

AIR TRAFFIC AND NAVIGATION SERVICES SOC. LTD

REPUBLIC OF SOUTH AFRICA



**APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF GARDENING
SERVICES AT AVIATION TRAINING ACADEMY FOR A PERIOD OF THREE (3)
YEARS.**

REQUEST FOR PROPOSAL: ATNS/HO/RFP013/2021/22/ GARDENING

OCTOBER 2021

The information contained within this document is confidential to ATNS in all respects and it is hereby acknowledged that the information as provided shall only be used for the preparation of a response to this document. The information furnished will not be used for any other purpose than stated and that the information will not directly or indirectly, by agent, employee or representative, be disclosed either in whole or in part, to any other third party without the express written consent by the Company or its representative.

APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF GARDENING SERVICES AT AVIATION TRAINING ACADEMY FOR A PERIOD OF THREE (3) YEARS.	
RFP REFERENCE NUMBER:	ATNS/HO/RFP013/2021/22/GARDENING
CLOSING DATE OF TENDER / SUBMISSION OF BID:	26 th November 2021
CLOSING TIME:	12h00, CAT (no late, and facsimile responses will be accepted)
COMPULSORY SITE INSPECTION MEETING	<p>Date: 12th November 2021</p> <p>Time: 10:00 to 11:30</p> <p>Place: Aviation Training Academy, OR Tambo International Airport, Gate 14, Bonaero Drive, Bonaero Park.</p> <p>Due to Cov-19 please book the meeting and sending the email to BusisiweMo@atns.co.za to avoid adhering to the Cov-19 regulation rules by the 09th October at 16:30 failure to notify will results in not attending the site inspection. Note that the site inspection is compulsory</p>
BID VALIDITY PERIOD:	<ul style="list-style-type: none"> • 180 days (Commencing from the closing date)
RETURNABLE DOCUMENTS	<ul style="list-style-type: none"> • Valid tax compliance document and SARS pin • Valid B-BBEE certificate (SANAS approved) or Sworn Affidavit • Latest CSD report • Fully completed and signed SBD documents.
MANDATORY REQUIREMENTS	<ul style="list-style-type: none"> • COID Letter of Good Standing • Public Liability insurance policy
DESCRIPTION:	Appointment of a service provider for the provision of gardening services at Aviation training academy for a period of Three (3) years.

DEPOSITED IN THE BID BOX SITUATED AT:	<p>ATNS Company Limited, Eastgate Office Park, Block C, South Boulevard Road, Bruma,2298</p> <p>OR</p> <p>Should a bidder require to submit their documents online, they must send an email to tenders@atns.co.za to express their interest to do so.</p> <p>On the email Bidders must specify on the subject line – the tender number and description.</p>
PROCUREMENT SPECIALIST:	<p>Busisiwe Molapisi</p>
TELEPHONE:	<p>NB due to COVID 19 Pandemic, only contact via e-mail.</p>
E-MAIL:	<p>BusisiweMo@atns.co.za</p>
<p align="center">THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)</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:	
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	
YES	NO

PLEASE INDICATE THE TYPE OF YOUR COMPANY E.G. PRIVATE COMPANY OR CLOSED CORPORATION OR OTHER	
Indicate the Type of Company	

SIGNATURE OF BIDDER:

..... DATE:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

IMPORTANT NOTICE

The information contained herein, is given without any liability whatsoever to Air Traffic & Navigation Services Company Limited (ATNS) and no representation or warranty, express or implied, is made as to the accuracy, completeness or thoroughness of the content of this Request for Proposal (RFP).

This RFP is for the confidential use of only those persons/companies who are participants of this RFP. Each recipient acknowledges that the contents of this RFP are confidential and agrees that it will not without the prior written consent of ATNS, reproduce, use or disclose such information in whole or in part, to any other party other than as required by law or other regulatory requirements.

The Bidder shall bear all costs incurred by him in connection with the preparation and submission of his Bid Response and for finalisation of the contract and the attachments thereof. ATNS will in no case be responsible for payment to the Bidder for these costs.

The Company reserves the right to reject any or all Bids, to undertake discussions with one or more Bidders, and to accept that Bid or modified Bid which in its sole judgment, will be most advantageous to the Company, price and other evaluation factors having been considered.

TABLE OF CONTENTS

1	GENERAL INFORMATION AND INSTRUCTIONS TO BIDDERS	8
1.1	Background and Introduction	8
1.2	Purpose of the Bid.....	11
1.3	Scope of Work.....	14
1.4	Deliverables	13
1.5	Duration of appointment	13
1.6	Acquisition strategy	13
2	GENERAL BID INSTRUCTIONS AND ADMINISTRATIVE REQUIREMENTS	15
2.1	Correspondence during Bid Period	15
2.2	Failure to Adhere to Instructions	16
3	BID SUBMISSION CONDITIONS AND INSTRUCTIONS	19
3.1	FRAUD AND CORRUPTION	19
3.2	CLARIFICATIONS/ QUERIES	19
3.3	SUBMITTING BIDS.....	19
3.4	LATE BIDS.....	20
3.5	NEGOTIATION AND CONTRACTING	21
3.6	ACCESS TO INFORMATION	22
3.7	REASONS FOR REJECTION	22
3.8	PAYMENTS.....	22
3.9	CANCELLATION OF PROCUREMENT PROCESS.....	22
3.10	DISCLAIMER.....	23
4	Evaluation Processes.....	24
4.1	Compliance with Minimum Requirements Criteria	24
4.2	Technical Mandatory Requirements, Price and Preference Points	24
4.3	Preferential Procurement Reform.....	25
4.4	BidEvaluationResponse.....	26
	PRICING.....	31
5	FORM OF BID	41
6	GENERAL CONDITION CONTRACT.....	70
7	POPI ACT.....	70

1. GENERAL INFORMATION AND INSTRUCTIONS TO BIDDERS

1.1 Background and Introduction

The Air Traffic and Navigation Services (ATNS) Company of South Africa is the major provider of air traffic management, communication, surveillance, navigation and associated services (including training) within South Africa. ATNS manages 10% of the world's airspace.

Standing strong with over 1100 employees, ATNS strives to continuously provide safe airspace, orderly, expeditious and efficient management of Air Traffic Management services. The company operates at 21 aerodromes within the country, including OR Tambo, Cape Town and King Shaka International Airports.

In the rest of the African Continent, ATNS provides amongst others the Aeronautical Satellite Communication (VSAT) networks.

This service extends from Cape to Cairo interconnecting more than 33 states in Africa and Middle East. Other services include ATS and technical training, WGS 84 surveys, airspace design, AIP documentation, billing and consultancy services.

Vision

ATNS's Vision is to be the preferred supplier of air traffic management solutions and associated services to the African continent and selected international markets.

Mission

Our Mission is to provide safe, expeditious and efficient air traffic management solutions and associated services, whilst ensuring long-term economic, social and environmental sustainability.

- Our business is driven through our embedded Values, being:
- Accountability
- Safety and customer service
- Continuous improvement and innovation

- Employee engagement and development
- Fairness and consistency
- Open and effective communication

The Air Traffic and Navigation Service Company Limited (ATNS) is a State-Owned Company (SOC), established in 1993 in terms of the ATNS Company Act (Act 45 of 1993) to provide air traffic management solutions and associated services on behalf of the State. These services accord with International Civil Aviation Organisation (ICAO) standards and recommended practices, and the South African Civil Aviation Regulations and Technical Standards. As an air navigation services provider (ANSP), ATNS is governed by the nation's legislative and administrative framework.

ATNS is also a commercialised ANSP operating on the "user pays" principle that relies on current revenues and debt funding for its operational and capital expenditure requirements.

Our business offerings are divided into Regulated and non-regulated activities:

Regulated Business

At present 90% of ATNS's revenue is facilitated through its regulated business:

Air navigation services and infrastructure

The principal activities of ATNS's regulated business encompass the planning, operating and maintenance of safe and efficient air traffic management services in the airspace for which the State is responsible. Airspace infrastructure consists of the following main components:

- Communications, navigation and surveillance (CNS) infrastructure.
- Auxiliary aviation services, such as aeronautical information publications, flight procedure design and aeronautical surveys.
- Air traffic management.

ATNS's infrastructure development is informed by user expectations and regulatory requirements at a global level; as well as the needs of the air traffic management (ATM) community and new enabling technologies.

Air traffic service charges

As a monopoly service provider, ATNS is regulated economically by the Economic Regulating Committee (RC) that is a statutory body formed and appointed by the Shareholder, the Department of Transport (DoT). The RC is empowered by the ATNS Company Act (Act 45 of 1993) to issue permission to ATNS. The permission regulates the increase in specified tariffs that ATNS can issue and lays down minimum service standards requirements for the regulated business. ATNS is, through the permission, authorized to levy air traffic service charges on users (aircraft operators) for the use of air navigation infrastructure and/or the provision of an air traffic service. The permission has a five-year life span.

Training institution

ATNS runs a successful training institution as a division within the Company, namely: the Aviation Training Academy (ATA). The ATA provides a full range of air traffic services training, technical support training and related training to delegates in South Africa and the broader African continent in the disciplines of engineering, air traffic services and management. The ATA is an ISO9001:2000 accredited institution and has international cooperation agreements in place with partners, enabling the academy to maintain mutually beneficial partnerships in the presentation and accreditation of international courses in air traffic services (ATS). The ATA is a world-renowned academy, and in both 2012 and 2013 was formally recognized as the International Air Transport Association (IATA) Worldwide Top Regional Training Partner.

Non-Regulated Business

ATNS's non-regulated business currently contributes 10% of the Company's revenue. The non-regulated business encompasses a long-term strategy to facilitate regional expansion through a subsidiary vehicle presently known as "ATNS International". ATNS International will enable the Company to take a more robust and agile stance in the non-regulated business market without posing undue risks to its regulated market and Shareholder. It will also enable ATNS to enter into joint ventures and partnerships with external suppliers so that the Company can harness more valuable market opportunities and extend its regional influence and reach.

Additional information is available on ATNS website – www.atns.co.za

1.2 Purpose of the Bid

ATNS invites Bidders to tender for the Appointment of a service provider for the provision of gardening services at Aviation training academy for a period of Three (3) years.

1.3 SCOPE_OF WORK

The successful service provider will be required to perform the following services:

Supplier to provide all service equipment and chemicals necessary to carry out their duties, (eg, Lawn mower, weed cutters, scissors, spade, hose pipe, leaf blower, garden chemicals, personal protective equipment/ gear, etc).

The following landscaping services is required, for all areas surrounding the ATNS Aviation Academy buildings and structures, as below:

The service provider is required to provide a comprehensive Garden Maintenance Service, as well as provide all the service equipment and chemicals necessary to carry out their duties. Which includes the following: Gardens;

- Mowing, weeding and grass cutting
- Apply Fertilizer and Lawn/Top dressing Quarterly- (four times a year)
- Watering (physically and with existing sprinkler system)
- Cleaning and weeding of, driveways, walking pathways, parking areas and building and other structures, exterior floor surfaces
- Poisoning of pavements
- Plants: plant removal or movement, soil turning and pruning;
- Shrubs and ground cover areas to be maintained
- Cutting, Pruning and trimming of trees that are not higher than two meters
- Physical remove of weeds along the 1800m perimeter Airport Academy fence, and paved area around all the Academy building structures.
- Sprinkler minor maintenance: filter and nozzle cleaning to ensure proper spraying functionality;
- Treatment and control of outdoor garden pests and insects.
- Ensure proper disposal Removal of refuse and garden debris from garden areas
- Care must be taken to avoid damage to plants and plant roots during the maintenance and gardening process.
- Seasonal preparations for plant beds: planting new plants, fertilizer and compost
- Maintenance of the sprinkler system to fall within the scope of the gardening service and shall be maintained as per the manufacturer specifications. All corrective and preventative work to be attended to by the contractor awarded

1.3.2 Outside Parking Area

- Blowing cement gutters.

- Clearing rubble (plastic, paper, etc.).
- Applying weed killer, insecticide as and when required on all plants and areas.

1.3.3 MAINTENANCE AND SERVICING OF GARDENS

Weekly servicing of gardens

- Garden area 1: Front of building; 864 m2
 - Turning of soil in flower beds
 - Weeding
 - Apply weed killer, insecticide as and when required on all plants and areas
 - Apply weed killer to pavements, walkways
 - Trimming plants shrubs and trees
 - Trimming edges
- Garden area 2: Behind TopSky simulator; 215 m2
 - Turning of soil in flower beds
 - Cleaning around the building
 - Weeding
 - Apply weed killer, insecticide as and when required on all plants and areas
 - Mowing lawn
 - Trimming plants shrubs and trees
 - Trimming edges
 - Keep site grass short
 - Apply weed killer to walkways and pavements
- Garden area 3: entry of parking area; 2479 m2
 - Mowing lawn
 - Trimming edges
 - Weeding
 - Apply weed killer along fences, pavements and parking area
- Maintenance of Complex Area and Perimeter fence: 19 123 m2
 - Trimming edges and weeding along the perimeter fence.
 - Cleaning and weeding of ATA complex area and around all building structures.
 - Plant maintenance, where required, along the perimeter fence.
 - Apply weed killer to paving and gravel areas within the perimeter area.
I.e. Parking areas, pathways and walkways, driveways.

1.3.4 OPERATIONS

The ATNS Aviation training academy operates from 06h00 until 18h00 on weekdays. The service provider's times should commence from 07h00 – 16h00 for the team on weekdays. Weekend work should be confirmed with the ATNS in advance due to site access, but this is not encouraged.

1.3.4.1 Site Supervision:

- Suitably qualified personnel are required to be on site on a weekly basis and shall be responsible for the monitoring of the day to day running of the contract. A comprehensive CV showing a minimum three-year garden services experience attained and qualifications aligned to the gardening services must be attached.
- Number of Garden Technicians/Staff Plant Maintenance The service provider shall be responsible for providing the following skilled and experienced personnel to perform the duties.
- One (1) supervisor to oversee the ATA Technician duties. The service provider shall do all inspections and ad hoc inspections by senior staff shall be expected.
- The supervisor shall report to the manager Training Support of the ATNS ATA. All staff including replacement staff to be vetted and registered for ad hoc replacements purposes

1.3.4.2 COST OF PLANTS AND MATERIALS:

- The contractor shall bear the cost of providing replacement plants and any materials required for the maintenance of the plants during the duration of their contract.

1.3.5 ADDITIONAL REQUIREMENTS

Storage of Equipment - The ATNS ATA ideally does not support the storage of equipment due to limited space, however storage can be arranged at service providers own risk. Loss in respect of equipment shall not constitute an acceptable reason for the contractor not to comply with the conditions and obligations of its contract with the ATNS.

1.3.6 GENERAL

The successful bidder shall ensure that the various AGRICULTURAL ACTS and any other legislative prescripts, policies and procedures relating to Agriculture and occupational health and safety are adhered to at all times and will be held liable for non-compliance.

- The bidder must always ensure chemicals used in garden maintenance are not harmful to the people and the environment.
- The bidder must always ensure compliance with all regulations (e.g. CoJ laws and By-laws, and Regulations) governing the use of water during the duration of the contract.
- Occupational Health and Safety inspections may be conducted to ascertain compliance.

- The bidder must always ensure that all equipment acquired and used is SABS approved for the duration of the contract.
- The bidder will provide appropriately trained gardening staff.

1.4 ACQUISITION STRATEGY

The proposed acquisition strategy is to award to one supplier meeting the ATNS Preferential Procurement requirements for the entire scope of sourcing, implementation and support of the project. Suppliers that do not meet the Preferential Procurement requirements must partner with a local supplier that meets the requirements in the form of a joint venture.

1.5 GENERAL BID INSTRUCTIONS AND ADMINISTRATIVE REQUIREMENTS

1.5.1 CORRESPONDENCE DURING BID PERIOD

All correspondence, in the “Form of Questionnaire” with the Company during the Bidding period in connection with the Bid Documents, shall be made as follows:

All correspondence to ATNS shall be in writing and addressed to:

Procurement Specialist: Busisiwe Molapisi – BusisiweMo@atns.co.za or tenders@atns.co.za.

ATNS Company Limited,
Eastgate Office Park, Block C,
South Boulevard Road,
Bruma
2298
South Africa

All correspondence shall be made as follows:

Ref No: **ATNS/HO/RFP013/2021/22/GARDENING**

Date : Day Month Year:

To : ATNS Company Ltd:

From : Name of Bidder:

Subject: **APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF GARDENING SERVICES AT AVIATION TRAINING ACADEMY FOR PERIOD OF THREE (3) YEARS.**

All correspondence may be sent by email to BusisiweMo@atns.co.za or tenders@atns.co.za

1.5.2 Failure to Adhere to Instructions

FAILURE TO ADHERE TO THE FOLLOWING BID SUBMISSION INSTRUCTIONS SHALL RESULT IN THE BID BEING RENDERED UNRESPONSIVE AND ELIMINATED FROM FURTHER EVALUTION.

i. Preparation of Bid

The Bid shall be delivered as a complete submission, which shall comprise of:

- **Parcel A - Commercial Proposal; Financials and Price Structure (Response to Volume 1A, and 1C); and**
- **Parcel B - Technical Proposal (Response to Technical Specifications)**

Parcel A - Commercial Proposal; Financials and Price Structure. - labelled and tabbed as per index.

Reference	Requirement	Comply	Do not comply
Volume 1 A	<ul style="list-style-type: none"> • South African companies should submit original or certified copies of valid B-BBEE Status Level 		

	<p>Verification Certificates from SANAS/EME Sworn Affidavit</p> <ul style="list-style-type: none"> Partnership/JV agreement (Where applicable) Work share split between the parties. (Where applicable) 		
Volume 1 A	Bidders shall submit a complete and comprehensive response on all aspects of the tender issued in order to provide ATNS with a solution required.		
Volume 1 A	South African companies shall submit their central supplier database summary reports, Valid Tax Clearance Certificate and PIN, ID copies, Banking Details and company registration docs		
Volume 1 C	Pricing Schedule (on a separate envelope)		
Parcel B	Response to the Technical Requirements		

1.6 BID SUBMISSION CONDITIONS AND INSTRUCTIONS

CONDITIONS AND INSTRUCTIONS THAT BIDDERS NEED TO TAKE NOTE OF

1.7 FRAUD AND CORRUPTION

- 1.7.1** All providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

1.8 COMPULSORY SITE INSPECTION MEETING

- 1.8.1** Compulsory Site Inspection and site visit will be held on Thursday the 12th of November 2021.
- 1.8.2** Bidders should arrange their own transport and accommodation as ATNS will not be facilitating transportation and accommodation.
- 1.8.3** Bidders should bring their own copies of the bid documentation to the briefing session as bid documents will not be made available at the session.
- 1.8.4** Any individual wishing to bid must attend the session in person or send a representative. Any organisation wishing to bid must send a representative. For bids from a Consortium or Joint Venture, a representative of at least one of the organisations must attend the session. Bids from individuals, organisations or consortia of organisations that have not met the attendance requirements will not be considered.
- 1.8.5** Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is preferably to be requested at the briefing session. Bidders are advised to study this document before attending the session and to have all their questions ready.
- 1.8.6** All those attending will be issued with minutes of the session within the closing date of bid, forwarded electronically upon request.
- 1.8.7** Bidders could request ad-hoc site visits to other facilities covered within this tender by requesting these visits through the clarification process.

1.9 CLARIFICATIONS/ QUERIES

Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing by completing Form of Questionnaire and email to BusisiweMolapisi@atns.co.za or tenders@atns.co.za not later than 12:00 CAT on the 18th of November 2021. A reply will be published on the ATNS website www.atns.co.za under the Tenders section. The bid reference number should be mentioned in all correspondence. Telephonic requests for clarification will not be accepted. If appropriate, the clarifying information will be made available to all bidders by e-mail only.

1.10 SUBMITTING BIDS

1.10.1 Bidders are now permitted to submit their documents either online or hard copies.

Should a bidder require to submit their documents online, they must send an email to tenders@atns.co.za to express their interest to do so. A link will be shared with the supplier for uploading the documents on a secure online portal. On the email Bidders must specify on the subject line – the tender number and description. In case submitting hard copies, Bids shall be submitted in two separate Parcels. Parcel A shall be Response to Volume 1A, 1B and 1C. Each parcel shall contain; 1 (one) original and Two (2) copies i.e. 3 (Three) Documents and soft copy (PDF format) on a movable storage medium (USB), each sealed and addressed in accordance with the following requirements, The name and address of the Bidder; and the Bid Number

1.10.2 The closing date of the Bid indicated on the envelope;

1.10.3 A Cover Letter, signed by the authorised representative of each member of the Bidding Entity, Consortium or Joint Venture, which shall contain:

1.10.4 List of Bid Proposal Documents and an Index of the contents therein;

1.10.5 Particular points to which the Bidder wishes to draw the Company's attention in his Commercial Proposal and Technical Proposal.

- 1.10.6** The parcels shall not contain documents relating to any Bid other than that shown on the envelope.
- 1.10.7** Within each parcel, each document shall be individually packaged in a sealed envelope, assigned an identification number and clearly marked with either the designation "Original" or "Copy", as applicable. When referencing another related document this identification number shall be indicated. Each document which is a copy shall be marked and numbered as "Copy 1/2".
- 1.10.8** All Bid Response documents to be submitted shall be hand delivered to the Company not later than the time and date specified on this document.
- 1.10.9** No Bids forwarded by telegram, telex, facsimile will be considered. Pricing must be submitted in a separate sealed envelope in Parcel A as Volume 1C.
- 1.10.10** The original copy **MUST BE SIGNED IN BLACK INK** by an authorised employee, agent or representative of the Bidder and initialized on each and every page of the Bid Response.
- 1.10.11** Bid responses sent by post or courier must reach this office at least 36 hours before the closing date as specified, to be deposited into the Bid Box. Failure to comply with this requirement will result in the proposal/Bid response being treated as a "late proposal/response" and will not be entertained.

1.11 SUBMISSION OF BID:

- 1.11.1** The Bid Documents shall be hand delivered to:

ATNS Company Limited,
Eastgate Office Park, Block C,
South Boulevard Road,
Bruma,
2298
South Africa;

1.11.2 No later than 12:00 CAT on 26th November 2021, Central African Time at which time the Bid Proposals will be collected.

1.11.3 Bidders should allow time to access the premises due to security arrangements that need to be observed.

1.11.4 Should a bidder require to submit their documents online, they must send an email to tenders@atns.co.za to express their interest to do so. On the email Bidders must specify on the subject line – the tender number and description. A link will be shared with the supplier for uploading the documents on a secure online portal

1.12 LATE BIDS

1.12.1 Bids received late shall not be considered. A bid will be considered late if it arrived even one second after closing time or any time thereafter. The tender (bid) box shall be locked at exactly 12:00 PM CAT and bids arriving late will not be considered under any circumstances.

1.12.2 Bids received late shall be returned unopened to the bidder. Bidders are therefore strongly advised to ensure that bids be delivered allowing enough time for any unforeseen events that may delay the delivery of the bid.

1.12.3 Bids uploaded after closing date and time online will not be considered.

1.13 NEGOTIATION AND CONTRACTING

1.13.1 ATNS have the right to enter into negotiation with one or more bidders regarding any terms and conditions, including price(s), of a proposed contract.

1.13.2 ATNS shall not be obliged to accept the lowest of any quotation, offer or proposal.

1.13.3 Under no circumstances will negotiation with any bidders constitute an award or promise / undertaking to award the contract.

1.14 REASONS FOR REJECTION

- 1.14.1** ATNS shall reject a proposal for the award of a contract if the recommended bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.
- 1.14.2** ATNS may disregard the bid of any bidder if that bidder, or any of its directors:
- 1.14.3** Have abused the SCM system of ATNS.
- 1.14.4** Have committed proven fraud or any other improper conduct in relation to such system.
- 1.14.5** Have failed to perform on any previous contract and the proof exists.
- 1.14.6** Such actions shall be communicated to the National Treasury.

1.15 CANCELLATION OF PROCUREMENT PROCESS

- 1.15.1** This procurement process can be postponed or cancelled at any stage

1.16 CONTRACT TERMS

- 1.16.1** Whilst ATNS have taken every reasonable step to ensure the accuracy of this brief, the Company accepts no liability in relation to the accuracy of any representation made. Bidder should accept that their Bid response is on the basis and reliance of its own judgment and information. ATNS reserves the right to vary the scope and terms as described in this document although variation is not anticipated at this time. If any variation does take place Bidder will be advised as soon as possible.
- 1.16.2** The successful Bidder will be engaged subject to acceptance of a contract containing the standard Terms and Conditions as given in Volume 1B. The contract contains standard clauses including a retention clause for non-satisfactory completion, breach of contract and confidentiality clauses and a requirement for the Bidder to have adequate professional indemnity insurance. All Bidders must bear in

mind that if circumstances dictate, ATNS reserves its right to withdraw from any commitments that will be entered into within this statement of work.

1.16.3 All documentations will be the property of ATNS.

1.17 DISCLAIMER

1.17.1 The Bidder shall bear all costs incurred by him in connection with the preparation and submission of his Bid Response and for finalization of the contract and the attachments thereof. ATNS will in no case be responsible for payment to the Bidder for these costs.

1.17.2 The Company reserves the right to reject any or all Bids, to undertake discussions with one or more Bidders, and to accept that Bid or modified Bid which in its sole judgment, will be most advantageous to the Company, price and other evaluation factors having been considered.

BIDDERS MUST TAKE NOTE OF THE EVALUATION PROCESS THAT WILL BE FOLLOWED

2 EVALUATION PROCESS

2.1 COMPLIANCE WITH MINIMUM REQUIREMENTS CRITERIA

2.1.1 All bids duly lodged as specified in this Request for Bid will be examined to determine compliance with bidding requirements and conditions. Bids with deviations from the requirements / conditions, will be eliminated from further consideration.

2.2 TECHNICAL REQUIREMENTS, PRICE AND PREFERENCE POINTS

2.2.1 All remaining bids will be evaluated as follows:

2.2.2 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.

- 2.2.3 The Second stage,** Bids will be evaluated for **Mandatory Technical Requirements**. 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.
- 2.2.4 The Third stage,** Bids will be evaluated for **Functionality** of which 100 points shall be awarded for functionality. Bidders will be considered further if they achieve the minimum prescribed qualifying score for functionality. Bidders that fail to achieve the minimum qualifying score of 75% will be disqualified and not evaluated further.
- 2.2.5 The Fourth stage,** bids will be evaluated in terms of the **80/20 preference point systems**. Only bids that provide all documentation requested for **PP requirements, Mandatory and Functional Requirements** will be evaluated in accordance with the **80/20** preference point system.

2.3 PREFERENTIAL PROCUREMENT REFORM:

THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011 PERTAINING TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, ACT NO 5 OF 2017.

Black Economic Empowerment is one of the essential objectives of ATNS. In accordance with government policy, ATNS insists that the Bidders demonstrates its commitment and track record to Black Economic Empowerment in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices, (SMME Development) etc.

In accordance with the Preferential Procurement Policy Framework Act (PPPFA) and the Code of Good Practice of the Republic of South Africa, this Bid will be adjudicated in terms of functionality and a scoring system for Price and B-BBEE using the 80/20 or 90/10 scoring system. Bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof and or Original BEE affidavit certified by the commissioner of Oath, together with their Bid responses, to substantiate

their BBBEE rating claims. Failure to submit a valid B-BBEE certificate will result in the Bidder not qualifying for preferential points.

In addition, the Preferential Procurement (PP) requirements as per the ATNS Procurement Policy which states that ATNS shall deal with suppliers in accordance with the B-BBEE Codes of Good Practice will be taken into consideration. ***In particular, ATNS shall give preference to local suppliers with B-BBEE contribution level 1 to level 4.***

Suppliers not meeting the requirements of the Preferential Procurement requirements (PP) are required to clearly identify any possible teaming arrangement which could be established with South African BBBEE compliant enterprises and which could result in significant Transfer of Technology and Skills development. Any workable plan to train and promote black businesses or individuals through meaningful participation in this project will be considered favourably by the Company during the Bid evaluation process.

Partnership must be in the form of Joint Ventures/Consortium/Partners Agreement between compliant B-BBEE and non-B-BBEE Organisation/or foreign supplier in order to meet the policy requirements.

All responsive Bid offers shall be evaluated in terms of functionality and scoring system for Price and B-BBEE. **The 80/20 Preference Point System shall be applicable in accordance with the Preferential Procurement Framework Act (No.5) of 2000.**

2.4 Bid Response Evaluation

2.4.1 The evaluation of responsive Bids shall be conducted by a panel appointed by the Company following a Four-stage process as follows:

2.4.2 First Stage: Initial Screening (Pre-Qualification Criteria).

2.4.2.1 During this stage Bid response documents will be reviewed to assess adherence to submission instructions, and compliance to TAX Requirements.

2.4.2.2 Returnable Requirements: FAILURE TO ADHERE TO THE BID SUBMISSION INSTRUCTIONS MAY RESULT IN THE BID BEING RENDERED UNRESPONSIVE AND ELIMINATED FROM FURTHER EVALUATION. The table

below summarises the required adherence to the submission instructions and shall also be used by the Bidder as a checklist for the completeness of the submission:

Reference	Requirement	Comply	Do not comply
Volume 1 A (Parcel A)	GCC		
Volume 1 A (Parcel A)	South African companies should submit original or certified copies of valid B-BBEE Status Level Verification Certificates or affidavit certified by commissioner of auth.		
Volume 1 A (Parcel A)	Is the Bid divided into commercial (Vol 1) and technical (if applicable)) submissions?		
Volume 1 A (Parcel A)	Signed JV/Consortium agreement with clear illustration of portion of work and contract value % that the local supplier will be responsible for.		
Volume 1 A (Parcel A)	Bidders must submit a workable plan to train and promote black businesses or individuals through meaningful participation in this project.		
Volume 1A (Parcel B)	Compliance with items (Technical Requirements) as summarised		

2.4.2.3 Transformation: Preference Criteria (Preferential Procurement (PP)

requirements. The table below summarises the required adherence to the Preferential Procurement (PP) requirements and shall also be used by the Bidder as a checklist for the completeness of the submission. Bidders not meeting the PP requirements of the requirement below 1 (1.1) must complete requirement 2 (2.1 & 2.2) and provide supporting documents as illustrated in the table below. **FAILURE**

**ADHERE TO THE TRANSFORMATIONAL REQUIREMENTS WILL RESULT IN
AUTOMATIC DISQUALIFICATION:**

REFERENCE	REQUIREMENT	YES	NO
1	Does the Bidder meet the Preferential Procurement requirements? (if <u>Yes</u> , indicate by tick below, if <u>No</u> complete section 2 below)		
1.1	Suppliers with B-BBEE contribution: Level 1- 4 (this requirement is a must for local suppliers)		
2	<u>Bidders not meeting</u> B-BBEE contribution: Level 1- 4 requirements shall be required to enter into a partnering agreement with a South African supplier that meets the PP requirements: (if Yes, Please complete item 2.1 & 2.2. attach supporting documents)		
2.1	Bidders must submit a workable plan to train and promote black businesses or individuals through meaningful participation in this project.		
2.2	Bidders must submit a clear work plan illustrating work share with the local supplier/partner (clearly illustrating the portion of work that the local Supplier will be responsible for and clear confirmation of 30% of the total contract value subcontracted to the local supplier).		

Only Bidders that comply with the above transformational requirements 1 or 2: (2.1; 2.2) will be evaluated further.

2.4.3 Second Stage: Technical Mandatory Requirements

During this stage Bid response documentation will be evaluated against compliance to the Technical Specifications. The Technical Mandatory Requirements are listed below, it is important that you submit all the documentation requested below or you will be disqualified and not be evaluated further.

Mandatory Criteria	Proof Required
• COID Letter of Good Standing	YES
• Public Liability insurance policy	YES

2.4.4 The Third stage, Bids will be evaluated for Functionality

Bidders will be considered further if they achieve the minimum prescribed qualifying score for functionality. Bidders that fail to achieve the minimum qualifying score of 75% will be disqualified and not evaluated further

Item	Criteria	Description	Weight	Minimum Score
1	Detailed Company Profile	Providing a company profile indicating number of years in rendering Gardening service, in a public and /or corporate sector. A. Company experience in Gardening services (i) More than 6 years = (20 points) (ii) 4 years = (15 points) (iii) 3 years = (10 points) (iv) 1 year = (5 points)	20%	15%
		B. Company's experience in Outdoor and Indoor services (i) More than 6 years = (20 points)	20%	15%

		(ii) 4 years = (15 points) (iii) 3 years = (10 points) (iv) 1 year = (5 points)		
2	Company Track record and contactable references	References must be in a form of a signed reference letter/s on a client's business letterhead stating the scope and description of the services rendered, contract duration, with contact name, Contact number and position of the referee. Reference letters must not be older than 3 years by closing date of this tender. (i) More than 5 reference letters = (20 points) (ii) 4 reference letters = (10 points) (iii) 3 reference letters = (5 points) (iv) Less than 2 reference letters = (0 points)	20%	10%
3	Resources and equipment	A. Provide proof of existence of Non-Electrical Equipment required for this Contract on rental bases. Bidder to provide pictures of equipment or lease agreement that confirms that the bidder will have access to the equipment.	15%	
4	Capabilities	Experience and qualification of key personnel (Supervisors and Gardening) that will be involved in executing this contract supported by a minimum of 4 CVs. (i) 6 CVs = (10 points) (ii) 5 CVs = (5 points) (iii) 2 - 4 CVs = (0 points) Bidder to submit CVs of experienced personnel that will manage Gardening services and liaise with the ATNS for on-site requirements	25%	5%
Minimum 75% qualifications on functionality				
	Total for functionality		100%	75%

2.4.5 Fourth Stage - Price/B-BBEE Evaluation

2.4.5.1 Bidders who provide all the required documentation listed on Technical Mandatory Requirements will be evaluated in terms of the 80/20 preference point system,

where a maximum of 75 points are allocated for price and a maximum of 20 points are allocated in respect of the level of B-BBEE contribution of the Bidder.

- 2.4.5.2 Points are allocated in terms of the BBBEE Codes of Good Practice guideline as indicated in the table below. Bidders must submit valid BBBEE Certificates which will be verified.

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

- 2.4.5.3 A bidder shall not be awarded points for B-BBEE status level of contributor if the Bid documents indicate that the Bidder intends subcontracting more than 25% of the value of the contract to any other person not qualifying for at least the points that the Bidder qualifies for, unless the intended subcontractor is an EME that has the capability to execute the subcontract.

- 2.4.5.4 The points scored by a tenderer for B-BBEE contribution will be added to the points scored for price.

- 2.4.5.5 The points scored will be rounded off to the nearest two decimal places.

PRICING SCHEDULE TO BE USED (SUPPLIERS TO USE THEIR LETTER HEAD USING THE BELOW TEMPLATE)

Summary of costs for the Whole project: Bidders must consider annual escalations (if any) and all other costs for the project (if any) as no price adjustments will be allowed during the project. Bidders will be evaluated on the total costs for the project.

**PRICING SCHEDULES FOR GARDENING AT THE
AVIATION TRAINING ACADEMY COMPLEX**

Site	Work schedule	Costing per area per week	Full Year 1	Full Year 2	Full Year 3
Garden Area 1	Weekly				
Garden Area 2	Weekly				
Garden Area 3	Weekly				
Complex Area and Perimeter Fence	Weekly				
Sub Total					
Tax					
Total					

1. FORM OF BID

CLOSING TIME: ON

BID NO.

VALIDITY: **180 DAYS** NAME OF BIDDER:

.....

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY
			<u>BID PRICE MUST EXCLUDE VALUE-ADDED TAX</u>

1		Project management	R
---	--	--------------------	---

2		Logistic support services	R
---	--	---------------------------	---

		Total Bid Price	R
--	--	-----------------	---

		Alternative Offers (Bidder to advise)	R
--	--	---------------------------------------	---

Manufacturer, type and model

Country of manufacture

Is the offer strictly to specification? YES / NO

If not to specification, state deviations

Contract period excluding guarantee period

Is the price quoted fixed? YES / NO

Is the delivery and installation period fixed? YES / NO

Are the supplies/services guaranteed as required in the Bid specification? YES / NO

If a guarantee is not specifically required in the Bid specification, are the Supplies/ services guaranteed? YES / NO

Are you the accredited agent for the manufacturers of the equipment offered? YES / NO

Where in the Republic of South Africa can a machine/equipment of the type offered by you be inspected under working conditions?

What are the names and addresses of the factories where the supplies will be manufactured?

What is the approximate value of spares carried in stock in the Republic of South Africa for the equipment offered? R.....

Furnish full particulars (separately if necessary) of the arrangements which can be made by you for the efficient servicing/maintenance of the supplies/services locally

In respect of supplies to be specially imported, indicate -

(i) Whether a special import permit is required? YES / NO

- (ii) The name and address of the person or company to whom payment is to be made abroad
- (iii) The amount in foreign currency to be paid by you abroad
(See **Volume 1B**, paragraph 2.16.15.1)
- (iv) What ruling rate of exchange (at date of Bid) was applied in the conversion of this amount to South African currency (See Volume 1B, paragraph 2.16.15.1 and what was the date when this rate applied)

* Price as reflected on form must include all customs and/or other duties, delivery and installation costs. Bids on a basis of c.i.f. or in bond, or qualified to the effect that bills of entry are to be furnished may be disqualified.

Rate of Exchange Variation

Installation Contract:

Upon Contract award, the contractor shall hedge the foreign content, and immediately provide same to ATNS. Any variation between the quoted rate in the Price Schedule, and Hedged Rate shall be for the account or credit of the contractor.

Option and CVO:

Any options or Contract Variation Orders shall be hedged upon the receipt of an Order by the Contractor, and any variation between the quoted rate and Hedged Rate shall be for the account or credit of the Contractor.

Support Contract

At the commencement of each of support, The Contractor shall Hedge the foreign content for that year, and any variation between the quoted rate of the Price Schedule and the Hedged Rate shall be for the account or credit of ATNS.

Rules that apply when exchange cover on a fixed term basis is a condition of the contract:

The Contractor shall, within 14 fourteen days of receipt of the contract (or if an export permit is required within 14 [fourteen] days after receipt of such permit) or such extended period as agreed upon at the time, arrange exchange cover for the total

exchange amount which cover may not exceed the contractual term and shall be transferred abroad on a fixed term basis. Once the currency futures have been issued, the Company's finance division must be provided with a copy of such currency futures.

Should the currency futures not be taken out within the prescribed period, then, subject to the provisions of paragraph one of the following two rates, whichever is to the best advantage of the company, shall be used for calculation purposes:

- the spot rate applicable on the last day of the prescribed period;
- the actual rate applicable to the currency futures.

PART A

INVITATION TO BID

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

BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
-------------	--	---------------	--	---------------	--

DESCRIPTION	
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BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

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BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO	TECHNICAL ENQUIRIES MAY BE DIRECTED TO:
---	--

CONTACT PERSON		CONTACT PERSON	
----------------	--	----------------	--

TELEPHONE NUMBER		TELEPHONE NUMBER	
------------------	--	------------------	--

FACSIMILE NUMBER		FACSIMILE NUMBER	
------------------	--	------------------	--

E-MAIL ADDRESS		E-MAIL ADDRESS	
----------------	--	----------------	--

SUPPLIER INFORMATION

NAME OF BIDDER	
----------------	--

POSTAL ADDRESS	
----------------	--

STREET ADDRESS	
----------------	--

TELEPHONE NUMBER	CODE		NUMBER	
------------------	------	--	--------	--

CELLPHONE NUMBER	
------------------	--

FACSIMILE NUMBER	CODE		NUMBER	
------------------	------	--	--------	--

E-MAIL ADDRESS	
----------------	--

VAT REGISTRATION NUMBER	
-------------------------	--

SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
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B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <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]

1.1.1.1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	1.1.1.2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
--	--	---	---

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.
- 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:

.....

CHECKLIST OF BIDDING DOCUMENTATION BEFORE SUBMITTING

NB!! PLEASE TAKE NOTE THAT ALL STANDARD BIDDING (SBD) FORMS MUST BE COMPLETED, SIGNED AND SUBMITTED WITH YOUR PROPOSAL. FAILURE TO DO SO MAY INVALIDATE YOUR BID

NB: Has the following forms been completed, signed and submitted with your proposal?		
Documentation	Checked by Bidder	Checked by Procurement Specialist
Declaration of interest – SBD 4		
Preference point claim – SBD 6.1		
Declaration Certificate for Local Production and Content for Designated Sectors-SBD 6.2		
Contract Form (rendering of services) – SBD 7.1		
Declaration of Bidders past Supply Chain Management Practices –SBD 8		
Certification of Independent Bid Declaration – SBD 9		
ID Documents of Directors/Shareholders		
Central Supplier Database Summary Report		
Company Profile		
Submitted One (1) original, three (3) hard copies and one (1) electronic copy (on CD or USB) in PDF format.		
Form D - Shareholding Disclosure Form: Bidders.		

ATNS FORM D**3 DISCLOSURE OF GROUP/COMPANY STRUCTURE**

1. In view of possible allegations of favouritism, it is required by ATNS that the bidder or his/her authorised representative declare the group structures if any and submit information of group directors / members / shareholders / trustees or subsidiary companies and positions held in the group /companies.
2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):

.....

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

3. The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, must be indicated in paragraph 3.1 below.

3.1 Full details of Group / directors / trustees / members / shareholders.

Name of Group / Company / Trust	Full Name and Surname	Identity Number	Personal Tax Reference Number

3 DECLARATION

I, THE UNDERSIGNED (NAME).....

Declare that the information furnished in paragraphs two (2) and three (3) above is correct.
I accept that ATNS may reject the bid or act against me in terms of paragraph 23 of the
General Conditions of Contract should this declaration prove to be false.

.....
Signature Date

.....
Position Name of bidder

October 2021

TAX COMPLIANCE REPORT AND PIN.

It is a condition of the bid that the taxes of the successful bidder must be in order or those satisfactory arrangements have been made with the Receiver of Revenue to meet his /her tax obligations.

1. In order to meet this requirement bidders are required to **Valid Tax Compliance Report and Pin** obtainable from any SARS branch office nationally. The Tax Compliance Report and Pin. Requirements are also applicable to foreign bidders/individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Compliance Report and Tax Pin that will be valid for a period of 1 (one) year from date of approval.
3. The original Tax Compliance Report and Pin must be submitted together with the bid. Failure to submit the **Valid Tax Compliance Report and Pin** will result in the invalidation of the bid. Certified copies of the Tax Compliance Report and Pin will not be acceptable.
4. In bids where Consortia/Joint Ventures/Sub-contractors are involved each party must submit a separate Tax Compliance Report and Pin.
5. Copies of the TCC001“Application for Tax Compliance Report and Pin” forms are available at any SARS branch office nationally or on the website www.sars.gov.za.
6. Applications for the Tax Compliance Report and Pin may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za

SBD4**DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the State¹, or persons having a kinship with persons employed by the State, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritisms, should the resulting bid, or part thereof, be awarded to persons employed by the State, or to persons connected with or related to them, it is required that the bidder or his/her authorized representative declare his/her position in relation to the evaluating/adjudicating authority where:
 - 1.1 the bidder is employed by the state; and/or
 - 1.2 the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
- 2 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.
 - 2.1 Full Name of bidder or his or her representative:

.....
.
 - 2.2 Identity Number:

.....

2.3 Position occupied in the Company (director, trustee, shareholder², member):

.....

.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

.....

2.5 Tax Reference Number:

.....

2.6 VAT Registration Number:

.....

¹“State” means –

(a) any national or provincial department, national or provincial public entity /constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

(b) Any municipality or municipal entity; (c) provincial legislature;

(d) National Assembly or the national Council of provinces; or

(e) Parliament.

² "Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

2.7 Are you or any person connected with the bidder presently employed by the State?

YES	NO
-----	----

2.7.1 If so, furnish the following particulars:

Name of person/director /trustee /shareholder/ member:

.....

Name of State institution at which you or the person connected to the bidder is employed:

.....

Position occupied in the State institution:

.....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the State, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?

YES	NO
-----	----

2.7.7.1 If yes, did you attach proof of such authority to the bid document?

YES	NO
-----	----

Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.7.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

2.8 Did you or your spouse, or any of the company's director's trustees/shareholders/members or their spouses conduct business with the State in the previous twelve months?

2.9.1 If so, furnish particulars:

.....

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the State and who may be involved with the evaluation and or adjudication of this bid?

2.9.1 If so, furnish particulars:

.....

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the State who may be involved with the evaluation and or adjudication of this bid?

2.11.1 If so, furnish particulars:

.....

.....

2.11 Do you or any of the directors/trustees/shareholders/members of the company have any interest in any other related companies whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....

.....

3. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number/Persal Number

4. DECLARATION

I, THE UNDERSIGNED

(NAME).....

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS
DECLARATION PROVE TO BE FALSE

.....

Signature

.....

Signature Date

.....

Position

SBD 6.1**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017****1.1.1.3.**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

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

1.2

a) Either the 80/20 preference point system will be applicable to this tender

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20

Total points for Price and B-BBEE must not exceed	100
--	------------

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser 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 the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
 - (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity 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;
 - (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
 - (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
 - (e) **“EME”** means an 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;
 - (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
 - (g) **“prices”** includes all applicable taxes less all unconditional discounts;
 - (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
 - (i) **“QSE”** means 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;
- 6.2.1
- (j) **“rand value”** means 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 PREFERENCE POINT SYSTEMS

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

80/20

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

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 B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . = (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 B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(*Tick applicable box*)

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

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(*Tick applicable box*)

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

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at least 51% owned

by:

EME

QSE

√

√

Black people

Black people who are youth

Black people who are women

Black people with disabilities

Black people living in rural or underdeveloped areas or townships

Cooperative owned by black people

Black people who are military veterans

OR

Any EME

Any QSE

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as

indicated in paragraph 1 of this form;

- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

.....

SBD 7.1**CONTRACT FORM - RENDERING OF SERVICES**

THIS FORM MUST BE COMPLETED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution) in accordance with the requirements and task directives/proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remains binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - 2.1 Bidding documents, viz

- 2.1.1 Invitation to bid;
- 2.1.2 Tax clearance certificate;
- 2.1.3 Pricing schedule(s);
- 2.1.4 Filled in task directive/proposal;
- 2.1.5 Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
- 2.1.6 Declaration of interest;
- 2.1.7 Declaration of bidder's past SCM practices;
- 2.1.8 Certificate of Independent Bid Determination;
- 2.2 General Conditions of Contract and
- 2.3 Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid
6. I confirm that I am duly authorized to sign this contract.

NAME
(PRINT)

WITNESSES

CAPACITY	1.....
SIGNATURE	
NAME OF	2.....
FIRM	
DATE	

SBD 7.2**CONTRACT FORM - RENDERING OF SERVICES****PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity
as..... accept your bid under reference number
.....dated.....for the rendering of services indicated hereunder
and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and
conditions of the contract, within 30 (thirty) days after receipt of an invoice.
4. I confirm that I am duly authorised to sign this contract.

SIGNED AT

ON

.....

NAME

(PRINT)

SIGNATURE

WITNESSES

1.....

2.....

OFFICIAL STAMP

SBD8**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

1. This Standard Bidding Document must form part of all bids invited.

2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3. The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - 3.1 abused the institution's supply chain management system;
 - 3.2 committed fraud or any other improper conduct in relation to such system; or
 - 3.3 failed to perform on any previous contract.

4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid:

Item	Question	Yes	No
4.1	<p>Is the Bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the audialterampartem rule was applied).</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>

	The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.		
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act(No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8 (2)

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

..... **CERTIFY THAT THE
INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE
TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....

Signature Date

.....

Position, Name of Bidder

SBD 9**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. This Standard Bidding Document (SBD) must form part of all bids¹ invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
3. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - 3.1 Disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - 3.2 Cancels a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
 - 3.3 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

4. In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

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:
 - 5.1 Has been requested to submit a bid in response to this bid invitation;
 - 5.2 Could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - 5.3 Provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. 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.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

7.1 prices;

7.2 geographical area where product or service will be rendered (market allocation)

7.3 Methods, factors or formulas used to calculate prices;

7.4 The intention or decision to submit or not to submit, a bid;

7.5 The submission of a bid which does not meet the specifications and conditions of the bid;
or

7.6 Bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. 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.
10. 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 the Bidder

Should it be necessary for a bidder to obtain clarity on any matter arising from or referred to in this RFP 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.

PROCUREMENT SPECIALIST:	Busisiwe Molapisi
TELEPHONE:	(011) 607 1000/1325
E-MAIL:	BusisiweMo@atns.co.za

18 GENERAL CONDITION OF CONTRACT

Please see **Annexure "A"**

17. Protection of personal Information

Please see **Annexure "B"**