**REQUEST FOR QUOTE (RFQ)**

**Appointment of a suitable service provider FOR refurbishment of an existing Science Laboratory at Mabushe High School, Lenyenye, Ramalema Tickey Line in Limpopo.**

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| --- | --- |
| **Date:** | **30 September 2022** |
| **Department** | **ATNS: CSI** |
| **RFQ Number** | **ATNS/RFQ0037/Refurbishment Lab/2022**   |  | | --- | |  | |
| **Description of Goods/Service:** | Please see below on page 4 |
| **Closing Date and Time:** | **17 October 2022 @ 10h00** |
| **Expected delivery date** | **TBC to the appointed bidder.** |
| **Compulsory Requirements:** | 1. B-BBEE Certificate 2. Tax Pin 3. CSD Report 4. Banking Details with bank stamp 5. ID copies of members/directors 6. CK Documents 7. Pricing Schedule/Quotation 8. Signed and completed SBD Forms |
| **Description** | Appointment of a suitable service provider for refurbishment t of an existing science laboratory at Mabushe High School, Lenyenye, Ramalema Tickey line in Limpopo. |
| **Compulsory Briefing** | Compulsory Briefing Session:  Wednesday, 12 October, 2022 @09h00  Mabushe High School, Lenyenye,  Ramalema  Tickey Line in  Limpopo |
| **Mandatory Criteria** | * CIDB 1GB PE or higher * The Service provider shall submit Proof of Residence   showing which proves that they are situated in Limpopo Province. A Rates & Taxes statement, lease agreement or equivalent may be used as proof. |
| **Quotation Delivery Address** | [Busisiswemo@atns.co.za](mailto:Busisiswemo@atns.co.za)  OR  ATNS Company Limited,  Eastgate Office Park, Block C,  South Boulevard Road,  Bruma,2298 |
| **Enquiries** | **Procurement Specialist:** [Busisiswemo@atns.co.za](mailto:Busisiswemo@atns.co.za) |

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| **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.**    **This RFQ will be evaluated on the basis of the 80:20-point system as stipulated in the the ATNS’ Procurement Policies and Procedures.** |

**BIDDING STRUCTURE**

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| 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 |  |

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| --- | --- | --- |
| **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:

1. **PURPOSE OF BID**

Appointment of a suitable service provider for refurbishment of an existing science laboratory at Mabushe High School, Lenyenye, Ramalema Tickey line in Limpopo.

1. **SCOPE OF WORK**

Appointment of a suitable service provider for refurblishment of an existing science laboratory at Mabushe High School, Lenyenye, Ramalema Tickey line in Limpopo.

|  |  |
| --- | --- |
| **Scope of Work** | **Description** |
| **Alterations (Removal of existing work)** | * Strip all existing desk or table tops from steel frames and prepare the steel frames for new tops * Replace all table or desktops with hardwood similarly to the existing material * Preserve all the basins situated on each desktop and clean them properly for reuse * Strip all existing vinyl tiles in the lab area and prepare the screeds for new vinyl tiles. All current trenches that are used for plumbing and electrical reticulation must be closed-up and new once chased in the screed at the right positions to receive new plumbing, electrical and gas reticulations. * Strip the notice boards at the rear of the lab, make good of the wall in preparation for display cabinet of the dimensions (4400 mm x 600mm x 1000mm). ***Note:*** dimensions (L, B and H). * Strip out the existing green-board in preparation for a new installation of a whiteboard. * Strip out the existing steel-door in preparation for new Lab door with burglar proofing. * Sanding and scraping out the existing paint works in preparations for the new paint works for the internal walls of the Lab, Storeroom and Teachers Room. * Remove the existing ceiling only in the Chemical storeroom in preparation to install new one. |
| **The Lab Desks renovation** | * Supply and install 32 mm Laminated SALIGNA desktops eight (8) 900 mm wide and 4000 mm long with rounded edges, height 900mm sanded, sealed and varnished, including an 18 mm melamine modesty panels on three sides to all the desks. * Supply and install one (1) desktop for the front stage desk for Teacher’s demo and teachings is 3500mm x 900mm x 900mm. ***same specification*** *as the one for the student desktops except the length*. * A 5–10 mm shadow line is allowed for between the modesty panel and top. Desks tops will be fixed to epoxy powder-coated steel frames and fixed to the concrete surface. * There’re are currently eight (8) desks in the lab accommodating at least four (4) learners per desk. There is also a front stage desk for the Teachers to work on it while doing the demonstrations or teachings. The Total number of desks in the Science Lab is nine (9). * All Lab chairs to be replaced with the stools appropriate for a laboratory function and compatible with the Lab desks height. |
| **Flooring** | * Supply and install FloorworX Superflex (or Similar approved) fully flexible vinyl floor tiles 610 mm x 610 mm x 2,0mm thick, manufactured in accordance with SANS 786:2000, laid in FloorworX No. 62 Plus acrylic adhesive (or similar approved) spread with a notched trowel on suitably prepared subfloor (elsewhere specified) with a hygrometer reading showing a moisture content of less than 70% and rolled with 68 kg three section metal roller on completion. Colour to be advised by the School Management. Allow for strip and seal of the vinyl flooring. * Please install floor skirting alongside the internal walls in the Science Lab. |
| **Paint Works** | * Paint works will be required for the three rooms namely:   **Science Lab** with dimensions (9100mm x 3000mm) x 2 sides, and (12000mm x 3000m) x 2 sides. Ceiling painting should be in white for (12000mm x 3000mm).  ***Note:*** We need to subtract window spacing on the side areas of the Science Lab. Window Area (1500mm x 970mm) x 9 of windows.  **Teacher’s room**: paints works excluding ceiling area. Size of the room (3850mm x 3000mm) x 2 and (3000mm x 3000mm) x 2. Those are four walls of the room.  **Chemicals Storage Room**: paints works only including the new ceiling to be installed. Size of the room (5000mm x 5100mm). **NB**. No wall painting required in this room. |
| **Plumbing Installation** | * Each existing and renovated Lab desk will be installed with the existing basin (x9) which was carefully removed and preserved for reuse during alterations (removal of existing work). * Each basin shall be equipped with a cold water tap (new taps x 9) suitable for the Lab’s function. * Currently there is no running water in the Lab. Provision for water reticulation to supply water to the Lab desk basins shall be made. The plumbing works will include installations of new drainage pipes |
| **Electrical Installation** | * All electrification that is not compliant with the building regulations must be rectified and a new electrical certification of Compliance must be issued. |
| **Gas Reticulation** | * Some science experiments will require the supply of gas to the gas apparatuses. Provision for gas reticulation will therefore be required, even though it may not be to all Lab desks. |
| **General Items** | * Currently the Science Lab does not have window blinds. Supply and install window blinds for nine (9) existing windows. The dimensions of the window blinds should be able to cover the existing window areas of dimensions (1500mm x 970mm) of each window space. Quantity of the blinds will be nine (9) for those dimensions. * Supply and install double door main entrance into the Science Laboratory. The double door type must standard solid double doors with a security burglar proofing. Dimensions (1510mm x 2040mm). (**Note:** *Length and height*) * Supply and install new White boards as replacement to the existing green-boards. * Erection of small platform in front of the whiteboard area to elevate the Teacher’s position while using the white board. Dimensions (4200mm x 870mm x 76mm) * Pest Control Treatment in and around the existing Science Laboratory. * Replacement of existing Fire Extinguishers including mountings on the wall (quantity two (2)). * Supply and install Ceiling mounted Video Projector for projections onto the whiteboard. |
| **Fume Cabinet** | * The Lab has an old fume extraction cabinet that is non-functional. The procurement of a new one is therefore necessary. * Supply and installation, by specialist contractor, a ViVid Air VA600S or similar approved School Fume Extraction Cabinet with a size of 2120 mm high by 1000 mm wide. See image below. * The contractor must include in their pricing all ancillary materials and labour required to install the equipment and make it functional.   A picture containing engineering drawing  Description automatically generated |
| **Chemical Waste Water Reticulation** | Water reticulation to allow for safe disposal of chemicals. A pit may be constructed for this purpose.   * **Storage Tank Specifications:** * 1500 L Conservancy Tank * Diameter – 1550 mm * Height – 1280 mm * Lid – 290 mm * **Fitting of the Tank:** * The tank should be secured underground, away from access to learners but should allow for easy access for safe disposal of contents once full. * **NB Note:** * The Bidder must ensure that the tank is a Conservancy Tank that is chemical resistant instead of a septic tank. * **Image of Tank:** |

1. **TECHNICAL REQUIREMENTS, PRICE AND PREFERENCE POINTS**
   1. **The First stage**, Preferential Procurements in ATNS will be implemented in line with the PPPFA and ATNS shall evaluate suppliers in accordance with the B-BBEE Codes of Good Practice.
   2. **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.

| **Mandatory Criteria** | **Proof Required** |
| --- | --- |
| * CIDB1 GB PE registration | YES |
| * The Service provider shall submit Proof of Residence   showing which proves that they are situated in Limpopo Province. A Rates & Taxes statement, lease agreement or equivalent may be used as proof. | YES |

* 1. **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 70% will be disqualified and not evaluated further.

| **CRITERIA GUIDELINES FOR THE APPLICATION OF WEIGHTING** | **EVALUATION CRITERIA** | **WEIGHTING** |
| --- | --- | --- |
| 1. **Capacity and Experience:**    1. **Verification of References**   **Three (3)** 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:   * Description of the project * Projects actual costs at completion * Year completed * Client name and contact details | If a complete record as per guideline and evidence is provided for **Three (3)** relevant projects: (**20%)** | **20%** |
| If a complete record as per guideline and evidence is provided for **less than (3)** **but more than** **one** relevant project: (**10%)** |
| If a complete record and evidence is provided for **None** relevant projects: (**0%)** |
| Proposed Project Team The tenderer shall provide a proposed management team for the project. For each team member, the following information shall be provided:   * Detailed Curriculum Vitae of key personnel **(20%):** | * Detailed Curriculum Vitae of key personnel **(20%):** * Site Foreman/Supervisor **(5%)** * Plumber **(5%)** * Electrician **(5%)** * Gas Installer **(5%)** | **20%** |
| * A responsibility matrix that defines the roles, availability and responsibilities of the various team members **(10%)** | * A responsibility matrix that defines the roles, availability and responsibilities of the various team members **(10%)** | **10%** |
| * If a no record and evidence is provided (**0%)** |
| 1. **Construction Management**    1. **Construction Method Statement**   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:   * Scope of Work **(1%)** * Site Establishment Plan **(1%)** * Project Resources (Plant & Equipment) **(2%)** * Construction Methodology (Technical Approach) **(2%)** * OHS Plan **(3%)** * Contractor Bi-Weekly Progress Reporting **(1%)** | Construction method **(10%)** | **10%** |
| 1. **Bills of Quantities**   The bidder shall provide a BOQ for the project in both hard copy and excel format. The BOQ must follow a format as stipulated by the South African Council for Quantity Surveyors (SAAQS) and show in a table format with columns titled: *Item No, Item Description, Unit of Measure Quantity, Rate and Amount* | * If a complete record as per guideline and evidence is provided: (**40%).** * If a no record and evidence is provided (**0%)** | **40%** |
| **Total** |  | **100%** |
| **Threshold** |  | **70%** |

* 1. **The Fourth stage**, bids will be evaluated in terms of the **80/20** **preference point system.** Only bids that provide meet mandatory requirements and 70% of f requested for **Technical and Functional requirements including the presentation** will be evaluated in accordance with the **80/20** preference point system
* Quotations will be evaluated in terms of ATNS’ Procurement Policies and Procedures using the 80:20 point system. 80 points will be awarded for price and 20 points for B-BBEE points claimed.

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| **Points for price** | **80** |
| **Points for B-BBEE (Max of 20):** | 20 |
| **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 |

1. **SUBMISSION INSTRUCTIONS:**
   * 1. Potential service providers are requested to provide a quotation that addresses all the items listed in the specification section as stated above.
     2. Failing to comply with the instruction will lead to bids being disqualified.
     3. **Each quotation should also include the following information:**
2. The expiration date for the Quotation, if any.
3. Details of the contact person dealing with the quotation.
4. CSD Summary Report.
5. 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.

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| **Procurement OFFICER:** | Busisiwe Molapisi |
| **Telephone:** | 011 607 1000 |
| **E-mail:** | [BusisiweMo@atns.co.za](mailto:BusisiweMo@atns.co.za) |

1. **SUBMISSION OF QUOTATION:**

**The RFQ Documents shall be delivered to the below:**

**Email:** [BusisiweMo@atns.co.za](mailto:BusisiweMo@atns.co.za)

PART A

INVITATION TO BID

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (***NAME OF DEPARTMENT/ PUBLIC ENTITY***)** | | | | | | | | | | | | |
| BID NUMBER: |  | | | CLOSING DATE: | |  | | | CLOSING TIME: | | |  |
| DESCRIPTION |  | | | | | | | | | | | |
| **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 | | | | |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE | | TICK APPLICABLE BOX]  Yes  No | | | B-BBEE STATUS LEVEL SWORN AFFIDAVIT | | | | | [TICK APPLICABLE BOX]  Yes  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]*** | | | | | | | | | | | | |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED? | | Yes No  [IF YES ENCLOSE PROOF] | | | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | | | | | Yes 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

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| 1. **BID SUBMISSION:** |
| * 1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.   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.**   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.   4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).** |
| 1. **TAX COMPLIANCE REQUIREMENTS** |
| 1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. 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. 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). 4. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. 5. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. 6. WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED. 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. 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 aforegoing, 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.
   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.
   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. 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;
      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. the unauthorised or unlawful processing of such Personal Information; and
         2. the accidental loss or destruction of, or damage to, such Personal Information; and
         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.
   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 in terms of clause **Error! Reference source not found.**
   5. Both Parties will comply with their obligations under POPIA in relation to personal information for which they are the responsible party.
   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.
   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. The Service Provider, by submitting its proposal/ quotation, consents to the use of his/her personal information contained therein and confirms that:
     1. The information is voluntarily supplied, without undue influence from any party; and
     2. The information is necessary for the purposes of the engagement with ATNS.
  2. The tenderer acknowledges that he /she is aware of his/her right to:
     1. Access the information at any reasonable time for the purposes of rectification thereof;
     2. Object to the processing of the information;
     3. Lodge a compliant with the Information Regulator.