



**REQUEST FOR TENDER**

**FOR**

**SUPPLY AND INSTALL PRECISION AIR CONDITIONING  
(PAC) SYSTEM AT LABUAN FSA'S DATA CENTRE**

**PREPARED BY:**

**LABUAN FINANCIAL SERVICES AUTHORITY  
LEVEL 17, MAIN OFFICE TOWER  
FINANCIAL PARK COMPLEX**

**870009, LABUAN.**

**TEL: 03-8873 2000**

**FAX: 03-8873 2099**

**DATE: 13 MARCH 2025**

**RFT NUMBER: RFT 00037**

## DOCUMENT CHECKLIST

Please mark ( / ) for the attached documents:

No	Items/Documents	Page (To be filled up the tenderer)	To be marked by the tenderer	To be marked by Labuan FSA's Tender Opening Committee
1	<b>Technical Proposals</b>			
a	Company Profile			
b	Project Plan/ Timeline			
c	Project Team			
d	Technical Specification			
e	Work Experience			
f	Signed Integrity Forms			
2	<b>Financial Proposal</b>			
a	Detailed Cost Breakdown			
b	3 years of the latest Audited Financial Statement			
c	Three (3) months' bank statements.			

**CONFIRMATION BY THE TENDERER FOR LABUAN FSA USE ONLY**

I hereby confirm that I have read and understood all the terms and conditions in this RFT document. All information/documents submitted by my company presented are accurate.

The Tender Opening Committee acknowledges receiving the documents, except for the bill issue ..... (if provided).

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SUPPLY AND INSTALL  
PRECISION AIR CONDITIONING (PAC) SYSTEM AT LABUAN FSA'S DATA CENTRE

Signature :

Name :

Date :

Official Stamp :

Signature :

Name :

Date :

Signature :

Name :

Date :

Signature :

Name :

Date :

## TABLE OF CONTENTS

<b>Table of Contents</b>	<b>Page</b>
1. Tender Offer	1
2. General Statement	1
3. Introduction to Labuan FSA	2
4. Important Documents	2
5. Project Background	4
6. Scope of Services	5
7. Site Visit	7
8. Preparation of Tender Documents	7
9. Tender Documents Validity Period	8
10. Submission of Tender Documents	9
11. Additions and Amendments to RFT Document	9
12. Contact Person	10
13. Appendixes	11

## 1. TENDER OFFER

- 1.1 This Request for Tender (RFT) is intended as an invitation to qualified Participating Organisation (PO) to participate in the tendering process as per below details:

Tender Number	Tender Title	Closing Date
RFT 00037	Supply and Install Precision Air Conditioning (PAC) System	11 April 2025

## 2. General Statement

- 2.1 The issuance of this RFT is merely an invitation to offer. Labuan FSA is not bound in any way to enter any contractual or other arrangements with any PO as a result of issuing this RFT.
- 2.2 Labuan FSA is not obligated to accept the lowest price proposal or any proposal.
- 2.3 Labuan FSA reserves the right to terminate the procurement process at any time prior to contract award.
- 2.4 By participating or submitting a proposal to Labuan FSA, the PO shall be deemed to have read, understood, and agreed with all terms and conditions of this RFT.
- 2.5 Labuan FSA complies with the Integrity Pact issued by the Malaysian Government in Government Procurement. The PO is required to sign the Declaration Form (refer to Section 4 – Important Documents). All POs are reminded not to engage in any corrupt practices in relation to this procurement. Any act or attempted bribery of offering, giving, soliciting, or accepting any bribe to or from any person in connection with this procurement is a criminal offence under the Malaysian Anti-Corruption Commission Act 2009.
- 2.6 The PO must inform the Chairman or Director General of Labuan FSA as soon as possible upon learning that any Labuan FSA employee, directly or indirectly, requests or accepts any bribe, either for his benefit or advantage or for the benefit or advantage of another person in relation to with this tender offer. Please refer to Appendix I for Whistleblowing Guidelines for the Vendors.

### 3. INTRODUCTION TO LABUAN FSA

- 3.1 Labuan FSA was established on 15 February 1996 under the Labuan Financial Services Authority Act 1996 (the Act). Labuan FSA is a statutory body responsible for the development and administration of the Labuan International Business and Financial Centre (Labuan IBFC) with the following objectives:
- a. To develop national objectives, policies and priorities for the orderly development and administration of the Labuan financial services industry in Labuan IBFC;
  - b. To supervise the activities and operations of the Labuan financial services industry in Labuan; and
  - c. To oversee the promotional and development aspects of the Labuan IBFC.

### 4. IMPORTANT DOCUMENTS

- 4.1 The PO is required to sign the Declaration Forms, which are attached in Appendixes II, III, IV, and V. The signed forms must be submitted together with the tender documents.

Description		Reference
Conflict of Interest	<p>PO is required to provide details of any interests, relationships or clients that may or do give rise to a conflict of interest in relation to the supply of the services under any contract that may result from this RFT. If the PO submits the proposal and a subsequent conflict of interest arises or is likely to arise, which was not disclosed in the proposal, the PO must notify the Labuan FSA immediately in writing of that conflict.</p> <p>Labuan FSA shall immediately disqualify the PO from the selection process if the PO fails to notify the Labuan FSA of the conflict as required.</p>	Appendix II

Description		Reference
Personal Data Protection Consent Clause	<p>Pursuant to section 6(1) of the Personal Data Protection Act 2010, by participating in this RFT, the PO's personnel hereby agree that Labuan FSA may collect, obtain, store and process the personal data of the PO's personnel provided in the proposal for the selection process from Labuan FSA.</p> <p>The PO hereby gives consent to Labuan FSA to:-</p> <ul style="list-style-type: none"> <li>a) Store and process the Personal Data of the PO's personnel; and</li> <li>b) Disclose the PO's personnel Personal Data to the relevant governmental authorities or third parties where required by law or for legal purposes.</li> </ul> <p>To update or correct such data, the PO may at any time apply to Labuan FSA to access the PO's personnel data, which Labuan FSA stores.</p>	Appendix III
Declaration of Litigation	All POs must ensure they have a valid license to participate in this RFT and are capable of delivering the project.	Appendix IV
Bidders Declaration	All POs must sign the <b>Bidder Declaration Form</b> . By signing the form, the PO agrees not to offer or provide a bribe in order to secure the work contract.	Appendix V

## 5. PROJECT BACKGROUND

- 5.1 The **Precision Air Conditioning (PAC) system** (Model: DME12MHP1, released in 2011) at the **Labuan Financial Services Authority (LFSA) Data Centre** was acquired in **2014** and has surpassed its end-of-life since **2017**. Over the years, the system has exhibited increasing signs of ageing, including **higher maintenance costs, reduced energy efficiency, and declining overall performance**, posing potential risks to the **critical IT infrastructure** housed within the data centre.
- 5.2 Given the essential role of precision cooling in maintaining **optimal temperature and humidity levels**, the replacement of the existing PAC system is **imperative** to ensure:
- i. **Reliable Cooling Performance** – Preventing overheating and minimizing downtime risks for critical IT equipment.
  - ii. **Energy Efficiency** – Reducing power consumption and operational costs in line with sustainability goals.
  - iii. **System Resilience & Longevity** – Enhancing the long-term reliability of the LFSA Data Centre.
- 5.3 To address these concerns, Labuan FSA intends to procure a **new PAC system** through an open tender process, inviting **qualified vendors** to propose a **cost-effective, energy-efficient, and sustainable** solution that meets or exceeds the technical and operational requirements of the data centre.
- 5.4 The selected solution must offer **state-of-the-art cooling technology**, seamless integration with existing infrastructure, and **long-term maintenance support** to ensure continuous and reliable operations.



## 6. SCOPE OF SERVICES

6.1 The interested PO needs to dismantle the existing PAC and remove it from Labuan FSA's office. The new PAC must be delivered and installed at Labuan FSA's data centre in **Labuan**.

6.2 The interested PO may refer to the below specifications:

No.	Item	Specifications	Qty
<b>a)</b>	<b>Precision Air Conditioner</b>		
<b>i.</b>	<b>Liebert Precision Air Cooled System</b>		
	Model	<ul style="list-style-type: none"> <li>▪ DME12MH1UA1 with DMC12WA1 (or equivalent model)</li> </ul>	2
	Total Cooling Capacity	<ul style="list-style-type: none"> <li>▪ 11.6 kW</li> </ul>	
	Sensible Cooling Capacity	<ul style="list-style-type: none"> <li>▪ 12.28 kW Upflow Configuration</li> </ul>	
	SNMP Communications	<ul style="list-style-type: none"> <li>▪ RDU-SIC Card</li> </ul>	
<b>ii.</b>	<b>Services</b>		
	Mechanical works	<ul style="list-style-type: none"> <li>▪ Deliver &amp; positioning Computer Room Air Conditioner (CRAC)</li> <li>▪ Supply &amp; install Liquid and Hot gas Hard copper piping, c/w all necessary accessories and fittings (approx. 66ft for each CRAC)</li> <li>▪ Pressure leak test for copper piping works</li> <li>▪ To supply and install 7 x 2.5mm<sup>2</sup> cables in GI conduit from indoor to outdoor condenser unit. (approx. 66ft)</li> <li>▪ To supply and install power wiring from CRAC to Existing CRAC Distribution Board on-site, (approx. 10m)</li> </ul>	L/S
	Electrical Work & Wiring Work	<ul style="list-style-type: none"> <li>▪ From Labuan FSA data centre Server Room DB to PAC.</li> </ul> <p><i>(Note: Individual set of circuit breakers for each unit of PAC).</i></p>	L/S

No.	Item	Specifications	Qty
	Standard warranty	<ul style="list-style-type: none"> <li>▪ Services include 12 months against all manufacturing defects with on-site support, parts and labour included.</li> <li>▪ 12 months of service maintenance (6 times/year)</li> </ul>	L/S
<b>b) ENVIRONMENTAL MONITORING SYSTEM (EMS)</b>			
i.	2A RDU-A-G2 Environmental Monitoring Panel	To monitor the following appliances: <ul style="list-style-type: none"> <li>▪ 2 Nos Precision Air Cooling System</li> <li>▪ 2 Nos Temperature and Humidity Sensor</li> <li>▪ 1 Nos Fire Alarm Panel</li> <li>▪ 1 Nos Existing Water Leak Detection System</li> </ul>	1
ii.	2B RDU-EX Environmental Monitoring Panel Accessories	<ul style="list-style-type: none"> <li>▪ Temperature and Humidity Sensor</li> <li>▪ SMS 4G Modem (exclusive of SIM Card)</li> <li>▪ 8 Digital Input Analog Input extension card</li> </ul>	1
iii	CAT6 Network Cable (within server room)	For EMS connection to: <ul style="list-style-type: none"> <li>▪ 2 Nos Precision Air Cooling System</li> <li>▪ 2 Nos Temperature and Humidity Sensor</li> <li>▪ 1 Nos Fire Alarm Panel</li> <li>▪ 1 Nos Existing Water Leak Detection System</li> <li>▪ 1 Nos Existing Server switch</li> </ul>	L/S
iv	Services	<ul style="list-style-type: none"> <li>▪ Continuity Test and Termination of All Input/Output Cables</li> <li>▪ Start-up, Testing &amp; commissioning and engineering programming.</li> <li>▪ Standard warranty</li> <li>▪ 12 months manufacturer warranty services from date of commissioning.</li> </ul>	L/S

- 6.3 The interested PO is required to supply SIM card for testing and commissioning only.

## 7. SITE VISIT

- 7.1 The interested company is required to attend a site visit which will be held as follows:

**Date** : 20 March 2025, Thursday  
**Time** : 10.30am  
**Venue** : Labuan Financial Services Authority  
 Level 17, Main Office Tower  
 Financial Park Complex  
 87000 WP Labuan  
**RSVP** : Participating in the site visit is MANDATORY. Kindly RSVP by email to [procurement@labuanfsa.gov.my](mailto:procurement@labuanfsa.gov.my) / [hazrina@labuanfsa.gov.my](mailto:hazrina@labuanfsa.gov.my) no later than **19 March 2025**.

## 8. PREPARATION OF THE TENDER DOCUMENTS

- 8.1 The PO must prepare the tender documents in **two formats (technical and financial)** and place the documents in **two different sealed envelopes** (refer to **Section 10 – Submission of Tender Documents**) as below:

Items	Descriptions	
<b>Technical Proposal</b>	Company Profile	Information pertaining to company name, business address, contact person, telephone number (including relevant mobile number for contact person) and copy of license company registration certificate. The information should include current/past clients.
	Project Plan/ Timeline	The proposal shall also include the timeline and milestones.
	Project Team	Information pertaining to the proposed project team, with a minimum of three (3) years of experience.
	Technical Specification	The specification as mentioned in <b>Section 6</b> .  The interested PO must submit the product brochure and catalogue.

Items	Descriptions	
	Work experiences	Information should include samples of past and current projects and products, i.e. a list of completed and ongoing projects for which the company have performed similar work.
<b>Financial Proposal</b>	Cost Breakdown	<p>A detailed cost breakdown as specified in <b>Section 6</b>.</p> <p>The cost should also include the dismantling of the existing PAC and supply and installation of the PAC at Labuan FSA's Data Centre in Labuan.</p> <p>The price should be in <b>Ringgit Malaysia</b> only.</p>
	Supporting Documents	<p>Three (3) months' bank statements.</p> <p>The latest three (3) years of Audited Financial Statements.</p>

## 9. TENDER DOCUMENTS VALIDITY PERIOD

- 9.1 The tender document should be valid for **120 days** from the closing date of this tender offer. The PO is not allowed to withdraw the tender documents that have been submitted to Labuan FSA.

## 10. SUBMISSION OF TENDER DOCUMENTS

10.1 The completed tender documents must be submitted in **two formats**, one for Technical and the other for Financial. For identification purposes, please print **“PRECISION AIR CONDITIONING (PAC) SYSTEM”** at the top left corner of the **SEALED** envelope.

10.2 The completed tender documents can be submitted by courier/post or hand delivery to the address below:

Address : **Labuan Financial Services Authority**  
Level 17, Main Office Tower  
Financial Park Complex  
87000, Labuan FT.  
(Tel: +603-8873 2000/Fax: +603-8873 2209)

Attention to: Head, Facilities Management Unit

Deadline : **Tuesday, 11 April 2025, before 5.00 pm.**

10.3 Any tender documents received after the deadline as mentioned above, will be disqualified. Kindly note that Labuan FSA will not be responsible for late or non-delivery of the tender documents. Labuan FSA reserves the right to cancel this RFT for any reason without any liability to any proponent or waive irregularities at their discretion.

## 11. ADDITIONS AND AMENDMENTS TO RFT DOCUMENT

11.1 Labuan FSA, for any reason, whether at its own initiative or in response to a clarification by any prospective PO, may issue any addendum or amend the RFT documents by issuing notices to that effect to all POs and may extend the RFT closing date and time if deemed appropriate.

## 12. CONTACT PERSONS

12.1 The PO is reminded to comply with the requirements specified in this RFT. Failure to comply with any tender instructions/conditions may result in the submitted tender not being considered.

12.2 You may contact the following personnel for further clarifications:

Preparation and submission of tender documents:      **Name** : Khadijah Zahri  
Contact No : +603-8873 2077  
Email : [khadijah@labuanfsa.gov.my](mailto:khadijah@labuanfsa.gov.my)

**Name** : Raja Hazrina Zaity  
Contact No : +603- 2780 3333  
Email : [hazrina@labuanfsa.gov.my](mailto:hazrina@labuanfsa.gov.my)

Technical requirement and specification:      **Name** : Natalie Mah  
Contact No : +603-8873 2089  
Email : [natalie@labuanfsa.gov.my](mailto:natalie@labuanfsa.gov.my)

**Name** : Nurul Syafawani Ali  
Contact No : +603-8873 2091  
Email : [syafawani@labuanfsa.gov.my](mailto:syafawani@labuanfsa.gov.my)

## APPENDIX I



### Vendors Whistleblowing Guidelines

- 1) Labuan Financial Services Authority (Labuan FSA) is opposed to all forms of fraud, corruption, and malpractice, whether arising from within or outside Labuan FSA or from vendors. If the vendors have any concerns about suspected malpractice, Labuan FSA encourages them to raise the issue. Labuan FSA will take your concerns seriously and wish to encourage you to report any suspected fraud or corruption.
- 2) Submission of concern:
  - (i) Any report about suspected or potential malpractice can be submitted to:

<p style="text-align: center;"><b>Director General</b> Labuan Financial Services Authority Level 17, Main Office Tower Financial Park Complex Jalan Merdeka 87000, Labuan FT. (Tel: 03-8873 2000 / Fax: 03-8873 2208)</p> <p style="text-align: center;">Email: dg_wb@labuanfsa.gov.my</p>
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- (ii) For submitted by letter, place letter in a sealed envelope with the words "**Strictly Confidential. To be opened by Addressee only [name and address of the DO]**" on the top left hand corner of the envelope.
- 3) Confidentiality:
  - (i) Labuan FSA will treat all reports in a confidential and sensitive manner. The identity of the whistleblower is required when making a report, to better place an investigation into the report. This is to respect the Authority of the Labuan FSA and integrity of its employees.
  - (ii) However, Labuan FSA will respect and protect the whistleblower's confidentiality and hereby gives assurance that it will not reveal the whistleblower's identity to any third party not involved in the investigation or prosecution of the matter. The whistleblower making the report will retain anonymity to all other employees and public unless he/she agrees otherwise. The assurance of confidentiality can only be completely effective if the whistleblower likewise maintains confidentiality.

- (iii) Anonymous concerns will be much more difficult for Labuan FSA to look into the matter or protect your position. Investigations into anonymous allegations are likely to be limited by the sufficiency of the information provided. Anonymous referrals will be followed up at the discretion of the Labuan FSA. In exercising that discretion, the factors that will be taken into account will include:
- The seriousness of the matters raised.
  - The sufficiency and detail of information provided.
  - The credibility of the concern; and
  - The likelihood of confirming the allegation and obtaining further evidence from attributable sources.
- 4) Labuan FSA's Commitment:
- (i) Upon notification, Labuan FSA will look into it to assess and take action.
- (ii) You will be notified who is handling the matter, how you can contact them, and whether further assistance may be needed.
- (iii) Where relevant, the whistleblower may be requested to submit evidence and documents. Any meeting arranged will be conducted discreetly and, if necessary, off-site or out of Labuan FSA's premises.



## APPENDIX II



### DECLARATION OF INTEREST

#### REQUEST FOR TENDER: PRECISION AIR CONDITIONING (PAC) SYSTEM (RFT 00037)

Participating Organisation's (PO) Name and Company No. (if applicable) : \_\_\_\_\_ I,  
\_\_\_\_\_ (NRIC/Passport No.: \_\_\_\_\_), the authorised  
representative of the PO, hereby declare that:

Yes	No	Declaration
		The PO had previous involvement in advising Labuan FSA in respect to matters under the scope of assessment as stated in the RFT.
		The PO is aware of any interest that will result in conflict with the role of an independent assessor as intended under the RFT.
		Labuan FSA has significant influence over the PO in respect of its financial and operating decisions.
		The PO is controlled by Labuan FSA by virtue of Labuan FSA's shareholding, control of its board's composition or funding, the PO being Labuan FSA's subsidiary or affiliate, or the PO being the subsidiary of Labuan FSA's subsidiary or affiliate.
		The director or person who has control or significant influence over the PO as listed in the schedule below is Labuan FSA Senior Management, Close Family Member of Labuan FSA's Senior Management or staff

No	Name	Position in the PO	Name of Labuan FSA's Senior Management or staff, if applicable	Relationship
1.				
2.				

I hereby declare that I have carefully read and completed this form myself and provided current and accurate information to the best of my knowledge.

Signatory	
Name of Signatory	
Position	
Date:	

*	<b>"Close Family Member"</b> refers to spouse, children and their spouses, dependents, parents, parents in-law, siblings, sibling's spouse and their children.
**	<b>"Senior Management"</b> refers to Members of the Authority or Directors of Labuan FSA.

## APPENDIX III



### **PERSONAL DATA PROTECTION PRIVACY NOTICE FOR SUPPLIER/ CONSULTANT/ CONTRACTOR**

We, **Labuan Financial Services Authority** (“Labuan FSA”) as the data user (hereinafter referred as “We”, “Us”, “Our”) are committed to maintain the confidentiality, security and integrity of the personal data supplied by you as the data subject to us. In line with the Personal Data Protection Act 2010 (“PDPA”), this Privacy Notice aims to highlight the manner in which we deal with the personal data and the choices available to you to access or limit our access to the personal data. You also agree to comply with the PDPA in relation to any personal data provided by us to you.

If you are a corporation supplying us with personal data of certain individuals (such as your directors, shareholders, officers or employees), the words “personal data” in this Privacy Notice shall include personal data of the said individuals in the corporation. You are required to obtain their respective consent before disclosing their personal data to us and by so disclosing, we shall assume that you do so in accordance with the PDPA.

1. **Types of personal data collected and processed by us may include information such as:**
  - Name, identity card/passport number, gender, nationality, date of birth, resident status, marital status, address, contact number, email address, occupation details and financial information;
  - Personal data from governmental agencies;
  - Personal data from credit reporting agencies or similar service providers;
  - Such other relevant information which we may require in order for you to provide us with such products/ services.

Unless stated otherwise in this Privacy Notice, it is obligatory that you supply us with the personal data requested by us. If you choose not to supply us with the personal data or withdraw or limit the use of the personal data, we may be unable to appoint you as our vendor, consultant, service provider, supplier or contractor. If we already have your personal data because you are our current vendor, service provider, supplier or contractor, we may not be able to continue with our business relationship with you if you do not acknowledge receipt of and agreement to this document.

2. **We collect personal data for the following purposes:**
  - To evaluate and consider your application to be our vendor, consultant, service provider, supplier and contractor;
  - To process your personal data for purposes of providing the products/services we have requested from you;
  - Conducting credit checks with credit reporting agencies or similar service providers;
  - Anti-money laundering and terrorism financing checks;
  - Responding to your queries or data access requests and facilitating our daily operation;
  - Research purposes including historical and statistical purposes;
  - To provide you with regular communications from us;

- Investigation of complaints, suspected suspicious transactions and research for service or goods improvement;
- To comply with legal or regulatory requirements or as authorised by legal or regulatory requirements;
- To manage risk; and/ or
- For such other purposes to which you have consented as part of our business transaction.

The personal data collected will be retained by us for the duration permitted/required under Malaysian law, which may extend to periods after termination of your contractual relationship with us.

**3. We maintain the security of personal data as follows:**

- Adequate security control systems to safeguard the confidentiality and security of your personal data;
- Access to your personal data by our staff is strictly on a need-to-know basis; and
- When third party service providers, agents or contractors are appointed to provide products or services to us, we ensure that these third parties observe similar security measures to those adopted by us.

**4. We will not disclose personal data to a third party, except to the following parties in accordance with the purposes set out in paragraph 2 above:**

- Our officers, employees, consultants, advisors, third party service providers and agents for purposes relating to your application for and/or your engagement as our vendor, consultant, contractor, service provider or supplier;
- Any third party service provider, agent or contractor who has been appointed by us to provide products/services in relation to our businesses, whether in or outside Malaysia subject to sufficient security controls over the information;
- any actual or proposed assignee, transferee, participant or sub-participant of the company's rights or business;
- any person to whom we are under an obligation to make disclosure under the requirements of any law, rules, regulations, court order, codes of practice or guidelines binding on us including, without limitation, any applicable regulators, governmental bodies, or industry recognised bodies, and where otherwise required by law; and
- To such parties as may be permitted under Malaysian law.

**5. Rights and choices**

- Individuals have the right to request access to their personal data held by us.
- For the purposes of requesting access to your personal data, you may request a Personal Data Access Request Form at the contact information below. We may impose an administrative fee for processing your request to access personal data.
- You have the right to request correction of your personal data held by us which is inaccurate, incomplete or not updated. You may do so by writing to us at the contact information below, providing us with the following:
  - (i) your identification information (e.g. account number, type of product/service supplied, NRIC number);
  - (ii) specifying the information that is inaccurate; and
  - (iii) stating the updated/corrected information.
- We aim to keep your personal data in our records accurate, complete and up-to-date. In accordance with the PDPA, we may refuse to comply with your request for access or correction in certain circumstances as stated in the PDPA.

- You may withdraw your consent to our processing or limit our right to process personal data by notice in writing to us. For avoidance of doubt, the withdrawal or limitation does not include processing of mandatory personal data.
- For purposes of writing to us to request access to, or correction of, your personal data held by us as mentioned herein, you shall fill out our Personal Data Access Request Form, a copy of which can be obtained at the contact information below.

**6. Further Amendments and Contact**

We will notify you of material amendments to this Privacy Notice, if any, from time to time, which may require your consent. If you continue to provide your services to us, you shall be deemed to accept such changes.

Complaints or inquiries relating to any matter concerning your personal data contained herein can be made to the following address:

Labuan Financial Services Authority  
Level 17, Main Office Tower  
Financial Park Complex  
Jalan Merdeka  
87000 Labuan, Malaysia.

**Contact Information:**

Legal and Enforcement Department  
Name: Md Zainizam Mat Jenu  
Designation: Head, Legal Advisory & Enforcement  
Email: zainizam@labuanfsa.gov.my

In the event of any inconsistencies, the Privacy Notice in the English language shall prevail. Please acknowledge receipt of this Privacy Notice and grant us your consent for the processing of your personal data by signing on the duplicate copy hereof and returning the same to us. Thank you.

**Dated: 13 March 2024**

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**FORM OF CONSENT**

Based on the foregoing, we acknowledge receipt of the above Privacy Notice and hereby expressly consent to the use, processing, disclosure and transfer of my/our personal data for the above purposes.

Yours faithfully,

\_\_\_\_\_

Name :

Date :

## APPENDIX IV

### Tenderer's Declaration on All Litigation

To:  
Facility Management Unit  
Labuan Financial Services Authority  
Level 17, Main Office Tower  
Financial Park Complex  
Jalan Merdeka  
87000 Labuan FT.

#### **REQUEST FOR TENDER: PRECISION AIR CONDITIONING (PAC) SYSTEM (RFT 00037)**

We hereby confirm and declare that we, M/s -----, does not have any litigation/Arbitration History with any Government department/Public Sector Undertaking/Private Sector/or any other agency for which we have Executed/Undertaken the works/Services during the last five (5) years.

Solemnly declared by:-

Signed :.....  
Name in full :.....  
Duly authorised to sign on behalf of :.....  
Company stamp :.....  
Date :.....

## APPENDIX V



### BIDDERS DECLARATION

#### REQUEST FOR TENDER: PRECISION AIR CONDITIONING (PAC) SYSTEM (RFT 00037)

I, \_\_\_\_\_ NRIC No/Passport \_\_\_\_\_  
representing \_\_\_\_\_ with registration number \_\_\_\_\_  
\_\_\_\_\_ hereby declare that I, or any individual(s)  
representing this company:

- i. Will not offer, promise or give any bribes to any staff of **Labuan FSA** or any other individual(s), as a bribe to be selected in this quotation/tender\*; and
- ii. Will not commit or engage in bid rigging in this quotation/tender\*.

Attached herewith is the Letter of Authorisation, which empowers me to make this declaration as the representative for the aforementioned company.

2. If I, or any individual(s) representing this company, found to be involved in a fraudulent bid agreement with another company regarding the above procurement or offer, promise or give any bribe to any staff of Labuan FSA or any other person as an incentive to be selected in this procurement activity, then I as a representative of the company agree that the following actions can be taken:

- 2.1 Loss of eligibility to be evaluated and appointed for the above procurement;  
and
- 2.2 Other legal actions in accordance with the Government of Malaysia's procurement procedures in force.

3. I duly understand that the following actions will be taken:

- 3.1 Will be charged with an offence\*\* under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] and the Penal Code [Act 574] and punishable under the respective laws for my failure or any individual(s) representing this company to comply with (i); or
- 3.2 Action may be imposed on the company under the Competition Act 2010 [Act 712] for the failure of me or any individual(s) representing this company to comply with the item (ii) in this Declaration. If the company is found to be in violation of the provisions of section 4(2)(d) of Act 712, the company shall be

liable to a fine which shall not exceed ten percent (10%) of the worldwide turnover of the company over the period which the violation occurred.

4. If there is any individual(s) trying to obtain or request any bribe from me or any individual(s) related to this company as an incentive to be selected in this quotation/tender\* activity, I will immediately report the wrongdoing to the Malaysian Anti-Corruption Commission (MACC) office or at the nearest police station. I am aware that my failure to do so is an offence under section 25(1) of the Malaysian Anti-Corruption Commission Act 2009 [Act 694] and can be punished under section 25(2) of the same act and upon conviction, I am liable to a fine of not more than RM100,000 or to imprisonment for a period not more than ten (10) years or both;

5. I duly understand that if the company commits an offence or if an individual(s) associated with the company\*\*\* gives, promises or offers a bribe to obtain or retain business or benefit in doing business under the Section 17A of the Malaysian Anti-Corruption Commission Act 2009 [Act 694], upon conviction is liable to a fine of not less than ten (10) times the amount or value of the bribe, or RM1 million, or to imprisonment for a period of not more than twenty (20) years or both.

Sincerely,

Name : .....  
NRIC No./Passport : .....  
Signature : .....  
Date : .....  
Company stamp : .....

Notes:

- (i) \*Delete whichever is applicable.
- (ii) \*\*includes prescribed offences in the Schedule (Paragraph 3 (a), definition of "prescribed offence") of the Malaysian Anti-Corruption Commission Act 2009 [Act 694] punishable under the Penal Code.
- (iii) \*\*\*a person associated with a company refers to section 17A(6) of the Malaysian Anti-Corruption Commission Act 2009 [Act 694], i.e. a person is associated with a commercial organisation includes: (a) Director, partner or employee of the commercial organisation; (b) any person who perform services for or on behalf of the commercial organisation.
- (iv) This declaration must be submitted together with the Letter of Authorisation.
- (v) The definition of enterprise under Act 712 includes companies involved in Government procurement.