

INVITATION TO BID

REQUEST FOR BID DESCRIPTION:
**APPOINTMENT OF A CONTRACTOR FOR THE REPLACEMENT OF
CARPET AT VIP AREAS IN THE DoD – A COMPULSORY BIDDERS
BRIEFING WILL BE HELD AT 11:00 ON 04 AUGUST 2022 AT ARMSCOR
HEAD OFFICE**

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NOTE:

Kindly register on the National Treasury's Central Supplier Database (CSD) via www.csd.gov.za

Bids must ONLY be submitted in hard copy; electronic bid submissions are NOT acceptable.

RETURNABLE DOCUMENTS CHECKLIST

Bidders are required to develop a returnable schedule annexure in accordance with the following table of contents

| | List of documents required. | Submitted [Yes or No] | |
|-----|--|---------------------------------|--------------------------------|
| | | Yes | No |
| 1. | Central Supplier database (CSD) registration report or Unique Registration Reference Number | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. | Valid Tax Clearance Certificate (s) and or proof of application endorsed by SARS and / or SARS issued verification pin code. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3. | Copies of bidders CIPC Company registration documents listing all members with percentage, See bidding structure for required documents. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4. | Copy of the Joint Venture / Consortium Agreement duly signed by all parties | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 5. | Copy of the Sub-Contracting Agreement duly signed by all parties | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 6. | Valid proof of BBEE status for the bidder and its sub-contractor(s) | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 7. | Designated sectors: Local production and content. (Where applicable) | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 8. | Originally certified copy of Identity Document for the Company representative | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 9. | Copy of latest audited financial statements | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 10. | Bid conditions acceptance form on KD17 (Mandatory) | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

**ARMAMENTS CORPORATION OF SOUTH AFRICA SOC LTD
(ARMSCOR)**

Company registration: 1968/008611/06 Vat registration: 4500101169

REQUEST FOR BID: EFAC/2022/15

1. INSTRUCTIONS ON SUBMISSION OF BIDS

- 1.1 Bid Closing at **11:00 am** on **18 August 2022 (SOUTH AFRICAN TIME)**
- 1.2 Bids must be submitted in a sealed envelope marked with this bid reference number.
- 1.3 The sealed envelope must be deposited in the bid box at Armscor Head Office, Visitors Entrance (Block) 8 before the bid closing date and time addressed to:

The Manager: Supply Chain Management Department
Armscor SOC Ltd

Postal address: Armscor SOC Ltd
Private Bag X337
Pretoria
0001

Delivery address: Armscor Head Office
370 Nossob Street
Erasmuskloof Ext 4
Pretoria

- 1.4 Bids dispatched by the courier service Company must be marked with bid reference number on the delivery note / packaging and the courier must ensure that the bid document is deposited in the bid box before the closing date and time. **Armscor will not be held responsible for any delays where bid documents are handed to the Armscor Reception.**
- 1.5 Bid proposals received after the closing time and date will not be considered.

2. ENQUIRIES

- 2.1 All queries regarding this bid must be addressed in writing to SCM Department on aopts@armscor.co.za. Questions/enquiries relating to this RFB should be received three working days prior to the closing date. Queries received after this period will not be entertained.

3. BID VALIDITY PERIOD

Bid proposals to remain valid for acceptance for a period of **NINETY** days counted from the closing date.

NOTE: Bids for the supply of the goods and/or services described in the attached documents are invited in accordance with the provisions of the General Conditions of Contract (A-STD-0020) Issue 5 dated 22 June 2022 and the Rules of Procedure for Offerors (A-STD-0010) Issue 2 dated 21 April 2014, as well as any special condition contained in these documents. Copies of the General Conditions of Contract and the Rules of Procedure are available on Armscor's website at www.armscor.co.za.

BIDDING STRUCTURE

| Indicate the type of bidding structure by marking with an 'X' in an appropriate box. | |
|--|--|
| Individual Bidder | |
| Joint Venture | |
| Consortium | |
| Using Sub-contractors | |
| Other | |

Only fill the relevant category:

| If individual bidder, indicate the following: | |
|---|--|
| Name of Bidder | |
| Company / Close Corporation Registration Number | |
| VAT Registration Number | |
| National Treasury Supplier Number | |
| Unique Registration Reference Number | |
| Contact Person | |
| Telephone Number | |
| Fax Number | |
| Email Address | |
| Postal Address | |
| Physical Address | |
| NB: Submit with the bid the following documents: | |
| Copies of the bidder's CIPC company registration documents listing all members with percentages, in case of a CC. | |
| In case of Individual Bidder supply ID document for local and if foreigner supply passport number or identification as applicable in that country | |
| Latest copies of all share certificates, in case of a company or any other form of a legal entity. | |
| Shareholding breakdown per race, gender and percentage shareholding with shareholders of the bidding entity. | |

| If Joint Venture or Consortium, indicate the following: (To be completed for each JV/Consortium member) | |
|---|--|
| Name of Joint Venture / Consortium | |
| Company / Close Corporation Registration Number | |
| VAT Registration Number | |
| National Treasury Supplier Number | |
| Unique Registration Reference Number | |
| Contact Person | |
| Telephone Number | |
| Fax Number | |
| Email Address | |
| Postal Address | |
| Physical Address | |
| NB: Submit with the bid the following documents: | |
| Copies of the bidder's CIPC company registration documents listing all members with percentages, in case of a CC. | |
| In case of Individual Bidder supply ID document for local and if foreigner supply passport number or identification as applicable in that country | |
| Latest copies of all share certificates, in case of a company or any other form of a legal entity. | |
| Shareholding breakdown per race, gender and percentage shareholding with shareholders of the bidding entity. | |

| If Joint Venture or Consortium, indicate the following: | |
|---|--|
| Name of Prime Contractor | |
| Company / Close Corporation Registration Number | |
| VAT Registration Number | |
| National Treasury Supplier Number | |
| Unique Registration Reference Number | |
| Contact Person | |
| Telephone Number | |
| Fax Number | |
| Email Address | |
| Postal Address | |
| Physical Address | |
| NB: Submit with the bid the following documents: | |
| Copies of the bidder's CIPC company registration documents listing all members with percentages, in case of a CC. | |
| In case of Individual Bidder supply ID document for local and if foreigner supply passport number or identification as applicable in that country | |
| Latest copies of all share certificates, in case of a company or any other form of a legal entity. | |
| Shareholding breakdown per race, gender and percentage shareholding with shareholders of the bidding entity. | |

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| If using subcontractors, indicate the following: | |
|---|--|
| Name of Prime -Contractor | |
| Percentage Value to be subcontracted | |
| Company / Close Corporation Registration Number | |
| VAT Registration Number | |
| National Treasury Supplier Number | |
| Unique Registration Reference Number | |
| Contact Person | |
| Telephone Number | |
| Fax Number | |
| Email Address | |
| Postal Address | |
| Physical Address | |
| Subcontractor Details: | |
| Name of Subcontractor | |
| Company / Close Corporation Registration Number | |
| VAT Registration Number | |
| National Treasury Supplier Number | |
| Unique Registration Reference Number | |
| Contact Person | |
| Telephone Number | |
| Fax Number | |
| Email Address | |
| Postal Address | |
| Physical Address | |
| NB: Submit with the bid the following documents for both Prime and Sub-Contractors: | |
| Copies of the bidder's CIPC company registration documents listing all members with percentages, in case of a CC. | |
| In case of Individual Bidder supply ID document for local and if foreigner supply passport number or identification as applicable in that country | |
| Latest copies of all share certificates, in case of a company or any other form of a legal entity. | |
| Shareholding breakdown per race, gender and percentage shareholding with shareholders of the bidding entity. | |

| | |
|---|--|
| Other: | |
| Name of Bidder | |
| Company / Close Corporation Registration Number | |
| VAT Registration Number | |
| National Treasury Supplier Number | |
| Unique Registration Reference Number | |
| Contact Person | |
| Telephone Number | |
| Fax Number | |
| Email Address | |
| Postal Address | |
| Physical Address | |
| NB: Submit with the bid the following documents: | |
| Copies of the bidder's CIPC company registration documents listing all members with percentages, in case of a CC | |
| In case of Individual Bidder supply ID document for local and if foreigner supply passport number or identification as applicable in that country | |
| Latest copies of all share certificates, in case of a company or any other form of a legal entity. | |
| Shareholding breakdown per race, gender and percentage shareholding with shareholders of the bidding entity. | |

Declaration:

I, as the duly authorized representative of the bidder hereby authorize Armscor to request, investigate and process company information including tax compliance via the SARS website.

.....
Name

.....
ID number

BID CONDITIONS ACCEPTANCE FORM

Bidders shall complete and sign this bid conditions acceptance form

I/We hereby offer to supply all or some of the supplies and/or services described in the Pricing Schedule and /or attached documents on the terms and conditions and in accordance with the conditions set out in A-STD-0010 Issue 2 dated 21 April 2014 and A-STD-0020 Issue 5 dated 22 June 2022 (and I/we acknowledge that I/we am/are acquainted therewith) at the price and on the terms of delivery/execution inserted by me/us.

I/We agree -

1. that this bid shall remain binding on me/us and open for acceptance for the period stipulated above;
2. that if my/our bids is accepted, the acceptance will be communicated to me/us by letter or order through the post, and such acceptance shall constitute a contract between me/us and Armscor, subject to the terms and conditions set out in Armscor's General Conditions of Contract (A-STD-0020), Issue 5 dated 22 June 2022, the contents of which I/we acknowledge ourselves to be acquainted with.

I/We choose as domicilium citandi et executandi in the Republic

.....

 (no post box or private bag)

IN BLOCK LETTERS ON BEHALF OF -

Complete registered:
Name of bidder:.....

AUTHORISED SIGNATURE

..... Date:

Name in block letters:

Capacity:

NB: FAILURE TO COMPLETE AND SIGN THIS PAGE SHALL INVALIDATE THE BID AND WILL BE DISQUALIFIED FROM FURTHER EVALUATION.

SUPPLIER REGISTRATION

- 1.1 Bidders must register on the National Treasury Central Supplier Database (CSD) in terms of National Treasury Instruction Note 3 of 2016/17.
- 1.2 Bidders must electronically register for Security on Armscor website to be considered for orders which are administered by Armscor SOC Ltd on Behalf of clients.

For more information on security registration contact:-

The Security Registration
Private Bag X337
PRETORIA
0001

E-mail:- register@armscor.co.za

ALL BIDDERS SHALL COMPLY WITH THE FOLLOWING:

1. Bidders should check the numbers of the pages correspond with the table of contents as no liability arising from claims owing to the omission or duplication of pages will be recognised by Armscor. The appendices mentioned in these pages form part of the bids.
2. **All bidders shall -**
 - 2.1. insert their name at the top of each price schedule form used (a rubber stamp may be used);
 - 2.2. insert the information in the spaces provided in the price schedules by writing or typing on the dotted lines only (additional information should be contained in a separate annexure);
 - 2.3. if they wish to make more than one bid against an item, as an alternative, apply for additional copies of the bid documents or photocopy one or more pages, and not retype or redraft any of the forms used;
 - 2.4. indicate the prices quoted in the units shown and quote them per item;
 - 2.5. indicate in respect of each item whether the goods/services quoted comply strictly with the specified requirements, and furnish particulars of deviations if this is not so;
 - 2.6. complete all appendices.
3. **Value-added tax, customs duties, *ad valorem* customs duties and surcharges:**
 - 3.1. Value added tax levied by the Receiver of Revenue must not be included in the prices quoted but be shown as a separate line item.
 - 3.2. Where supplies are quoted which are subject to levying of any customs duty, *ad valorem* customs or excise duty or surcharge by the Department of Customs and Excise, such charges must not be included by the bidder in the prices quoted. The applicable customs duty, *ad valorem* customs or excise duty or surcharge must, however, be indicated separately where provided for on Armscor's Questionnaire
4. **Security:**
 - 4.1. Classified bids are to be handled in the manner set out in Armscor's Security Instruction, document number A-WI-014, copies of which are obtainable on request from the Contractor Security Section, P O Box 411, Pretoria, 0001.
 - 4.2. Attention is drawn particularly to the procedure set out in chapter 4 of the manual, which is to be complied with when forwarding classified documents.

5. **Broad-Based Black Economic Empowerment Compliance:**

- 5.1 In terms of the Defence Sector Codes, contracts for goods and services shall only be awarded to a bidder that has Black Equity Ownership of at least 25% in year 1(12 April 2019 to 31 March 2020), 30% in year 2 (01 April 2020 to 31 March 2021) and 35% in year 3 (01 April 2021) onwards, where applicable.
- 5.2 Failure to comply with the **B-BBEE Mandatory and Compulsory requirements** as stated in the KD24 will lead to disqualification.

6. **Advance payments:**

Bidders shall furnish the price without advance payment. (Consult paragraph 8 of A-STD-0010).

7. **Performance Guarantee:**

Armcor reserves the right to request the successful bidder to submit a performance guarantee for the proposed contract. Bidders must submit prices without provision for the performance guarantee as well as prices including the cost of such a guarantee.

8. **Commissions:**

If any commission is payable by yourself to any person(s) or body as a result of any order which may arise from this Request for Proposal, you must submit full details of the applicable person(s) or body and the amount payable, with this bid.

9. **Tax Compliance Requirements**

It is a condition of bid that the successful bidder MUST be tax compliant, or that satisfactory arrangements have been made with the South African Revenue Service (SARS) to meet the bidder's tax obligations. FOREIGN COMPANIES ARE REQUIRED TO COMPLETE QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS OF ANNEXURE 1 TO KD 25

- 9.1 In order to meet this requirement the bidder is required to access SARS e-filing and complete the SARS ONLINE "SARS tax compliance status" under tax status. Tax compliance requirements are also applicable to individuals who wish to submit bids.
- 9.2 SARS will then furnish the bidder with a Tax compliance PIN code that will be valid for a period of 1 (one) year from the date of approval.
- 9.3 The Tax compliance PIN letter shall be submitted with the bid, with an authorisation letter for Armcor to use the PIN code for verification of tax compliance status of the supplier.
- 9.4 In bids where Consortia /Joint Ventures / are involved, each party must submit a separate tax compliance PIN with authorisation letter.
- 9.5 In the event of subcontracting, tax compliance PIN letter and authorisation letter for the subcontractor must also be submitted with the bid.

- 9.6 Tax compliance is done via e-filing on the SARS website www.sars.gov.za.
- 9.7 Original valid tax clearance certificates issued before 18 April 2016 are still valid until the expiry date or on replacement with SARS tax compliance PIN.

NOTE: Armscor Suppliers /Bidders and Subcontractors must remain tax compliant for the duration of their contracts.

10. Awarding of Bids

The awarding of bids will be in terms of the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2017.
The applicable points are:

| | |
|--|-------------------|
| Price: (Pp) | 80 Points |
| Broad-Based Black Economic Empowerment: | 20 Points |
| Total: | 100 Points |

The following formula will be used to calculate the points in respect of a bid up to a rand value of R50 000 000, 00 (all applicable taxes included).
(Armscor may also apply this formula to price quotations with a value of less than R30 000, if and when appropriate):

$$Ps = Pp$$

Provided that $\sum (Ppa) = 80$

Where: Ps = points scored for bid/bid under consideration
Pp = points scored for price
a = allocated

$$\text{The points scored for price (Pp)} = Ppa * \left(1 - \frac{Pt - Pm}{Pm}\right)$$

Where: Ppa = points allocated for price
Pt = comparative price of bid/bid under consideration
Pm = comparative price of lowest acceptable bid/bid

11. Objective Criteria

- 11.1 A contract may be awarded to a bidder that did not score the highest points only in accordance with section 2 (1) (f) of the Act. If Armscor intends on applying objective criteria in terms of section 2(1) (f) of the Act, this will be stated in the bid document.

12. Mandatory local production and content for designated sectors

- 12.1 When applicable, bids not meeting the mandatory local production and content for designated sectors will not be considered for further evaluation.
- 12.2 A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 12.3 If there is no designated sector, Armscor will include as a specific condition of the bid, that only locally produced services or goods or locally manufactured goods with a stipulated minimum threshold for local production and content, will be considered.

RESTRICTED

KD17

BID NUMBER

: EFAC/2022/15

CLOSING AT 11:00 ON

: 18 August : 2022

VALIDITY PERIOD: 90 DAYS

NAME OF BIDDER

:

| | AREA | DESCRIPTION | UNIT | QUANTITY | RATE | AMOUNT |
|---|-------------------------------------|--|------|----------|------|--------|
| | | Mandatory Black Equity Ownership April 2021/22, onwards – Minimum 35% - applicable | | | | |
| | | Pre-qualification criteria (Regulation 4) – Minimum B-BBEE Status: Level 2, • Single-envelope. | | | | |
| | | Designated sectors: Local production and content (Regulation 8) | | | | |
| 1 | MoD, SEC DEF & Blue Mat | Remove existing Carpets and prepare floors by apply 3mm self-levelling screed "Tal Screed Master" or similar approved on primed floor as the manufacturer's specifications. | M2 | 3390 | | |
| 2 | | Offices Supply and install Belgotex wall-wall "serengeti mamba" (or any brand with similar characteristics). Carpet to be laid in accordance with SANS 10186 fitting code of practice. <i>(samples will be presented during briefing session)</i> | M2 | 500 | | |
| 3 | SEC DEF | Corridor Supply and install Nouwens 600 x 600mm "blue line" (or any brand with similar characteristics). Carpet to be laid in accordance with SANS 10186 fitting code of practice. <i>(samples will be presented during briefing session)</i> | M2 | 110 | | |
| 4 | | Offices Supply and install Belgotex wall-wall "serengeti mabula" (or any brand with similar characteristics). Carpet to be laid in accordance with | M2 | 1120 | | |

RESTRICTED

| | | | | | | |
|----|-------------|--|------|------|------------------|--|
| | | SANS 10186 fitting code of practice. <i>(samples will be presented during briefing session)</i> | | | | |
| 5 | BLUE MAT | Corridors Supply and install Monn 600 x 600mm "charter D. Grey" (or any brand with similar characteristics). Carpet to be laid in accordance with SANS 10186 fitting code of practice. <i>(samples will be presented during briefing session)</i> | M2 | 260 | | |
| 6 | MoD | Offices Supply and install Belgotex wall-wall "serengeti mamba" (or any brand with similar characteristics). Carpet to be laid in accordance with SANS 10186 fitting code of practice. <i>(samples will be presented during briefing session)</i> | M2 | 1200 | | |
| 7 | | Corridors Supply and install Nouwens 600 x 600mm "blue line" (or any brand with similar characteristics). Carpet to be laid in accordance with SANS 10186 fitting code of practice. <i>(samples will be presented during briefing session)</i> | | 200 | | |
| 8 | | Safety Management Plan Preparation of safety file complete with risk assessment according to client's requirements. Ensure all insurance including public liability and workmen's compensation is in place prior to commencement of works. Copy to be kept on site at all times | each | 1 | | |
| 9 | All | Provision for cutting 1x inspection window at each office | each | 130 | | |
| 10 | All | Provision for cutting x3 services per office | each | 390 | | |
| | | | | | SUB-TOTAL | |
| | | | | | VAT | |
| | | | | | TOTAL | |

RESTRICTED

1. Delivery address: 370 Nossob Street, Erasmuskloof, 0181
 2. * Period required for commencement of delivery, after receipt of order:.....
 3. * Rate of delivery: (**Once –off delivery / Partial delivery**)
 4. * Period required for completion of order, after receipt thereof:.....
- * Must be completed by Bidder if not completed by Armscor.

1. DESIGNATED SECTORS: LOCAL PRODUCTION AND CONTENT FOR THE TEXTILE, CLOTHING, LEATHER AND FOOTWEAR SECTOR

- 1.1 The Preferential Procurement Regulations, 2011 pertaining the Preferential Procurement Policy Framework Act, Act No 5 of 2000 which came into effect on 7 December 2011 make provision for the DTI to designate sectors in line with national development and industrial policies for local production.
- 1.2 Regulation 9 (1) of the Regulations prescribes that in the case of designated sectors, where in the ward of bids for local production and content is of critical importance, such Request for Bids must be advertised with the specific condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3 To this end, the DTI has designated and determined the minimum threshold for the Textile, Clothing, Leather and Footwear sector for local production and content.
- 1.4 The Designation constitutes sub-sectors from the following Standardized Industry Classifications (SIC) codes:

| SIC Code | Description |
|----------|--|
| 31111 | Preparatory activities in respect of animal fibers, including washing, combing and carding of wool |
| 31112 | Prep activities for vegetable fibers |
| 31113 | Spin, weave and finishing of yarns and fabrics of wool |
| 31114 | Spin, weave and finishing of yarns and fabrics of vegetable fibers |
| 31120 | Finishing of textiles |
| 31210 | Manufacture of made-up textiles articles, except apparel |
| 31211 | Manufacture of blankets etc. |
| 31212 | Manufacture of tents, tarpaulins, etc. |
| 31213 | Manufacture of automotive textile goods |
| 31214 | Manufacture of made-up textiles articles and fibers except apparel |
| 31219 | Manufacture of other textile articles |
| 31220 | Manufacture of carpets, rugs and mats |
| 31230 | Manufacture of cordage, rope, twine and netting |
| 31231 | Curtaining excluding where the core business of an enterprise is upholstery or furniture |
| 31290 | Manufacture of other textiles |
| 31291 | Manufacture of textiles, clothing, leather goods and other textiles |
| 31292 | Fashion clothing, textiles and footwear manufacture and design |
| 31300 | Manufacture of knitted and crocheted fabrics and articles |
| 31301 | Garment & hosiery knitting mills |
| 31309 | Other knitting mills |
| 31400 | Manufacture of wearing apparel, except fur apparel |
| 31401 | Manufacture of men's & boys clothing |
| 31402 | Manufacture of women's & girls' clothing |
| 31403 | Bespoke tailoring |
| 31404 | Manufacture of hats etc. |
| 31500 | Dressing and dyeing of fur, manufacture of artificial fur, fur apparel and |

| SIC Code | Description |
|----------|---|
| | other art |
| 31610 | Tanning and dressing of leather |
| 31620 | Manufacture of luggage, handbags and the like, saddlery and harness |
| 31621 | Manufacture of travel goods |
| 31629 | Manufacture of other leather goods |
| 31700 | Manufacture of footwear |
| 31701 | Manufacture of footwear from material other than leather |

- 1.5 The stipulated minimum threshold percentages for local production and content for Textiles, Clothing, Leather and Footwear sector is 100%.
- 1.6 Only locally produced or locally manufactured textiles, clothing, leather and footwear from local raw material or input will considered.
- 1.7 The local content (LC) expressed as a percentage of the offered price must be calculated in accordance with the following formula:

$$LC = (1 - x/y) * 100$$

Where

x is the imported content in Rand

y is the offered price in Rand excluding value added tax (VAT)

- Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid.
- 1.8 If the raw material or input to be used for a specific item is not available locally, bidders should obtain written authorization from the DTI should there be a need to import such raw material or input.
- 1.8.1 A copy of the authorization letter must be submitted together with the bid documentation at the closing date and time of the bid. For further information, bidders may contact the Clothing, Textile, Footwear and Leather Unit within the DTI at telephone 012 394 3927.
- 1.8.2 The exchange rate to be used for the calculation of local production and content must be the exchange rate published by the SARB at 12:00 on the date of advertisement of the bid.
- 1.9 Only the SABS approved technical specification number SANS1286:2017 and the Guidance on the calculation of local content (accessible to all potential bidders on the DTI's official website <http://www.thedti.gov.za/industrialdevelopment/ip.jsp> at no cost) as follows must be completed:
- 1.9.1 Annexure A – Notes to purchasers
- 1.9.2 Annexure B – Local Content Declaration
- 1.9.3 Annexure C - Local Content Declaration: Summary Schedule;
- 1.9.4 Annexure D - Imported Content Declaration: Support Schedule to Annexure C; and

1.9.5 Annexure E - Local Content Declaration: Supporting Schedule to Annexure C.

These Annexures must be completed, duly signed and submitted with the bid at the closing date and time of the bid.

- 1.10 The rates of exchange offered by the bidder in the declaration certificate will be verified for accuracy.
- 1.11 A person awarded an order in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the order is reduced to below the stipulated minimum threshold.
- 1.12 A bid will be disqualified if –
 - 1.12.1 this Declaration Certificate and the Annexure C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
 - 1.12.2 the bidder fails to declare that the Local Content Declaration Templates (Annexures C, D and E) have been audited and certified as correct.

2. EVALUATION OF BIDS WITH RESPECT TO LOCAL CONTENT

- 2.1 Bids will be evaluated in terms of the minimum threshold for local production and content stipulated in the Request for Bid documents.
- 2.2 The attached Annexures will be used for this purpose. If the bid is for more than one product, the local content percentages for each product contained in the Local Content Declaration will be used.
- 2.3 Bidders will be disqualified if the bidder fails to achieve the stipulated minimum threshold for local production and content, unless the provision of paragraph 1.8 is applicable.
- 2.4 The DTI has the right to; as and when necessary, request for auditors certificates confirming the authenticity of the declarations made in respect of local content.
- 2.5 Only bids that achieve the minimum stipulated threshold for local production and content will be evaluated further.

Annexure A

Notes to purchasers

In addition to data clearly describing the product ordered, the following requirements shall be specified in bid invitations and in each order or contract:

- a) The local content percentage requirements (see 1.5), and
- b) The exchange rate requirements (see 1.8.2).

Annexure B

Local content declaration

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID No.
ISSUED BY: (Procurement Authority):

NB The obligation to complete and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

I, the undersigned,(full names),
Do hereby declare, in my capacity as
Of(name of bidding entity),
The following:

- a) The facts herein contained are within my own personal knowledge.
- b) I have satisfied myself that the goods/services to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SANS 1286:2017.
- c) The local content has been calculated using the formula given in clause 3 of SANS 1286:2017 and the following figures:

| | Rand (ZAR) |
|---|------------|
| Offered price, excluding VAT | |
| Less imported content, as calculated in terms of SANS 1286:2017 | |
| Local content | |
| Local content % | |

If the bid is for more than one product, a schedule of the local content by product shall be attached.

- d) I accept that the Procurement Authority has the right to request that the local content be verified in terms of the requirements of SANS 1286:2017.
- e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SANS 1286:2017, may result in the procurement authority imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations promulgated under the Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____
WITNESS No.1: _____
WITNESS No.2: _____

DATE: _____
DATE: _____
DATE: _____

Annexure D

Imported Content Declaration - Supporting Schedule to Annexure C

(D1) Bid No. _____
 (D2) Bid description: _____
 (D3) Designated Products: _____
 (D4) Bid Authority: _____
 (D5) Bidder Entity name: _____
 (D6) Offered Exchange Rate: _____

Note: VAT to be excluded from all calculations

EUR R 9.00 GBP R 12.00

A. Exempted imported content

| Bid Item no's (D7) | Description of imported content (D8) | Local supplier (D9) | Overseas Supplier (D10) | Foreign currency value as per Commercial Invoice (D11) | Offered Exchange Rate (D12) | Local value of Imports (D13) | Freight costs to port of entry (D14) | All locally incurred landing costs & duties (D15) | Total landed cost excl VAT (D16) | Exempted Qty (D17) | Exempted Imported value (D18) | |
|-----------------------|---|------------------------|----------------------------|---|--------------------------------|---------------------------------|---|--|-------------------------------------|-----------------------|-----------------------------------|---------------------------------|
| | | | | | | | | | | | | Calculation of imported content |
| | | | | | | | | | | | (D19) Total exempt imported value | R 0 |

B. Imported directly by the Bidder

| Bid Item no's (D20) | Description of imported content (D21) | Unit of measure (D22) | Overseas Supplier (D23) | Foreign currency value as per Commercial Invoice (D24) | Offered Rate of Exchange (D25) | Local value of Imports (D26) | Freight costs to port of entry (D27) | All locally incurred landing costs & duties (D28) | Total landed cost excl VAT (D29) | Offered Qty (D30) | Total Imported value (D31) | |
|------------------------|--|--------------------------|----------------------------|---|-----------------------------------|---------------------------------|---|--|-------------------------------------|----------------------|--------------------------------------|---------------------------------|
| | | | | | | | | | | | | Calculation of imported content |
| | | | | | | | | | | | (D32) Total imported value by Bidder | R 0 |

C. Imported by a 3rd party and supplied to the Bidder

| Description of Imported content (D33) | Unit of measure (D34) | Local supplier (D35) | Overseas Supplier (D36) | Foreign currency value as per Commercial Invoice (D37) | Offered Rate of Exchange (D38) | Local value of Imports (D39) | Freight costs to port of entry (D40) | All locally incurred landing costs & duties (D41) | Total landed cost excl VAT (D42) | Quantity Imported (D43) | Total Imported value (D44) | |
|--|--------------------------|-------------------------|----------------------------|---|-----------------------------------|---------------------------------|---|--|-------------------------------------|----------------------------|---|---------------------------------|
| | | | | | | | | | | | | Calculation of imported content |
| | | | | | | | | | | | (D45) Total imported value by 3rd party | R 0 |

D. Other foreign currency payments

| Type of payment (D46) | Local supplier making the payment (D47) | Overseas beneficiary (D48) | Foreign currency value paid (D49) | Offered Rate of Exchange (D50) | | |
|--------------------------|--|-------------------------------|--------------------------------------|-----------------------------------|--|-----|
| | | | | | Calculation of foreign currency payments | |
| | | | | | (D51) Total of foreign currency payments declared by Bidder and/or 3rd party | R 0 |

Signature of Bidder from Annexure B

(D52) Total of foreign currency payments - (D32), (D45) & (D51) above

Date: _____

This form is to be completed with Annexure C.1.7

BID EVALUATION CRITERIA

The Bidder will be evaluated in terms of the evaluation criteria as defined below.

STAGE 1: COMPULSORY BIDDERS BRIEFING

A Compulsory Bidders Briefing including site inspection is applicable to this RFB and it will be held at Armscor HQ, 370 Nossob Street, Erasmuskloof, Pretoria on 04 August 2022 at 11:00. The bidder shall attend a compulsory briefing session. *(Failure by the bidder to attend a Compulsory bidders briefing session; will be disqualified from further evaluation).*

STAGE 2: MANDATORY BLACK EQUITY OWNERSHIP

- i. No contract for goods and services shall be awarded to any bidder unless such bidder has Black Equity Ownership of at least 35% in year 3 (01 April 2021) onwards of the Defence Sector Codes gazetting.
- ii. The bidder shall submit a valid proof of B-BBEE status (B-BBEE certificate issued by a SANAS accredited verification agency or CIPC B-BBEE certificate or B-BBEE sworn affidavit) without which the bid shall not be evaluated further.
- iii. A bid that fails to meet the BBEE mandatory criteria stipulated in the bid documents is an unacceptable bid and will be disqualified.

STAGE 3: PRE-QUALIFICATION CRITERIA

- i. The bidder shall be a BBEE Level 2 entity.
- ii. The bidder shall submit a valid proof of B-BBEE status (B-BBEE certificate issued by a SANAS accredited verification agency or CIPC B-BBEE certificate or B-BBEE sworn affidavit without which the bid shall not be evaluated further.
- iii. A bid that fails to meet the Pre-Qualification Criteria stipulated in the bid documents is an unacceptable bid and will be disqualified

STAGE 4: DESIGNATED SECTORS: LOCAL PRODUCTION AND CONTENT FOR THE TEXTILE, CLOTHING, LEATHER AND FOOTWEAR SECTOR REQUIREMENTS:

A DTI exemption letter is applicable on this requirement.

The exemption letter from DTI must be attached to this bid for **all** imported components. The bidder or the local supplier can request a DTI letter. The letter from DTI must clearly indicate the Armscor BID number. One letter listing the exemptions of the components will be acceptable.

If, for example, the **pantyhoses** are manufactured in South Africa but the raw material, (e.g. polyamide 6.6) is imported, an exemption letter must be obtained from DTI for the imported raw material **even if they are sourced from a local supplier.**

If, for example, the **gloves** are manufactured in South Africa but the raw material, (e.g. sewing thread, knitted cotton fabric, elastic webbing) is imported, an exemption letter must be obtained from DTI for the imported raw material **even if they are sourced from a local supplier**

- 4.1.1 The bidder shall submit with the bid document an exemption letter from the DTI due to the fact that the local content and production is less than 100%. The letter from the DTI must clearly indicates the requested Bid number.
- 4.1.2 The bidder shall complete, duly sign and submit with the bid document the local content declaration (Annexure B) and the local content declaration: Summary Schedule (Annexure C).

Bidders that do not meet the local content criteria will be disqualified from further evaluation.

STAGE 5: CRITICAL CRITERIA

CRITICAL CRITERIA

| Criteria No. | Criteria Description | Compliance Evidence |
|---------------------|--|--|
| 1. | The bidder shall attend a compulsory bidder's briefing. | The Bidder shall sign a bidder's briefing attendance register on the day of the briefing as proof of attendance. |
| 2. | The bidder shall have a valid Construction Industry Development Board (CIDB) contractor grading designation of 3GB - P/E. Note: The grading shall stay valid for the duration of the project | The bidder shall submit valid CIDB registration certificates clearly indicating minimum 3GB - P/E. |

RESTRICTED

| | | |
|----|---|--|
| | <i>(Should the offered price be outside the CIDB grading of the bidder, that offer shall be disqualified.)</i> | |
| 3. | The bidder shall be in good standing with the Compensation Commissioner in terms of the Compensation of Occupational Injuries and Disability Act (COIDA). | The bidder shall submit a valid COIDA certificate issued by the Department of Employment and Labour or any other organization appointed by the Department of Employment and Labour. |
| 4. | The bidder shall have successfully completed the installation of carpets for at least 1 client. | <p>The bidder shall submit at least one contactable reference letter from their client where the installation of carpets project was completed. The reference letter must be on the client's letterhead (not the bidder's) and signed by a duly authorized person of the client.</p> <p>The letters must entail the following details:</p> <ul style="list-style-type: none"> • Name of the client • Name of the bidder • Project Description • Contact Details (telephone number and email address) of Client. |

STAGE 6: PREFERENCE POINT SYSTEM

Only bids that qualified in terms of the Mandatory requirement, pre-qualification criteria (Regulation 4), Critical Criteria, Functional Criteria and Demonstration criteria will be evaluated further in accordance with the 80/20 preference point system (see below).

Quotations are awarded in terms of the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2017.

The applicable points are:

- **80 points (Price)**
- **20 points (Broad-based Black Economic Empowerment)**
- 100 point**

**ARMAMENTS CORPORATION OF SOUTH AFRICA SOC LTD
(ARMSCOR)**

QUESTIONNAIRE

REPLIES

1 What is the request for bid number?

2 If applicable: Price basis of bid
(if not delivered into store)

3 Indicate which of the following applies:

3.1 The prices are fixed.

3.2 The prices are not fixed (NB: See par 9 of A-Std-0010).

4 The delivery period shall be fixed
.....
.....

WHERE SUPPLIES OFFERED ARE TO BE IMPORTED, THE QUESTIONS BELOW MUST BE ANSWERED.

5 Foreign content:

5.1 What amount in foreign currency must be remitted overseas?

5.2 What is the rate of exchange used in converting the amount into ZAR1,00=.....
SA Rand and the date on which this is based? Date

6 Statutory costs:

6.1 Are the goods quoted on subject to customs duty,
ad valorem customs or surcharge?

6.2 If so, what is the amount payable in respect of
a) Customs duty?

b) Ad valorem customs duty?

BROAD-BASED BLACK ECONOMIC EMPOWERMENT

ACRONYMS AND ABBREVIATIONS

| | |
|--------|--|
| B-BBEE | Broad-Based Black Economic Empowerment |
| CIPC | Companies and Intellectual Property Commission |
| COTS | Commercial Off The Shelf |
| EME | Exempted Micro Enterprises |
| MOTS | Military Off The Shelf |
| QSE | Qualifying Small Enterprises |
| SANAS | South African National Accreditations Systems |

1. MANDATORY B-BBEE REQUIREMENT:

- 1.1 In terms of the Defence Sector Codes, contracts for goods and services shall only be awarded to a bidder that has Black Equity Ownership of at least 25% in year 1 (12 April 2019 to 31 March 2020), 30% in year 2 (01 April 2020 to 31 March 2021) and 35% in year 3 (01 April 2021) onwards, where applicable.
- 1.2 EMes are exempted from compliance with the mandatory B-BBEE requirement.

2. COMPULSORY B-BBEE REQUIREMENTS

2.1 Pre-Qualification Criteria

- 2.1.1 Pre-Qualification criteria will be applied to advance certain designated groups with specific bidding conditions that only one or more of the bidders may respond:

- a) Stipulated minimum B-BBEE status level e.g. level 4
- b) EMes or QSEs
- c) Sub-contract a minimum 30% of the value of the contract to one or more:
 - (i) At least 51% black owned EMes or QSEs
 - (ii) At least 51% black youth owned EMes or QSEs
 - (iii) At least 51% black women owned EMes or QSEs
 - (iv) At least 51% black owned EMes or QSEs by people living with disabilities
 - (v) At least 51% black owned EMes or QSEs by people living in rural or underdeveloped areas
 - (vi) At least 51% black owned EMes or QSEs by military veterans
 - (vii) EMes or QSEs

2.2 Sub-Contracting

- a) For a contract above R30 000 000 (million), Armscor may apply subcontracting to advance designated groups.
- b) The successful bidder must subcontract 30% of the contract value to one or more of the following:
 - (i) At least 51% black owned EMes or QSEs
 - (ii) At least 51% black youth owned EMes or QSEs
 - (iii) At least 51% black women owned EMes or QSEs
 - (iv) At least 51% black owned EMes or QSEs by people living with disabilities
 - (v) At least 51% black owned EMes or QSEs by people living in rural or underdeveloped areas
 - (vi) At least 51% black owned cooperatives
 - (vii) At least 51% black owned EMes or QSEs by military veterans
 - (viii) EMes or QSEs

NB: Failure by the bidder to comply with the B-BBEE Mandatory and Compulsory Requirements as stated herein above will lead to disqualification.

3. PREFERENCE POINTS FOR BROAD-BASED BLACK ECONOMIC EMPOWERMENT

3.1 The B-BBEE preference points will be awarded in terms of the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2017.

3.2 The 80/20 preference point system is applicable to all bids with a Rand value of up to R50 000 000,00 (all applicable taxes included)

3.3 Preference points for this bid shall be awarded for:

| | |
|---|------------|
| PRICE | 80 |
| B-BBEE STATUS | 20 |
| Total points for Price and B-BBEE must not exceed | 100 |

3.4 Bidders who do not submit a valid proof of B-BBEE status will score zero (0) for preference points.

4. ALLOCATION OF B-BBEE POINTS

4.1 The B-BBEE points are to be claimed and allocated according to the table below for acquisition of services, works or goods with a value of up to R50 000 000, 00 and must be substantiated by means of a valid proof of B-BBEE.

| B-BBEE status level | Points Allocated |
|---------------------|------------------|
| Level 1 | 20 |
| Level 2 | 18 |
| Level 3 | 14 |
| Level 4 | 12 |
| Level 5 | 8 |
| Level 6 | 6 |
| Level 7 | 4 |
| Level 8 | 2 |
| Non-compliant | 0 |

4.2 The Armscor BBE Division reserves the right to require a bidder and/or its sub-contractor(s) to substantiate any claim at any stage in the bidding process to verify and confirm the B-BBEE status of the bidder and/or its sub-contractor(s).

5. PRINCIPLES**5.1 Valid proof of B-BBEE status is either of the following:****5.1.1 A B-BBEE Sworn Affidavit fully completed and**

- 5.1.1.1 Deposed and signed in the presence of the Commissioner of Oaths
- 5.1.1.2 Does not contradict itself (% black ownership matches compliance level)
- 5.1.1.3 Commissioner of Oaths credentials and signature are reflected.

5.1.2 A B-BBEE Certificate issued by either the CIPC or a SANAS Accredited Verification Agency**5.1.3 An unincorporated Joint Venture / Consortium must submit a Consolidated B-BBEE Certificate in the name of the Joint Venture / Consortium issued by a SANAS accredited Verification Agency.****5.1.4 B-BBEE status must be based on the latest financial year-end information, otherwise it is invalid and unacceptable.****5.2 Sub-Contracting****5.2.1 A bidder awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the bidder concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.****5.2.2 A bidder awarded a contract must obtain the approval of Armscor prior to any changes in the subcontracting arrangement.**

B-BBEE DECLARATION

1. Confirmation of the Bidder's Turnover

| | | | |
|---|---|--------------------------------|------------------------------|
| Name of the Bidder | | | |
| Registration Number | | | |
| Financial Year End | | | |
| Turnover (As at the latest financial year end) | R | Starting (Day, Month, Year) | Ending (Day, Month, Year) |

2. Confirmation of Subcontractors involved in the execution of the order:

| Bidder | % Black Ownership | B-BBEE Status | % Value to be Contracted |
|----------------|-------------------|---------------|--------------------------|
| 1. | | | |
| Subcontractors | % Black Ownership | B-BBEE Status | % Value to be Contracted |
| 1. | | | |
| 2. | | | |
| 3. | | | |

*Percentages of the bid value which will be subcontracted including main contractor must add up to 100%.

3. Confirmation of Suppliers involved in the execution of the order:

| Supplier's name | % Black Ownership | B-BBEE status | % Value to be Supplied |
|-----------------|-------------------|---------------|------------------------|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |

I, the undersigned, am duly authorised to certify on behalf of the abovementioned entity that the information contained herein above is true and correct.

AUTHORISED SIGNATURE :..... Date:

Name in block letters :

Capacity :

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

| Full Name | Identity Number | Name of State institution |
|-----------|-----------------|---------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

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

2.2.1 If so, furnish particulars:

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

2.3.1 If so, furnish particulars:

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

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

| | |
|--------------------|-------------------------|
| Signature | Date |
| Position | Name of bidder |

² 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.

DEFENCE SECTOR BBBEE SWORN AFFIDAVIT – EXEMPTED MICRO ENTERPRISE

I, the undersigned,

| | |
|---------------------|--|
| Full name & Surname | |
| Identity number | |

Hereby declare under oath as follows:

- a true reflection of the facts.
1. The contents of this statement are to the best of my knowledge
 2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

| | |
|--|---|
| Enterprise Name: | |
| Trading Name (if Applicable): | |
| Registration Number: | |
| Type of Entity (CC, (Pty) Ltd, Sole Prop etc.): | |
| Nature of Business: | |
| Definition of "Black People" | <p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians –</p> <ul style="list-style-type: none"> (a) who are citizens of the Republic of South Africa by birth or descent; or (b) who became citizens of the Republic of South Africa by naturalisation- <ul style="list-style-type: none"> i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;" |
| Definition of "Black Designated Groups" | <p>"Black Designated Groups means:</p> <ul style="list-style-type: none"> (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas; (e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;" |

ANNEXURE 1 TO KD24

3. I hereby declare under Oath that:

- The Enterprise has _____% Black Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise has _____% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise has _____% Black Designated Group Beneficiaries as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = _____%
 - Black people living with disabilities % = _____%
 - Black Unemployed % = _____%
 - Black People living in Rural areas % = _____%
 - Black Military Veterans % = _____%
- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of _____, the annual Total Revenue was R5,000,000.00 (Five Million Rands) or less
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

| | | |
|---------------------------|---|--|
| 100% Black Owned | Level One (135% B-BBEE procurement recognition) | |
| At Least 51% Black Owned | Level Two (125% B-BBEE procurement recognition) | |
| Less than 51% Black Owned | Level Four (100% B-BBEE procurement recognition) | |

- 4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
- 5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

| | |
|---|---|
| <p>Commissioner of Oaths</p> <p>Credentials and Signature</p> <p>Date</p> | <p>Deponent</p> <p>Signature</p> <p>Date</p> |
|---|---|

ANNEXURE 2 TO KD24

DEFENCE SECTOR BBBEE SWORN AFFIDAVIT – QUALIFYING SMALL ENTERPRISE

I, the undersigned,

| | |
|--------------------------------|--|
| Full name & Surname | |
| Identity number | |

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

| | |
|--|--|
| Enterprise Name: | |
| Trading Name (If Applicable): | |
| Registration Number: | |
| Type of Entity (CC, (Pty) Ltd, Sole Prop etc.): | |
| Nature of Business: | |
| Definition of "Black People" | <p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians –</p> <p>(a) who are citizens of the Republic of South Africa by birth or descent; or</p> <p>(b) who became citizens of the Republic of South Africa by naturalisation-</p> <p style="margin-left: 20px;">i. before 27 April 1994; or</p> <p style="margin-left: 20px;">ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"</p> |
| Definition of "Black Designated Groups" | <p>"Black Designated Groups means:</p> <p>(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</p> <p>(b) Black people who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</p> <p>(d) Black people living in rural and under developed areas;</p> <p>(e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"</p> |

Issued in terms of the Defence Sector Code (Gazette 42391 - 12 April 2019)

ANNEXURE 1 TO KD25

| | | | |
|--|--|--|---|
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF ARMSCOR | | | |
| BID NUMBER: | CLOSING DATE: | CLOSING TIME: | |
| DESCRIPTION | | | |
| BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT : | | | |
| ARMSCOR BID BOX VISITORS ENTRANCE (BLOCK 8), 370 NOSSOB STREET, | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO | | TECHNICAL ENQUIRIES MAY BE DIRECTED TO: | |
| CONTACT PERSON | Mr. A.L Mmbengwa | CONTACT PERSON | Mr. A.L Mmbengwa |
| TELEPHONE NUMBER | 012 428 3610 | TELEPHONE NUMBER | 012 428 3610 |
| FACSIMILE NUMBER | N/A | FACSIMILE NUMBER | N/A |
| E-MAIL ADDRESS | scmbids@armscor.co.za | E-MAIL ADDRESS | scmbids@armscor.co.za |
| 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] <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] | | | |
| 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] | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS | | | |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? | <input type="checkbox"/> YES <input type="checkbox"/> 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. | | | |

ANNEXURE 1 TO KD25

| |
|--|
| 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. |
| 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 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:

**ARMAMENTS CORPORATION OF SOUTH AFRICA LIMITED
(ARMSCOR)**

INTELLECTUAL PROPERTY REQUIREMENTS

1 INTRODUCTION

1.1 What is Intellectual Property?

Intellectual Property (or “IP”) means the result or outcome of human creative effort as typically, but not exclusively, manifested and embodied in or taking the form of data items or documents.

IP typically includes design and mental activities, e.g.:

- Bills of Material (BOM’s)
- Instructions,
- Reports,
- Specifications,
- Interface designs,
- Manufacturing processes,
- Material Specifications,
- Processes,
- Product designs,
- Re-engineering (maintenance/obsolescence),
- Software,
- Algorithms,
- Source Codes,
- System/integration designs,
- Test and Evaluation Methods, etc.

IP typically excludes Project Management activities and Hardware created/built according to a design or following a “recipe”.

1.2 How is IP manifested?

IP is typically manifested and embodied in Data Items or Documents.

“Data items or Documents” means any recorded information, however recorded, including but not limited to books, manuscripts, reports, studies, algorithms, computer software, invention descriptions, registered patents, drawings, designs, plans, analyses, calculations, standards, data packs, process documents, instructions, specifications, mathematical or simulation models, compositions, photographs, video recordings, audio recordings, reports, holographic recordings, trademarks, graphical images, etc.

NOTE:

- The document itself is not IP
- The contents of a document represent IP
- The document becomes the tangible and recordable carrier of IP

1.3 What is Background IP?

For definition, refer to A-STD-0020 “Armcor General Conditions of Contract”.

“Background IP” belongs to a contractor because he fully paid for the generation thereof or had bought it at his own cost, which may be used or serve as a basis from which to develop new Foreground IP.

1.4 What is Historic IP?

“Historic IP” is existing IP which was created previously, and which may serve as a basis from which to develop new Foreground IP.

1.5 What is Foreground IP?

For definition, refer to A-STD-0020 “Armcor General Conditions of Contract”.

“Foreground IP” is new intellectual property that is created during the execution of the order.

1.6 When is IP Shared or Jointly Owned or Co-owned?

For the definition, refer to A-STD-0020 “Armcor General Conditions of Contract”.

“Shared” or “Jointly Owned” or “Co-owned” IP is IP which belongs to both the DOD and a contractor, because both contributed to the cost of generation thereof. Ownership is typically (and preferably) proportional to contribution.

Historic and Foreground IP may be either

1. Wholly owned by the DOD; or
2. Shared or Jointly Owned or Co-owned between DOD or the contractor

2. IP RECORDAL REQUIREMENTS

It is a requirement that prospective suppliers provide all information about applicable Intellectual Property (IP) to the bid. Armcor will record the information on their IP System that will generate a Statement of IP which will be appended to the order. The Statement of IP will serve as a contractual agreement between Armcor and the contractor in so far as IP related matters are concerned.

The recordal requirements are further described herein and broken down to an appropriate level, as follows:

2.1 Background IP Utilised

For each Background IP Item that will be modified or utilised to generate Foreground IP in the execution of the quoted scope of work, provide the following details:

- Short IP description
- Original Supplier
- Cost of Establishment (If available)

2.2 Historic IP Utilised

For each Historical IP item that will be modified or is required as a prerequisite in the execution of the quoted scope of work, provide the following details:

- Armcor IP Number (if available)
- Short IP description
- The next information is to be provided **per order**, on which Historic IP was established:
 - Order Number on which Historic IP was generated
 - Master record index (MRI) reference
 - Original Supplier
 - Cost of Establishment
 - Percentage Ownership (DOD)
 - Associated Milestone / Line item on the order under which the IP was established

2.3 Foreground IP to be generated

For each new Foreground IP item that will be generated in the execution of the quoted scope of work, provide the following details:

- IP number of Historic IP, if IP is enhanced (modified/improved/upgraded).
- Short IP description
- Master record index (MRI) reference with version and date
- Original Supplier
- Cost of Establishment
- Percentage Ownership (DOD)
- Associated Milestone / Line item on the order under which the IP will be established.

Note 1: The cost of establishment has always been included in item/milestone prices of order, and will continue to be so included, but will in future become visible by being shown separately in the Statement of IP appended to orders in order to properly manage such IP;

Note 2: To facilitate the easy and correct recording of IP, bidders and contractors will be required to utilize the specially constructed spread sheet from Armscor's web site.

After completion, the spreadsheet must be printed and attached to the bid, which will thus form an integral part of the bid.

3. SAFEGUARDING OF IP

3.1 IP Agreement

The IP agreement which will be embodied in the Statement of IP will be concluded with the main contractor in the name of the main contractor and will apply to the creating sub-contractor(s), who will remain the design authority for his particular IP.

3.2 Management and Safeguarding of IP

The main contractor will be responsible for the management of IP he generated during the execution of the order, as well as the management of IP generated by his sub-contractors. Upon completion of the project or order, the relevant IP will be formally transferred to the main contractor, who will then be responsible for the continued management of such IP.

The main contractor will be responsible for proper safeguarding and configuration control of IP, including off-site back-ups, as further described in various other Armscor documents, e.g. A-STD-0020 "Armscor General Conditions of Contract, K-STD-61 "Armscor Standard for Technical Contract Conditions", A-WI-014 "Armscor Security Instruction" and other documents that may be applicable.

3.3 IP Delivery

Notwithstanding 3.2 above, upon completion of the order, the main contractor will deliver all data items or documents relating to the IP generated during the execution of the order to Armscor ADAC Department.

3.4 IP Audits

Armscor is by law required to conduct an IP or intangible asset audit of all existing DOD IP every financial year. The main contractor will cooperate with Armscor's Intellectual Property Management Division and the Auditor General during the audit period and will make available all relevant information required to conduct the audit.

4. COMPLETION OF THE IP INFORMATION BY MEANS OF THE ELECTRONIC FORM

4.1 Background

The electronic form of the KD27 IP Information.xlsx is available as a Microsoft Excel workbook on the Armscor website (www.armscor.co.za/Downloads/Download.asp) and must be used as template to provide the relevant IP information.

The workbook consists of the following three spreadsheets:

- "Background IP" provides a form to capture all background IP information
- "Historic IP" provides a form to capture all historic IP information.
- "Foreground IP" provides a form to capture all foreground IP information.

4.2 Electronic Form Definitions

The column definitions as provided in the forms are as follows:

| | |
|---------------------------|---|
| IP Name | A short descriptive name to identify the IP item. |
| IP Number | Armscor Number provided to Historic IP. |
| IP Description | An abridged description of the IP Item. |
| Original Supplier | The name of the supplier at which the IP item exists or was established. |
| Establishment Cost | The amount paid by Armscor to establish the IP Item (including VAT). |
| MRI Reference | The Master Record Index (MRI) or other document reference that uniquely describe the IP. |
| DOD Shareholding | The percentage of the IP that belongs to the DOD through Armscor |
| Associated Milestone/Item | The contractual milestone or item, which when completed, will define the point in time at which the IP will be established. |

