



## REQUEST FOR QUOTE (RFQ)

**APPOINTMENT OF A SERVICE PROVIDER FOR SERVICE PROVIDER FOR THE DEMOLITION, DISMANTLING, MAKING GOOD, REPAIRING, DISCONNECTING, CLEARING AND CLEANING OF IDENTIFIED AREAS AND ELEMENTS IN BLOCK D GROUND FLOOR AT ATNS BRUMA OFFICE.**

<b>Date:</b>	<b>18 July 2022</b>
<b>Department</b>	<b>ATNS: CSI</b>
<b>RFQ Number</b>	<b>ATNS/RFQ078/18/07/2022/2023 Block D Move Project</b>
<b>Description of Goods/Service:</b>	Please see below on page 4
<b>Closing Date and Time:</b>	<b>29 July 2022 @ 12h00</b>
<b>Expected delivery date</b>	<b>TBC with the appointed bidder.</b>
<b>Validity Period</b>	<b>90 days from the closing date</b>
<b>Compulsory Requirements:</b>	<ol style="list-style-type: none"> <li>1. B-BBEE Certificate</li> <li>2. Tax Pin</li> <li>3. CSD Report</li> <li>4. Banking Details with bank stamp</li> <li>5. ID copies of members/directors</li> <li>6. CK Documents</li> <li>7. Pricing Schedule/Quotation</li> <li>8. Signed and completed SBD Forms</li> </ol>
<b>Mandatory Requirements</b>	<ol style="list-style-type: none"> <li>1. <b>Only bidders with a CIDB grading of 2GB or higher are eligible to tender. Bidders with CIDB grading of 1GBPE will not be considered.</b></li> </ol>
<b>Compulsory Briefing / Site Inspection</b>	Date: 22 July 2022 Time: 10:00 CAT Address: ATNS Bruma Head Office Eastgate Office Park, Block D Ground Floor South Boulevard Road Bruma
<b>Description</b>	<b>APPOINTMENT OF A SERVICE PROVIDER FOR THE DEMOLITION, DISMANTLING, MAKING GOOD, REPAIRING, DISCONNECTING, CLEARING AND CLEANING OF IDENTIFIED AREAS AND ELEMENTS IN BLOCK D GROUND FLOOR AT ATNS BRUMA OFFICE.</b>



Quotation Delivery Address	<a href="mailto:Thokop@atns.co.za">Thokop@atns.co.za</a>
Enquiries	Procurement Officer: <a href="mailto:thokop@atns.co.za">thokop@atns.co.za</a>
<p>The ATNS requests your quotation on the goods and/or services listed hereunder and/or on the available RFQ forms. Please furnish all information as requested and return your quotation on the date stipulated. Late and incomplete / missing documentations will invalidate the quotation submitted. Suppliers which are not registered on the government central supplier database will not be considered. ATNS is not obliged to accept the lowest or any submission received. ATNS reserves the rights to accept the whole or any portion of a quotation.</p> <p>This RFQ will be evaluated on the basis of the 80:20-point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000) &amp; the ATNS' Procurement Policies and Procedures.</p>	

### BIDDING STRUCTURE

Indicate the type of Bidding/Biding Structure by marking with an 'X'	
Individual Bidder	
Joint Venture	
Consortium	
With Sub-Contractors	
Other	

If Individual:	
Name of Bidder	
Registration Number	
VAT Registration Number	
Contact Person	
Telephone Number	
Fax Number	
Cell Number(s)	
E-mail Address	
Postal Address	
Physical Address	

If Joint Venture or Consortium, indicate the name/s of the partners:
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Company Name	
Registration Number	
VAT Registration Number	
Contact Person	
Telephone Number	
E-mail Address	
Fax Number	
Postal Address	
Physical Address	

**HAS AN VALID TAX CLEARANCE CERTIFICATE AND PIN BEEN SUBMITTED FOR CONSORTIUM, JOINT VENTURE AND/OR SUB CONTRACTORS**

<b>YES</b>	<b>NO</b>

**PLEASE INDICATE THE TYPE OF YOUR COMPANY E.G. PRIVATE COMPANY OR CLOSED CORPORATION OR OTHER**

Indicate the Type of Company	
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**SIGNATURE OF BIDDER:**

..... DATE: .....

.....  
CAPACITY UNDER WHICH THIS BID IS SIGNED:



## 1. PURPOSE OF BID

**APPOINTMENT OF A SERVICE PROVIDER FOR THE DEMOLITION, DISMANTLING, MAKING GOOD, REPAIRING, DISCONNECTING, CLEARING AND CLEANING OF IDENTIFIED AREAS AND ELEMENTS IN BLOCK D GROUND FLOOR AT ATNS BRUMA OFFICE.**

## 2. SCOPE OF WORK

### 2.1 Introduction

The purpose of this tender is to invite suitably qualified service providers to submit competitive proposals for the provision of services as described below.

#### 2.1.1 Main Entrance

- Remove all ATNS signage and make good.
- Reopen both glass doors located on either side of the main entrance that were closed to create the server room and kitchen by dismantling the existing partitioning, make good and replace locks of similar specification.

#### 2.1.2 Ablutions

- Remove all wallpaper and make good of the walls
- Make good cupboards installed under vanity tops and make good
- Remove all ATNS installed hygiene equipment and make good of the walls
- Replace globes
- Service extraction fans were required
- All fittings and water + sewerage pipes to be in good working order,

#### 2.1.3 Reception Area

- Dismantle and remove glass partition and automatic sliding door and related biometric system
- Remove floor carpet tiles
- Make good of the affected surfaces
- Replace ceiling bulkhead with ceiling tile

#### 2.1.4 Internal Main Area



- Dismantle all installed partitioning, including doors and glass panels
- Remove all wallpaper and make good the walls
- Remove all floor carpet tiles
- All perimeter walls and internal pillars to be repainted white
- Power and ICT poles/panels and wiring to be removed,
- All lights and plugs to be in good working condition and a COC to be supplied - lamps should preferably have a consistent colour
- The entire floor area to have suspended ceilings with replacements where necessary, including where the bulkhead installed at reception,
- All glass to be clean on both sides and cracked/damaged glass to be replaced with same spec.
- All doors and windows to be in good working condition (handles etc.) and keys to be supplied for each door.

### 2.1.5 Building Systems

- Maintenance of the Fire Detection system and all fire equipment including documentation,
- Inspection and maintenance of all air-conditioning and remedial work where required
- All access control and cameras to be removed and wall / ceilings to be made good thereafter.

### 2.1.6 General

- All blinds to be cleaned, assessed for full functionality and repair where required
- The kitchen next to the server room can remain, provided that all furniture and plumbing fittings are in good working order and broken tiles to be replaced.
- The second kitchen is to be demolished and the area made good thereafter.

## 2.2 Other Services Conditions

Bidders must also take the following project conditions into consideration:



### 2.2.1 Protection of Property

The contractor will ensure ATNS property is properly prepped and protected. Finishes of walls, doors, ceilings, stairways and windows, etc., that are not subject of demolition, must retain their pre-construction appearance and function.

Proper equipment and vehicles must be utilised for the works. The contractor assumes all responsibility for damaged or lost property and must resolve any such issues within thirty (7) days of discovery through replacement, repair or reimbursement. The contractor must work with an appointed ATNS representative in doing so. In no event will ATNS be responsible for any damages to any of the contractor's equipment, either lost, damaged, destroyed or stolen.

The contractor will preserve from damage all property along the line of work or which is in the vicinity of or is in any way affected by the work. This applies to, but not limited to, public and private property, vehicles, utilities, trees, shrubs, signs, grounds including sprinkler systems, etc.

### 2.2.2 Safety Consideration

The contractor will perform all work in a safe manner, adhering to all the relevant conditions of Occupational Health and Safety Act, with proper techniques and equipment in order to preserve the safety of ATNS employees, contractors and visitors.

The contractor will also temporary close off areas to pedestrian traffic to prevent potential injury to the public during the works.

Contractor employees will be required to possess and readily show individual and company identification while working on ATNS site.

Contractor vehicle must not park on paraplegic parking area, sidewalks, in landscaped areas or any area not intended for vehicles. A suitable area will be identified by ATNS representative where a successful bidder can establish his construction yard.



### 2.2.3 Personnel

All work must be performed by skilled, experienced personnel, directly employed, supervised and trained to worked with materials and equipment of the trade in a safe and workmanlike manner. All complaints shall be handled through ATNS designated representative. At the request of ATNS, the contractor shall replace any person in its employ deemed by ATNS to be unqualified to perform the work.

### 2.2.4 Communication and Authorisation

The appointed ATNS representative will be the single contact point for the contractor, of which requests, direction, instructions and authorisation will be communicated through.

The contractor shall, at all time, provide a working lead person who shall be responsible to accept and execute such instructions as are conveyed by the ATNS designated representative during the contract period. This person shall have the responsibility to coordinate the work with the other contractor employees. Instructions conveyed verbally or in writing to this person shall be binding upon the contractor.

### 2.2.5 Clean up

The contractor will be responsible for clean-up of all materials and builder's rubble during and at the end of the project.

### 2.2.6 Project Time Frame

The duration of this project is strictly Four (4) weeks, with an anticipated start date of August 2022 or earlier. Bidders must submit with their tender a works program in a form of a Gantt Chart.





### 2.2.7 Bills of Quantities

BIDDERS ARE TO PREPARE BILLS OF QUANTITIES (BOQ) WHEN PRICING THE ABOVE SCOPE OF WORK, THE FORMAT OF WHICH MUST BE BASED ON STANDARD SYSTEMS OF MEASURING BUILDER'S WORK.

BIDDERS MUST OFFER TENDER PRICE DISCOUNTS ON MATERIALS STILL IN GOOD CONDITION AND PLAN TO KEEP AFTER CAREFUL REMOVAL FOR REUSE ELSEWHERE IN THEIR PROJECTS.





## 1. TECHNICAL REQUIREMENTS, PRICE AND PREFERENCE POINTS

- **The First stage**, bids will be evaluated first for **Pre-Qualification Criteria (Preferential Procurement Requirements)** prescribed in Preferential Procurement Regulations. Only bids that meet Preferential Procurement requirements will be considered for further evaluation.
- **Preferential Procurement Reform:**  
**The Preferential Procurement Regulations, 2011 pertaining to the Preferential Procurement Policy Framework Act, Act No 5 of 2003.**
- Preferential Procurement in ATNS will be implemented in line with the PPPFA and its amended Regulations. Where feasible, pre-qualification criteria for preferential procurement or subcontracting will be set to advance certain designated groups which are EMEs or QSEs which are at least 51% black owned (in line with the PPPFA). Where not feasible to set preferential procurement as a pre-qualification criteria ATNS shall evaluate suppliers in accordance with the B-BBEE Codes of Good Practice.
- The **Second stage**, Bids will be evaluated for Mandatory Technical Requirements and Functionality Evaluation . During this stage, Tender response documentation will be evaluated against compliance to the Mandatory documents required. Failure to submit Mandatory documents will result in disqualification.

### Mandatory Requirement

Mandatory Criteria	Proof Required
CIDB 2GB	Proof of registration with CIDB



## Bruma Head Office-Vacation of Block D – Construction Work Adjudication Criteria

CRITERIA GUIDELINES FOR THE APPLICATION OF WEIGHTING	EVALUATION CRITERIA	WEIGHTING
<p><b>1. Capacity and Experience:</b></p> <p><b>1.1 Verification of References</b>  <b>Three (3)</b> Contactable references of client bodies for whom the tenderer has successfully completed projects of this nature and similar value in the past Five years. The references shall include the following:</p> <ul style="list-style-type: none"> <li>• Description of the project</li> <li>• Projects actual costs at completion</li> <li>• Year completed</li> <li>• Client name and contact details</li> </ul>	<p>If a complete record as per guideline and evidence is provided for <b>Three (3)</b> relevant projects: <b>(20%)</b></p>	<b>20%</b>
	<p>If a complete record as per guideline and evidence is provided for <b>less than (3) but more than one</b> relevant project: <b>(10%)</b></p>	
	<p>If a complete record and evidence is provided for <b>None</b> relevant projects: <b>(0%)</b></p>	
<p><b>1.2 Proposed Project Team</b></p> <p>The tenderer shall provide a proposed management team for the project. For each team member, the following information items shall be provided:</p> <ul style="list-style-type: none"> <li>• Detailed Curriculum Vitae of key personnel, demonstrating work experience and qualifications <b>(10%)</b>: <ul style="list-style-type: none"> <li>• Construction Contract Manager: <b>(5%)</b></li> <li>• Site Foreman <b>(5%)</b></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Detailed Curriculum Vitae of key personnel <b>(10%)</b>: <ul style="list-style-type: none"> <li>• Construction Contract Manager: <b>(5%)</b></li> <li>• Site Foreman <b>(5%)</b></li> </ul> </li> </ul>	<b>10%</b>
<ul style="list-style-type: none"> <li>• A responsibility matrix that defines the roles, availability and responsibilities of the various team members <b>(10%)</b></li> </ul>	<ul style="list-style-type: none"> <li>• A responsibility matrix that defines the roles, availability and responsibilities of the various team members <b>(10%)</b></li> <li>• If a no record and evidence is provided <b>(0%)</b></li> </ul>	<b>5%</b>



<p><b>2. Construction Management</b></p> <p><b>2.1 Construction Method Statement</b></p> <p>The tenderer shall describe their understanding of the project requirements and the scope of work. The tenderer shall further provide and describe a methodology of construction that will meet both the project requirements and Scope of work. The Construction Method Statement shall therefore include and address the following:</p> <ul style="list-style-type: none"> <li>• Site Establishment Plan <b>(5%)</b></li> <li>• Project Resources (Plant &amp; Equipment) <b>(5%)</b></li> <li>• Works Program (Gantt Chart) <b>(5%)</b></li> <li>• OHS Plan <b>(3%)</b></li> <li>• Contractor Weekly Progress Reporting strategy <b>(2%)</b></li> </ul>	<p>Construction method <b>(20%)</b></p>	<p><b>20%</b></p>
<p><b>3. Bills of Quantities</b></p> <p>The bidder shall provide a BOQ for the project in both hard copy and excel format. The BOQ must follow a format based on <b>STANDARD SYSTEMS OF MEASURING BUILDER'S WORK. Bidders to submit BOQ in Both PDF and MS Excel Formats.</b></p>	<ul style="list-style-type: none"> <li>• If a complete record as per guideline and evidence is provided: <b>(40%)</b>.</li> <li>• If a no record and evidence is provided <b>(0%)</b></li> </ul>	<p><b>30%</b></p>
<p>4. Discount amount offered (as a Percentage of Bid Price) on Materials still in good condition and to be Kept by the Bidder.</p>	<ul style="list-style-type: none"> <li>• 5% <b>(5%)</b></li> <li>• 10% <b>(10%)</b></li> </ul>	<p><b>15%</b></p>
<p><b>Total</b></p>		<p><b>100%</b></p>
<p><b>Threshold</b></p>		<p><b>80%</b></p>



- The **Third Stage**, bids will be evaluated in terms of the **80/20 preference point systems**. Only bids that provide all documentation requested for **Mandatory Requirements** will be evaluated in accordance with the **80/20** preference point system.

Stage 1- Price/B-BBEE Evaluation.

- Tenderers will be evaluated in terms of the 80/20 preference point system, where a maximum of 80 points are allocated for price and a maximum of 20 points are allocated in respect of the level of B-BBEE contribution of the Tenderer.
- Points are allocated in terms of the BBEE Codes of Good Practice guideline as indicated in the table below. Bidders must submit valid BBEE Certificates which will be verified.
- Quotations will be evaluated in terms of Preferential Procurement Policy Framework Act using the 80:20 points system. 80 points will be awarded for price and 20 points for BEE points claimed.

<b>Points for price</b>	<b>80</b>
<b>Points for B-BBEE (Max of 20):</b>	20
<b>B-BBEE status Level of Contributor</b>	<b>Number of Points (80/20 system)</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0



## 2. SUBMISSION INSTRUCTIONS:

2.1.1 Potential service providers are requested to provide a quotation that addresses all the items listed in the specification section as stated above.

2.1.2 Failing to comply with the instruction will lead to bids being disqualified.

### 2.1.3 Each quotation should also include the following information:

1. The **expiration date for the Quotation**, if any.
2. Details of the contact person dealing with the quotation.
3. CSD Summary Report.
4. Black Economic Empowerment status of the service provider or legal identity of B-BBEE partner as well as the physical and postal address of the B-BBEE partner and capital structure.

Should it be necessary for a supplier to obtain clarity on any matter arising from or referred to in this RFQ document, please refer your enquiries, in writing, to the contact person(s) listed below. ATNS reserves the right to place responses to such queries on the website.

<b>PROCUREMENT OFFICER:</b>	Thoko Phukubye
<b>TELEPHONE:</b>	011 607 1000
<b>E-MAIL:</b>	thokop@atns.co.za

## 3. SUBMISSION OF QUOTATION:

The RFQ Documents shall be delivered to the below:

Email to [thokop@atns.co.za](mailto:thokop@atns.co.za)



**PART A**

**INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/  
PUBLIC ENTITY)**

<b>BID NUMBER:</b>	ATNS/RFQ078/18/07/2022/2023 Block D Move Project	<b>CLOSING DATE:</b>	29 July 2022	<b>CLOSING TIME:</b>	12h00
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<b>DESCRIPTION</b>	APPOINTMENT OF A SERVICE PROVIDER FOR THE DEMOLITION, DISMANTLING, MAKING GOOD, REPAIRING, DISCONNECTING, CLEARING AND CLEANING OF IDENTIFIED AREAS AND ELEMENTS IN BLOCK D GROUND FLOOR AT ATNS BRUMA OFFICE.
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**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)**

**RFQ can be sent by email to: thokop@atns.co.za**

<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>		<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>	
<b>CONTACT PERSON</b>	<b>Thoko Phukubye</b>	<b>CONTACT PERSON</b>	
<b>TELEPHONE NUMBER</b>	<b>011 675 1478</b>	<b>TELEPHONE NUMBER</b>	
<b>FACSIMILE NUMBER</b>		<b>FACSIMILE NUMBER</b>	
<b>E-MAIL ADDRESS</b>	<b>thokop@atns.co.za</b>	<b>E-MAIL ADDRESS</b>	

<b>SUPPLIER INFORMATION</b>			
<b>NAME OF BIDDER</b>			
<b>POSTAL ADDRESS</b>			
<b>STREET ADDRESS</b>			
<b>TELEPHONE NUMBER</b>	<b>CODE</b>		<b>NUMBER</b>
<b>CELLPHONE NUMBER</b>			
<b>FACSIMILE NUMBER</b>	<b>CODE</b>		<b>NUMBER</b>
<b>E-MAIL ADDRESS</b>			
<b>VAT REGISTRATION NUMBER</b>			
<b>SUPPLIER COMPLIANCE STATUS</b>	<b>TAX COMPLIANCE SYSTEM PIN:</b>	<b>OR</b>	<b>CENTRAL SUPPLIER DATABASE No:</b>
			<b>MAA</b>
<b>B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE</b>	<b>TICK APPLICABLE BOX]</b>	<b>B-BBEE STATUS LEVEL SWORN AFFIDAVIT</b>	<b>[TICK APPLICABLE BOX]</b>
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No



**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]**

<p><b>1.1.1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[IF YES ENCLOSE PROOF]</p>	<p><b>1.1.2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[IF YES, ANSWER THE QUESTIONNAIRE BELOW ]</p>
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**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?  
 YES  NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?

YES  NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  
 YES  NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?  
 YES  NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?  
 YES  NO

**IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.**





## PART B

### TERMS AND CONDITIONS FOR BIDDING

#### 1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

#### 2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE [WWW.SARS.GOV.ZA](http://WWW.SARS.GOV.ZA).
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH



MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....



## 1 PROTECTION OF PERSONAL INFORMATION

- 1.1 The Service Provider shall ensure that its employees, representatives and officers, comply with the provisions of the Protection of Personal Information Act, 2013 (“**POPIA**”) and all other applicable data protection laws and, without limitation to the foregoing, shall ensure the security and confidentiality of all Personal Information processed by that Party is in accordance with POPIA and all other applicable data protection laws.
- 1.2 The Service Provider must only process personal information of the Company and third parties on behalf of the Company, with the Company’s knowledge or authorisation, treat such information which comes to their knowledge as confidential and must not disclose it unless required by law or in the course of the proper performance of the Service Provider’s duties. The Service Provider must comply with the responsible party’s obligations in clause section 19 of POPIA.
- 1.3 Where the Service Provider, its agents, subcontractors, officers, directors, shareholders, representatives, or employees has/have access to any Personal Information held by the Company for any reason in connection with this Agreement or is/are supplied with or otherwise provided with Personal Information by the Company or on behalf of the Company for any purpose, or are supplied with or otherwise provided with Personal Information relating to the Services, the Service Provider shall:
- 1.3.1 process such Personal Information only for purposes of performing its/their obligations under this Agreement and shall not otherwise modify, amend or alter the contents of such Personal Information or disclose or permit the disclosure of such Personal Information to any third party, unless specifically authorised to do so by the Company or as required by law or any regulatory authority, and shall take all such steps as may be necessary to protect and safeguard such Personal Information;
- 1.3.2 without prejudice to the generality of the foregoing, ensure that appropriate,



reasonable technical and organisational measures shall be taken by it/them to prevent –

- 1.3.2.1 the unauthorised or unlawful processing of such Personal Information; and
  - 1.3.2.2 the accidental loss or destruction of, or damage to, such Personal Information; and
  - 1.3.2.3 promptly notify the Company when it becomes aware of any unauthorised, unlawful or dishonest conduct or activities, or any breach of the terms of this Agreement relating to Personal Information.
- 1.4 The Service Provider shall be liable for all claims, demands, actions, costs, expenses (including but not limited to reasonable legal costs and disbursements), fines, losses and damages arising from or incurred by reason of any wrongful processing of any Personal Information by the Service Provider (including its agents, subcontractors, officers, representatives or employees) for any breach of its obligations or warranties.
- 1.5 Both Parties will comply with their obligations under POPIA in relation to personal information for which they are the responsible party.
- 1.6 The Service Provider must notify the Company immediately where there are reasonable grounds to believe that personal information has been accessed or acquired by any unauthorised person (Data Breach) and must assist the Company, at its own cost: a) with any investigation or notice to the Regulator or data subjects that the Company may make in relation to a Data Breach; and b) in responding to any directions by the Regulator to publicise the Data Breach, including assisting the Company to make public announcements if required.
- 1.7 The Service Provider indemnifies the Company against any civil or criminal action or administrative fine or other penalty or loss as a result of the Service Provider's breach of this clause.



## POPIA CONSENT

- 1.1 The Service Provider, by submitting its proposal/ quotation, consents to the use of his/her personal information contained therein and confirms that:
  - 1.1.1 The information is voluntarily supplied, without undue influence from any party; and
  - 1.1.2 The information is necessary for the purposes of the engagement with ATNS.
- 1.2 The tenderer acknowledges that he /she is aware of his/her right to:
  - 1.2.1 Access the information at any reasonable time for the purposes of rectification thereof;
  - 1.2.2 Object to the processing of the information;
  - 1.2.3 Lodge a complaint with the Information Regulator.