – N/A

This is to certify that:

Bidding entity name _____

Attached a briefing / site inspection meeting which was held on ??????????????????????

Bidder was represented by:

Name: _____

Designation: _____

This certification is made on behalf of ACSA by:

Name: Kamaal Allom _____

Designation: Buyer _____

Signature: _____

Date: _____



CERTIFICATE OF INCORPORATION



CONFIDENTIALITY AND DATA PROTECTION

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

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

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

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

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

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

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

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

If a Party is required to disclose confidential information as contemplated in this clause, such Party will:

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



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

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

comply with the Relevant Party/ies' reasonable requests as to the manner and terms of such disclosure; and notify the Relevant Party/ies of the recipient of, and the form and extent of, any such disclosure or announcement immediately after it was made.

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

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

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

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

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

the Service Provider shall notify the Company immediately where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person; the Service Provider shall only engage a sub-operator with the Company's prior authorisation and under a written contract; the Service Provider shall take appropriate measures to help the Company respond to requests from data subjects to exercise their rights; taking into account the nature of processing and the information available, the Service Provider shall assist the Company in meeting its POPIA obligations in relation to the security of processing, the notification of personal information breaches and data protection impact assessments; the Service Provider shall delete or return all personal information to the Company (at the Company's choice) at the end of the contract, and the service provider shall also delete existing personal information unless the law requires its storage; and the Service Provider shall submit to audits and inspections. The Service Provider shall also give the Company whatever information it needs to ensure that the Parties meet their Section 20(1) obligations.



1. SIGNATURES

FOR AIRPORTS COMPANY SOUTH AFRICA

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

FOR SERVICE PROVIDER

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