

RFB NUMBER: ARMD/2021/01

REQUIREMENT DESCRIPTION: THE PROCUREMENT OF CIRCUIT BREAKER SPARE PARTS AT ARMSCOR DOCKYARD, SIMON'S TOWN

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PROPRIETARY INFORMATION:

Bid documents may ONLY be obtained from the Armscor Dockyard Procurement Secretariat.

Bid documents obtained from Armscor may NOT be given to a third party.

Bid proposals received from companies whose bid documents were NOT obtained from Armscor will NOT be considered.

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

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

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 ☐	No ☐
2.	Valid Tax Clearance Certificate (s) and or proof of application endorsed by SARS and / or SARS issued verification pin code.	Yes ☐	No ☐
3.	Originally certified copies of bidders CIPC Company registration documents listing all members with percentage; See bidding structure for required documents.	Yes ☐	No ☐
4.	Copy of a joint venture / consortium / subcontracting agreement duly signed by all parties and shareholding declaration. (Where applicable)	Yes ☐	No ☐
5.	B-BBEE Verification Certificate(s) accredited by SANAS and, or a sworn affidavit prescribed by the B-BBEE Codes of Good Practice For a joint venture or consortium a consolidated BBEE certificate must be submitted.	Yes ☐	No ☐
6.	Designated sectors: Local production and content. (Where applicable)	Yes ☐	No ☐
7.	Originally certified copy of Identity Document for the Company representative	Yes ☐	No ☐
8.	Copy of latest audited financial statements (Where Applicable)	Yes ☐	No ☐
9.	Bid conditions acceptance form on KD17 (Mandatory)	Yes ☐	No ☐

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

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

**REQUEST FOR BID: ARMD/2021/01 – THE PROCUREMENT OF CIRCUIT
BREAKER SPARE PARTS AT ARMSCOR DOCKYARD, SIMON'S TOWN**

1. INSTRUCTIONS ON SUBMISSION OF BIDS

- 1.1 Bid Closing at **11:00 am** on **07 June 2021 (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 Dockyard, Cole Point Security gate, Simon's Town before the bid closing date and time addressed to:
- | | |
|-------------------|--|
| The Manager | Procurement Secretariat
Armscor Dockyard |
| Postal address: | Armscor Dockyard
Private Bag X3
Simon's Town, 7995 |
| Delivery address: | Armscor Dockyard Tender Box
Dockyard Security Entrance
Cole Point Road
Simon's Town |
- 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 Dockyard/Navy 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:
The Procurement Secretariat.
E-mail Address: ZikhonaG@armscordy.co.za
Facsimile address: (International) +27 12 (021) 787 4055

3. BID VALIDITY PERIOD

Bids proposals to remain valid for acceptance for a period of **120** 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 4 dated 14 February 2020 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.

BID AWARD RESULTS:

**Result on bid awarding information is not sent to unsuccessful bidders.
Particulars of successful bidders are also NOT published on the Armscor Bulletin.**

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 bids 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 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 bids 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 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 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 bids 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 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 bids 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 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

Declaration of Bidder's Past Supply Chain Management Practices

This Standard Bidding Document serves as a declaration to ensure that goods and services being procured are aligned with all reasonable steps are taken to combat the abuse of the supply chain management system. The bid of any bidder may be disregarded if that bidder or any of its directors have been involved in the abuse of public institution's supply chain management system

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

Item	Question	Yes	No
1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
	If so, furnish particulars:		
2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
	If so, furnish particulars:		
3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
	If so, furnish particulars:		
4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
	If so, furnish particulars:		

CERTIFICATION

I, the undersigned (full name).....certify that the information furnished on this declaration form is true and correct.

I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

BID CONDITIONS ACCEPTANCE FORM**Bidders shall complete and sign this bid conditions acceptance form**

I/We hereby offer to supply all of the supplies and 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 4 dated 14 February 2020 (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 3 dated 23 April 2014, 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:

Company annual turnover:

R.....

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. The pages of the KD17 document are numbered from one, and the final page bears the words "and last". Bidders should check the numbers of the pages 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 (KD 18).
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. **B-BBEE verification – KD24:**

NB: bidders shall carefully study the general conditions and definitions of terms, as well as the definitions of terms and stipulations applicable to each part and/or section.

NB: the Defence Sector Code were gazetted on the 12 April 2019 and are effective immediately, all bids will be issued in terms of the Defence Sector Codes.

General conditions:

- 5.1 Compliance with mandatory black equity ownership requirement targets of minimum 25% in year 1 (12 April 2019 to 11 April 2020) of the Defence Sector Codes gazetted, 30% in year 2 (12 April 2020 to 11 April 2021) and 35% in year 3 (12 April 2021) onwards.
- 5.2 Compliance with the B-BBEE Compulsory requirements as stated in the KD24 .
- 5.3 Failure by the bidder to comply with the mandatory and compulsory requirements as stated in the KD24 will lead to disqualification.
- 5.4 Valid B-BBEE sworn affidavits or CIPC B-BBEE certificates must be submitted by all EMEs and (QSE with at least 51%) Black equity ownership.
- 5.5 Suppliers not mentioned on 5.4 should submit a valid B-BBEE verification certificate issued by a SANAS accredited verification agency.
- 5.6 Failure by the bidder to submit a valid B-BBEE verification certificate/ valid B-BBEE sworn affidavit/CIPC B-BBEE certificate will be interpreted as if no preference points was claimed.
- 5.7 Note that Armscor reserves the right to verify proof of B-BBEE compliance by any bidder or sub-contractor to any bidder submitted with the bid.

6. **Advance payments:**

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

7. **Performance Guarantee:**

Armscor reserves the right to request the successful bidders 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 bids.

9. **Compliance with Arms Control and Non-Proliferation requirements**

Any bidder responding to this Request for Proposal (RFP) shall comply with the following when dealing with defence matériel:

- 9.1 All relevant South African legislation, including, but not restricted to, the following:
 - a) National Conventional Arms Control Act, Act No. 41 of 2002, and its implementing Regulations; and
 - b) Non-proliferation of Weapons of Mass Destruction Act, Act No. 87 of 1993, as amended, and its implementing Regulations.
- 9.2 Defence export legislation of supplier countries, i.e. countries from which defence matériel is exported to South Africa as well as countries of origin of the matériel.

- 9.3. It is the responsibility of the bidder to, when applicable, register with the Directorate Conventional Arms Control (DCAC), Defence Secretariat, in terms of section 13 of the National Conventional Arms Control Act and with the South African Council for the Non-Proliferation of Weapons of Mass Destruction Act.
- 9.4 If a contract with Armscor is being entered into, the Contractor shall comply with arms control and non-proliferation requirements as prescribed by the contract.

10. Submission of a NCACC Permit

- 10.1 In terms of the National Conventional Arms Control Act (Act No 41 of 2002, Chapter II, section 13), no person may trade in conventional arms, unless that person is:
- a) Registered with the National Conventional Arms Control Committee (NCACC)
 - b) Is in possession of a permit authorised by the NCACC and issued by the Directorate Conventional Arms Control (DCAC).

NOTE: Local bidders who trade in Conventional Arms as set out above are required to submit a certified copy of a valid NCACC permit when submitting a bid.

11. Tax Compliance

The conditions detailed in the Instruction for Application for Tax Compliance (KD 25) must be adhered to. Armscor Suppliers /Bidders must remain tax compliant for the duration of their contracts.

12. Defence Industrial Participation and National Industrial Participation

- 12.1 The DIP value threshold of foreign content is based on:

Any single agreement of which the foreign content exceeds USD 2 million;
 Multiple main agreements concluded within two years of each other, within the framework of a specific project or across different projects, for same and or similar products or services, awarded to the same Seller of which the aggregate value of the foreign content exceeds USD 2 million;
 Extensions or amendments to the main agreement within the active life of the agreement, which result in the aggregate foreign content value of the project exceeding USD 2 million;
 Where multiple suppliers are used to address a single Defence Acquisition for the same products or services and the value of the foreign content, in total, exceeds USD 2 million, each supplier shall incur pro rata 50% of the total DIP obligation.

- 12.2 Where a contract to the value of the equivalent of USD10 000 000 or more, is placed on a foreign company, a minimum of 30 % National Industrial Participation (NIP) shall be part of the foreign company's contractual obligations, in addition to the 50 % DIP. This condition is also applicable to all contracts placed on a local company, subcontracting a single foreign company to the aforesaid value or more.

13. Mandatory local production and content for designated sectors

- 13.1 When applicable, bids not meeting the mandatory local production and content for designated sectors will not be considered for further evaluation.
- 13.2 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.
- 13.3 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.

14. **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 must be used to calculate the points in respect of a bid up to a rand value of R 50 000 000, 00 (all applicable taxes included).
(Armcor may also apply this formula to price quotations with a value of less than R30 000, if and when appropriate):

$$P_s = P_p$$

$$\text{Provided that } \sum (P_{pa}) = 80$$

Where:

P_s	= points scored for bid/bids under consideration
P_p	= points scored for price
a	= allocated

$$\text{The points scored for price (Pp)} = P_{pa} * (1 - \frac{P_t - P_m}{P_m})$$

Where: P_{pa} = points allocated for price

P_t = comparative price of bid/bids under consideration

P_m = comparative price of lowest acceptable bid/bids

15. **Sub-contracting**

- 15.1 A supplier awarded a contract must 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 supplier concerned, unless a contract is sub-contracted to an exempted micro enterprise that has the capability and ability to execute the sub-contract.
- 15.2 No points must be awarded for B-BBEE status level if it is indicated in the bid document that the bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that the bidder qualifies for, unless the intended sub-contractor is an exempted micro enterprise that has the capability and ability to execute the sub-contract.
- 15.3 Armcor reserves the right to conduct an audit of BEE subcontractors included by main contractors, with the intention of verifying that the information is correct.

KD17

BID NUMBER : ARMD/2021/01

CLOSING AT 11:00 ON :

VALIDITY PERIOD: 120 DAYS

NAME OF BIDDER :

NOTE: PROVIDE FIXED PRICES FOR ALL THE LINE ITEMS LISTED BELOW

Item no.	NSN	PART NUMBER	SPARE PART	MANUFACTURE R CODE	UNIT PRICE	Qty.	TOTAL (UNIT PRICE x Qty) Excl. VAT	LEAD TIME
1	Bearing Bolt	18-188-9791	HH4NT249041 1	SIEMENS AG		75		
2	Seal	19-002-2154	4W15208	SIEMENS AG		30		
3	Repair Kit, Locking mechanism	18-188-9741	HH3NG239222 0	SIEMENS AG		25		
4	Repair Kit, Terminal Strip	18-191-9922	4G24970- C1010-L096	SIEMENS AG		30		
5	Pneumatic cylinder	N/A	HH1NT249039 2	SIEMENS AG		15		
6	Piston	12-354-2342	HH3NT218203 0	SIEMENS AG		25		
7	Solenoid valve	18-182-7381	3G24970- C1010-B123	SIEMENS AG		25		
8	Stop Lever	12-354-3079	HH3NG239219 8	SIEMENS AG		12		
9	Breaker Shaft	12-354-2194	3G24970- A1047-B210	SIEMENS AG		10		
10	Tripping Combination	12-370-7545	1W15409	SIEMENS AG		15		
11	Position Indicating Device	12-354-3084	3W11627	SIEMENS AG		15		
12	Contact Spring	N/A	3NG2181148- A4	SIEMENS AG		6		
13	Contact Carrier (Bearing Piece)	12-354-3085	2W11642	SIEMENS AG		26		
14	Baseplate	N/A	2W11988	SIEMENS AG		11		
15	Tripping Shaft	12-195-4071	HH3NG239216 3-A1	SIEMENS AG		25		
16	Contact Carrier	18-188-9796	HH2NG218258 2-A1	SIEMENS AG		16		
17	Spacer Tube	18-188-9813	HH4NT249041 2	SIEMENS AG		5		
18	Main Contact	12-318-2291	HH3NG249057 0-A2	SIEMENS AG		20		
19	Operating Shaft	12-321-5598	2W11634	SIEMENS AG		6		
20	Over Current release 1/2	N/A	HH0NG239210 5-A1	SIEMENS AG		4		
21	Over Current release 3/4	N/A	HH0NG239210 5-A2	SIEMENS AG		4		
22	On Hand Lever	12-374-3650	HH3NG249044 4	SIEMENS AG		4		
23	Straight Pin	N/A	4W15206	SIEMENS AG		3		
24	Straight Pin	N/A	4G24930- K1000-C168	SIEMENS AG		3		

25	Spring Guard	12-354-4423	HH4NT218076 0	SIEMENS AG		4		
26	Formed Gasket	N/A	GDM 3-16	SIEMENS AG		3		
27	Spacer Tube	N/A	HH4NT239212 9	SIEMENS AG		5		
28	Insulating Cover	N/A	HH4NT218052 6-A2	SIEMENS AG		12		
29	Codification (for Items 5; 12; 14; 20; 21; 23; 24; 26; 27 and 28)			N/A		1		

Note the following applicable to the tender:

Mandatory Black Equity Ownership:

– Minimum 35% - Applicable

The following must addressed in detail in the KD17:

- Pre-qualification criteria (Regulation 4)
BBBEE Level 2 or better

Single-envelope (using only critical criteria without functional criteria)

TOTAL (excluding VAT)		
VAT		
TOTAL (including VAT)		

1. Delivery address:
 2. * Period required for commencement of delivery, after receipt of order:
 3. * Rate of delivery:
 4. * Period required for completion of order, after receipt thereof:
- * Must be completed by Bidder if not completed by Armscor

NOTE: - PRICE BREAKDOWN

Please provide a breakdown of the price in terms of the following:

- Material/Equipment: R _____
- Delivery of items/material to Client site (if applicable): R _____
- Mark-up percentage _____%

Breakdown of Mark-up percentage (e.g. financing cost, profit, etc.):

- _____
- _____
- _____
- _____

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

QUESTIONNAIRE

REPLIES

1. What is the request for bids number?
2. Price basis of bids (if deviating from **Delivered into store**):
3. Indicate which of the following applies:

3.1 The prices are fixed.

3.2 The prices are not fixed (N. B. See Par. 9 of A-Std-0010)
4. Is the delivery period fixed?
5. Are you the accredited agent in the RSA for the manufacturer of the supplies quoted by you?

WHERE SUPPLIES OFFERED ARE TO BE IMPORTED OR ARE OFFERED EX BONDED WAREHOUSE, THE ATTACHED SECURITY QUESTIONNAIRE (KD 22) MUST BE COMPLETED AND THE FOLLOWING QUESTIONS ANSWERED:

6. Is a special import permit required?
 If not, state your import permit number:
7. What are the names and addresses of your overseas suppliers? (Give particulars in KD 22)
8. Foreign content:

8.1 What amount in foreign currency must be remitted overseas?
 8.2 What is the rate of exchange used in converting the amount into SA Rand and the date on which this is based?

ZAR1, 00 =.....
DATE:
9. Statutory costs:

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

-2 and last-

9.2 If so, what is the amount payable in respect of

a) Customs duty?

b) Ad valorem customs duty?

PRICE BREAKDOWN

10. The following particulars must be furnished, failure of which may invalidate the bids.

- 10.1 FOB/FCA cost of item
- 10.2 Sea/Air freight
- 10.3 Insurance charges
- 10.4 Clearance charges
- 10.5 Customs duties
- 10.6 Ad valorem customs duties
- 10.7 Delivery costs from port/airport to your premises
- 10.8 Local content (excluding (10.10))
- 10.9 Delivery costs from your premises into store
- 10.10 Balance (detail to be submitted)

TOTAL

AMOUNT	% OF TOTAL PRICE

.....
DATE

.....
BIDDER'S SIGNATURE

-1 and last-

**ARMAMENTS CORPORATION OF S.A. LIMITED
(ARMSCOR)**

PREVIOUS PURCHASES

LAST TWO BIDS

If any similar or identical equipment has been supplied to ARMSCOR,
or to any of ARMSCOR'S subsidiaries or the South African National Defence
Force, the completion of this form by bidders is compulsory.

DATE OF BIDS	ORGANIZATION	ORDER NO.	ITEMS PURCHASED	UNIT PRICE	MOTIVATION FOR PRICE DIFFERENCES

BIDDER:	
SURNAME AND INITIALS:	
DATE:	
SIGNATURE:	

-1-

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

SECURITY QUESTIONNAIRE ON THE IMPORTED CONTENT OF BIDS

1. In all cases where the supplies quoted are imported (either in full or in part), bidders shall furnish the following particulars (if space is insufficient, use additional pages):

1.1 COUNTRY OF ORIGIN:

Item No(s).	Country
.....	
.....	
.....	
.....	

1.2 NAME OF MANUFACTURER(S)/SUPPLIER(S)/STOCKIST(S):

Item No(s).	Name
.....	
.....	
.....	
.....	

1.3 NAME OF INTERMEDIARY (IES) (WHEN THERE IS NO DIRECT CONTACT WITH THE FIRMS LISTED IN 1.2):

Item No(s).	Name
.....	
.....	
.....	
.....	

1.4 NAME OF AGENTS RESPONSIBLE FOR SHIPPING AND CLEARANCE:

Item No(s)	Name
.....	
.....	
.....	
.....	

1.5 NAME OF BANK ARRANGING TRANSFER OF FUNDS OVERSEAS:

Item No(s).	Name
.....	
.....	
.....	
.....	

-2 and last-

1.6 IS AN END-USER CERTIFICATE REQUIRED? YES/NO

If yes:-

Item No. (s).

.....

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1.7 ARE THE ITEMS SUBJECT TO ANY SPECIAL EXPORT REQUIREMENTS? YES/NO

If Yes:-

Item No. (s).

Requirements

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.....	
.....	
.....	

2. Failure to furnish the information requested may render the bid invalid.

.....

NAME

.....

DATE

.....

BIDDER'S SIGNATURE

**GENERAL CONDITIONS AND DEFINITIONS
BROAD-BASED BLACK ECONOMIC EMPOWERMENT CLAIMS**

NB: BIDDERS MUST CAREFULLY STUDY THE GENERAL CONDITIONS AND DEFINITIONS.

1. GENERAL CONDITIONS:

1.1 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)

1.2 Preference points for this bid shall be awarded for:

- (a) Price
- (b) B-BBEE Status Level of Contribution.

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

1.2.1.1	PRICE	80
1.2.1.2	B-BBEE STATUS LEVEL OF CONTRIBUTION	20
	Total points for Price and B-BBEE must not exceed	100

1.3. Bidders who are EMEs or at least 51% Black owned QSEs who do not submit a valid B-BBEE sworn affidavit/CIPC B-BBEE certificate will score zero (0) for preference points.

1.4. Bidders who are QSEs with black equity ownership which is less than 51% and large entities must submit a valid B-BBEE verification certificate, substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS.

1.5. Armscor B-BBEE Division reserves the right to verify proof of B-BBEE compliance by any bidder or sub-contractor to any bidder submitted with the bid

2. GENERAL DEFINITIONS:

The defined word and expressions shall have the meanings hereby assigned to them unless such meanings are inconsistent with the context of a particular bid or contract.

2.1.1. Agent

Means a person mandated by another person ("the principal") to do business for him and on his behalf or to represent him in a business transaction, thereby acquiring rights from Armscor for the principal and incurring obligations that bind the principal in favour of Armscor.

2.1.2. Armscor supplier

Means a company or individual that is registered on the central supplier database and/or security registration through Armscor to provide a product or render a service required by Armscor.

2.1.3. Black people

Means a generic term which refers to Africans, Coloureds and Indians who are South African citizens - by birth or descent or who became citizens of the Republic of South Africa by naturalisation -

(i) Before 27 April 1994; or

(ii) On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date

2.1.4. Broad-Based Black Economic Empowerment (B-BBEE)

Means the economic empowerment of all black people through diverse but integrated socio-economic strategies that include but are not limited to increasing the number of black people that manage, own and control enterprises and production assets, and facilitating ownership and management of enterprises and productive assets by communities, workers, co-operatives and other collective enterprises; skills development; achieving equitable representation in all occupational categories and levels in the workforce; preferential procurement; and investment in enterprises that are owned or managed by black people; socio-economic development being investment in black communities and black individuals.

2.1.5. B-BBEE Act

Refers to the Broad- Based Black Economic Act, Act No. 53 of 2003 as amended by the Broad- Based Black Economic Act, Act No 46 of 2013 and any amendments thereto.

2.1.6. BEE Empowered Entity

Means an entity that is at least 25, 1% owned by black people and where there is a minimum of 25, 1% management control by black people. Ownership refers to economic interest, while management refers to executive directors/members.

2.1.7. Bids

Means a bid in a prescribed or stipulated form in response to an invitation by Armscor for the provision of service, work or goods.

2.1.8. Black Designated Groups

Has the meaning assigned to it in the codes of good practice issued in terms of Section 9(1) of the Broad Based Black Economic Empowerment Act

2.1.9. Black Owned Entity

Means juristic person, having shareholding or similar member's interest, which is black controlled, in which black participants enjoy the rights to economic interest that is at least 51% of such rights measured using the flow-through principle.

2.1.10. Black women –owned enterprise

Means an enterprise that is more than 51% owned by a Black woman or Black women.

2.1.11. Comparative price

Means the price after taking the factors of not fixed prices and all allowable unconditional discounts into consideration.

2.1.12. Consortium/ Joint venture

Means an association of people for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract.

2.1.13. Designated sector

Means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet stipulated minimum threshold for local production and content.

2.1.14. Contract

Means the agreement that results from the acceptance of a bid or quotation by Armscor, which agreement must be in writing.

2.1.15. Co-Operative

Means a co-operative registered in terms of section 7 of the Co-operative Act, 2005 (Act no.14 of 2008).

2.1.16. Defence Industrial Participation

Means Defence Industrial Participation, a government-initiated process whereby defence purchases are used as a leverage to oblige a foreign seller of defence commodities or services to perform defence-related business in South Africa on a reciprocal basis in order to advance military strategic and defence-related industrial participation imperatives.

2.1.17. Director

Means a member of a board of a company.

2.1.18. Disability

Means, in respect of a person, a permanent impairment of physical, intellectual or sensory function, which results in restricted or lack of ability to perform an activity in the manner or within the range that is considered normal as stipulated in the B-BBEE codes of good practice.

2.1.19. Empowering Supplier

An empowering supplier within the context of B-BBEE is a B-BBEE compliant entity, which is a good citizen South African entity, comply with all regulatory requirements of the country and should meet at least three if it is a large enterprise or one if it is a QSE of the following criteria:

- a) At least 25% of cost of sales excluding labour cost and depreciation must be produced from local producers or local supplier in SA, for service industry labour costs are included but capped to 15%
- b) Job creation – 50% of jobs created are for black people provided that the number of black employees since the immediate prior verified B-BBEE Measurement is maintained
- c) At least 25% transformation of raw material/beneficiation which include local manufacturing, production and/or assembly, and/or packaging
- d) Skills Transfer – at least spend 12 days per annum of productivity deployed in assisting black EMEs and QSEs beneficiaries to increase their operation or financial capacity
- e) Service industry entities - at least 85% of the Labour cost is paid to South African Employees

2.1.20. Equity equivalent Investment Programme

Means a programme that promotes enterprise creation, technology transfer, employment creation and social advancement, which must be approved by the Minister of Trade and Industry.

2.1.21. Exempted micro enterprise

Means an enterprise with an annual turnover of R5 million or less.

2.1.22. Foreign company

Means a company that is incorporated outside the RSA.

2.1.23. Functionality

The ability of a bidder to provide goods and services in accordance with specifications as set out in the bid documents.

2.1.24. Imported content

Means that portion of the price quoted that represents the cost of components, parts or materials which have been or are still to be imported (whether by the bidder or his suppliers or subcontractors), including freight and other direct importation charges such as landing costs, dock dues, import duty, sales duty or other similar tax or duty at the South African place of entry, as well as transportation and handling charges to the factory in South Africa where the supplies are manufactured.

2.1.25. Large enterprises

Means an enterprise with an annual turnover of more than R50 million.

2.1.26. Local company

Means a company that is incorporated in the RSA.

2.1.27. Local content

Means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place.

2.1.28. Military Veteran

Has the meaning assigned to it in section 1 of the Military Veterans Act, 2011 (Act No. 18 of 2011)

2.1.29. Multinational business

Means a measured entity with a business in the RSA and elsewhere, maintaining its international headquarters outside the Republic.

2.1.30. National Treasury

Has the meaning assigned to it in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999)

2.1.31. Ownership

Means that a person concerned has an economic interest and voting rights.

2.1.32. Qualifying small enterprise

Means an enterprise with an annual turnover of between R5 million up to R50 million.

2.1.33. Rand value

Means the total estimated value of the contract in rand, which is calculated at the time of the bid invitations and includes all applicable taxes and excise duties.

2.1.34. Rural Areas

Means-

- (a) a sparsely populated area in which people farm or depend on natural resources, including villages and small towns that are dispersed through the area; or
- (b) an area including a large settlement which depends on migratory labour and remittances and government social grants for survival, and may have a traditional land tenure system;

2.1.35. Specialised enterprise

Means an enterprise that cannot be measured on ownership, namely:

- Companies limited by guarantee
- Higher education institutions
- Non-profit organisations
- Public entities and other enterprises wholly owned by organs of state
- Public Benefit Scheme
- Section 21 companies.

2.1.36. Start-up enterprise

Means a recently formed or incorporated entity that has been in operation for less than one year. A start-up entity does not include any newly constituted enterprise which is merely a continuation of a pre-existing enterprise.

2.1.37. Stipulated minimum threshold

Means that portion of local production and content as determined by the Department of Trade and Industry

2.1.38. Subcontracting

Means the main contractor's assigning or leasing or outsourcing work under the contract to another person, or assigning another person to support the primary contractor in the execution of part of the project in terms of the contract and the main contractor is responsible for the due fulfilment of the obligations of the subcontractor.

2.1.39. Supplying

Means procurement of finished good namely COTS or MOTS

2.1.40. Township

Means an urban living area that any time from the late 19th century until 27 April 1994, was reserved for black people, including areas developed for historically disadvantaged individuals post 27 April 1994.

2.1.41. Trust

Means an arrangement through which the property or assets of one person are bequeathed or made over to a trustee to administer such property for the benefit of another person.

2.1.42. Trustee

Means a person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

2.1.43. Youth

Has the meaning assigned to it in section 1 of the National Youth Development Agency Act, 2008 (Act No.54 of 2008).

3. PREFERENCE FOR BROAD-BASED BLACK ECONOMIC EMPOWERMENT

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

Preference points in respect of
BROAD-BASED BLACK ECONOMIC EMPOWERMENT **20**

4. ALLOCATION OF B-BBEE POINTS

The B-BBEE points will be allocated according to the table below, for acquisition of services, works or goods with a value of up to R50 000 000, 00.

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

B-BBEE Points claimed must be in accordance with the table reflected above and must be substantiated by means of a valid B-BBEE certificate issued by a Verification Agency accredited by SANAS or CIPC B-BBEE certificates or B-BBEE sworn affidavit completed in front of a Commissioner of Oaths.

1. PRINCIPLES

- (a) Bidders who qualify as EMEs or (QSEs who are at least 51% black owned) in terms of the B-BBEE Act must submit a valid CIPC B-BBEE Certificate or B-BBEE sworn affidavit (templates attached).
- (b) Bidders who are QSEs with black equity ownership which is less than 51% and large entities must submit a valid B-BBEE verification certificate, substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS.
- (c) A consortium or joint venture, will qualify for preference points for their consolidated B-BBEE verification certificate or B-BBEE sworn affidavit.
- (d) Tertiary institutions and public entities will be required to submit their B-BBEE verification certificates in terms of the specialized scorecard.
- (e) Bidders will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a Bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a Bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- (f) Bidders 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.
- (g) For bidders to claim preference points, they must submit the following documents:

ENTITY	BEO	TURNOVER	BBBEE REQUIREMENT
EME	≥ 51%	R5 m or less	BBBEE Sworn Affidavit
	< 51%		CIPC BBBEE Certificate
QSE	≥ 51%	Above R5 m – R50 m	BBBEE Sworn Affidavit
	< 51%		CIPC BBBEE Certificate
LE	Irrespective	Above R50 m	SANAS Accredited BBBEE Certificate

NB: B-BBEE Verification Certificate / CIPC B-BBEE certificate/ B-BBEE sworn affidavit valid for 12 months from the date of issue. In an event there is a material discrepancy on the B-BBEE Certificate / CIPC B-BBEE certificate/ B-BBEE sworn affidavit, the bidder must be awarded zero preference points to the bidder.

2. B-BBEE Mandatory Criteria & Proof of compliance

6.1. Ownership Criteria

6.1.1. *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 (1 April 2020 to 31 March 2021) and 35% in year 3 (1 April 2021) onwards, where applicable.*

6.1.2. Exempted Micro enterprises with a turnover of less than R5 million per annum are exempted from this requirement provided they tender for a contract value which is R5 million per annum and less

6.1.3. Proof of compliance

- a) Bidders who qualify as EMEs or QSEs (who are at least 51% black owned) in terms of the B-BBEE Act must submit a valid CIPC B-BBEE Certificate or B-BBEE sworn affidavit (templates attached).
- b) Bidders other than EMEs or QSEs who are not at least 51% black owned must submit a valid B-BBEE verification certificate, substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS.

6.1.4. Disqualification of a bid

- a) A bid that fails to meet the BBEE mandatory criteria stipulated in the bid documents is an unacceptable bid and will be disqualified

3. B-BBEE Mandatory Criteria & Proof of compliance

3.1. Prequalification Criteria

7.1.1 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

7.1.2 Details of main contractor and subcontractors involved in the execution of the order:

Main contractor and subcontractor's name(s)		% owned by Black persons	B-BBEE status level	% of the bids value which will be contracted
1.				
2.				
3.				
4.				
5.				

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

7.1.3 Proof of Compliance

- a) Bidders who qualify as EMEs or QSEs (who are at least 51% black owned) in terms of the B-BBEE Act must submit a valid CIPC B-BBEE Certificate or B-BBEE sworn affidavit (templates attached).

- b) Bidders who are QSEs with black equity ownership which is less than 51% and large entities must submit a valid B-BBEE verification certificate, substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS.
- c) In addition to (a) and (b) for Designated groups bidders must submit the following documents:
- i. **51% Black owned** – company registration documents and/or share certificates.
 - ii. **51% black youth owned** – ID copy of the shareholders and company registration documents and/or share certificates.
 - iii. **51% Black women owned** – ID copy of the shareholders and company registration documents and/or share certificates.
 - iv. **51% owned by black people living with disabilities** – ID copy of the shareholders and company registration documents and/or share certificates. EEA1 declaration by shareholder and supporting document issued by a relevant doctor.
 - v. **51% owned by people living in rural areas** – ID copy of the shareholders and company registration documents and/or share certificates. Proof of residential area
 - vi. **51% owned by Military Veterans** – ID copy of the shareholders and company registration documents and/or share certificates. Letter from the Department of Military Veterans confirming this status.

7.1.4 Disqualification of a bid

- a) A bid that fails to meet any pre-qualifying criteria stipulated in the bid documents is an unacceptable bid and will be disqualified.

3.2. Sub- Contracting (This information is compulsory)

- a) For a contract above R30 000 000 (million), Armscor will 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

3.2.1. Proof of Compliance

- a) Bidders who qualify as EMEs or QSEs (who are at least 51% black owned) in terms of the B-BBEE Act must submit a valid CIPC B-BBEE Certificate or B-BBEE sworn affidavit (templates attached).
- b) Bidders who are QSEs with black equity ownership which is less than 51% and large entities must submit a valid B-BBEE verification certificate, substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS
- c) In addition to (a) and (b) for Designated groups bidders must submit the following documents:
- (i) **51% Black owned** – company registration documents and/or share certificates.
 - (ii) **51% black youth owned** – ID copy of the shareholders and company registration documents and/or share certificates.
 - (iii) **51% Black women owned** – ID copy of the shareholders and company registration documents and/or share certificates.
 - (iv) **51% owned by black people living with disabilities** – ID copy of the shareholders and company registration documents and/or share certificates. EEA1 declaration by shareholder and supporting document issued by a relevant doctor.
 - (v) **51% owned by people living in rural areas** – ID copy of the shareholders and company registration documents and/or share certificates. Proof of residential area
 - (vi) **51% owned by Military Veterans** – ID copy of the shareholders and company registration documents and/or share certificates. Letter from the Department of Military Veterans confirming this status.

- 3.2.2. A supplier awarded a contract must obtain the approval of Armscor prior to any changes in the subcontracting arrangement
- 3.2.3. Bidders shall be required to provide a list of the subcontractors, black equity ownership, B-BBEE status level and sub-contracting percentage as indicated in 7.2.4 (a) below, Armscor will provide a list of subcontractors as and when requested by bidders.
- 3.2.4. Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

(a) Details of main contractor and subcontractors involved in the execution of the order:

Main contractor and subcontractor's name(s)	% owned by Black persons	B-BBEE status level	% of the bids value which will be contracted
1.			
2.			
3.			
4.			
5.			

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

(b) Details of suppliers involved in the execution of the order (Suppliers applicable whereby there is procurement of COTS/MOTS):

Supplier's name	% owned by Black persons/	B-BBEE status level	% of the bids value which will be supplied
1.			
2.			
3.			
4.			
5.			

3.2.5. Disqualification of a bid

A bid that fails to meet compulsory sub-contracting will be an unacceptable bid and will be disqualified.

3.3. Objective Criteria

- 3.3.1. 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.

4. In case of a Joint Venture, provide the details of the joint venture by completing the form below;

INFORMATION ABOUT THE FIRM (Compulsory where applicable)

Name of bidding entity:

Contact details:

Address:

Telephone No. ()

Fax No. ()

E-mail address

Legal entity: (Mark with an X)

Sole proprietor	
Partnership	
Close corporation	
Company (PTY) Ltd	
Joint venture	

In the case of Joint venture, provide details on joint venture members:

Joint venture member	Type of entity (as defined above)	Company or cc number	% Value added by each JV partner

For joint ventures the following must be attached:

- Signed joint venture agreement.
- Content of joint venture must include the responsibilities, % value add and the profit/ loss sharing ratio for each member.
- Consolidated B-BBEE Verification Certificate

Type of account _____ Account number _____

5. INFORMATION TO BE SUPPLIED WITH EACH BID

5.1. Name of company/firm:

5.2. VAT registration number:

5.3. Company registration number:

5.4. CSD Supplier code:

5.5. CSD unique number:

5.6. Income Tax number:

5.7. SARS Tax Compliance PIN:

5.8. TYPE OF COMPANY/ FIRM [Tick applicable box]

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation/ Partnership

Company

(Pty) Limited

5.9. Describe principal business activities.....

.....

.....

5.10. COMPANY CLASSIFICATION [Tick applicable box]

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

5.11. Total number of years the company/firm has been in business?

5.12. ADDITIONAL INFORMATION TO BE PROVIDED ON BLACK PEOPLE**COMPANY INFORMATION**

Total number of employees	
Total number of Black employees	
Total number of people on the board	
Total number of Black appointments to the board	
Total number of Black appointments in executive management	
Total Black professionals/skilled employees	

5.13. INFORMATION REQUIRED ON DESIGNATED GROUPS PER PROJECT (Compulsory)

DESIGNATED GROUPS	TOTAL NUMBER OF SHAREHOLDERS	TOTAL NUMBER OF BLACK SHAREHOLDERS	% OF BLACK SHAREHOLDERS
Black people with disabilities			
Unemployed black people			
Black youth			
Black people in rural areas			
Black military veterans			

DECLARATION

I/we, the undersigned, who is / are duly authorised to do so on behalf of the entity, certify that the points claimed, based on the B-BBEE status, qualifies the entity for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of KD24.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of Armscor that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, Armscor may, in addition to any other remedy it may have –
 - (a) disqualify the person/entity from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's/ entity's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution

WITNESSES:

1.....

2.....

SIGNATURE(S) OF BIDDER(S)

DATE:

ADDRESS:

.....

.....

.....

TAX COMPLIANCE REQUIREMENTS

It is a condition of bids 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

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.
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.
3. The Tax compliance PIN letter shall be submitted with the bids, with an authorisation letter for Armscor to use the PIN code for verification of tax compliance status of the bidder.
4. In bids where Consortia /Joint Ventures are involved, each party must submit a separate tax compliance PIN with authorisation letter.
5. In the event of subcontracting, tax compliance PIN letter and authorisation letter for the subcontractor must also be submitted with the bids.
6. Tax compliance is done via e-filing on the SARS website www.sars.gov.za.

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

DECLARATION OF INTEREST

1. Any legal person, including persons employed by Armscor or the State, or persons who act on behalf of Armscor or the State or person having a kinship with persons employed by Armscor or the State, including a blood relationship, may make an bids or bids in terms of this invitation. In view of possible allegations of favouritism, should the resulting bids, or part thereof, be awarded to persons employed by Armscor or the State, or to a person who acts on behalf of Armscor or the State, or to persons connected with or related to them, it is required that the bidder or his authorized representative signing the KD17 document shall declare his position vis-à-vis the evaluating authority and/or take an oath declaring his interest, where-
 - the bidder is employed by Armscor or the State or acts on behalf of Armscor or the State; and/or
 - the legal person on whose behalf the bids document is signed, has a relationship with persons/a person who are/is involved with the evaluation of the bidder(s), or where it is known that such a relationship exists between the person of persons for or on whose behalf the declarant acts and persons who are involved with the evaluation of the bids.

In order to give effect to the above, the following questionnaire shall be completed and submitted with the bids.

* Delete whichever is not applicable

2. Are you or any person connected with the bidder directly or indirectly, (i.e. connected by kinship or marriage or associated in an enterprise, business partnership or as colleagues) employed by Armscor or the State?

*YES / NO

2.1. If yes, state particulars.

.....

.....

.....

.....

3. Do you, or any person connected by kinship or marriage or associated in an enterprise, business, partnership or as colleagues with the bidder, directly or indirectly have any relationship or association (family, friend, other) with a person employed in the Department of Defence or South African Police Service, Correctional Service or Armscor, and who may be involved with the evaluation or adjudication of this bids.

*YES / NO

3.1. If yes, state particulars.

.....

.....

-2 and last-

4. Are you, or any person connected by kinship or marriage or associated in an enterprise, business partnership or as colleagues connected with the bidder, aware of any relationship (family, friend, other) between the bidder and any person employed by the Department of Defence, South African Police Service, Correctional Service or Armscor, who may be involved with the evaluation or adjudication of this bids?

*YES / NO

4.1. If yes, state particulars.

.....

.....
Signature of Declarant

.....
Bid number

.....
Date

.....
Position of Declarant
(See Paragraph 1)

.....
Name of Company or Bidder

**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 "Armscor 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 "Armscor 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 "Armscor 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. Armscor 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 Armscor 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:

- Armscor 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 utilise 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.

-6 and last-

5. INTELLECTUAL PROPERTY QUESTIONNAIRE

I/We, the undersigned, who warrant that I/we am/are duly authorised to do so on behalf of the firm certify that the following information is correct and complete in terms of Intellectual Property relevant to the offered scope of work. (Please circle the relevant answer)

Will Background IP be applicable during the execution of the quoted scope of work? Yes No

If yes, state particulars by completing the 'Background IP' worksheet. Indicate each IP item as a separate line.

Will Historic IP be utilised and/or is it required as a prerequisite to execute the quoted scope of work? Yes No

If yes, state particulars by completing the 'Historic IP' worksheet for each IP item. Indicate each IP item as a separate line;

Will any of these Historic IP items be enhanced during the execution of the quoted scope of work? Yes No

If yes, also complete the 'Foreground IP' worksheet for those IP items

Will new Foreground IP be generated during the execution of the quoted scope of work? Yes No

If yes, state particulars by completing the 'Foreground IP' worksheet for each IP item. Indicate each IP item as a separate line.

This completed form, along with all additional information, as requested above where relevant, populated on the KD27 Spreadsheet, have to be attached to the bid.

WITNESSES:

1 _____

2 _____

SIGNATURES OF BIDDER(S)

DATE: _____

ADDRESS: _____

ANNEXURE 1 TO KD24

DEFENCE SECTOR BBBEE SWORN AFFIDAVIT – EXEMPTED MICRO 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"	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 – (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- 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"	"Black Designated Groups means: (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.

Commissioner of Oaths	Deponent
Signature and Stamp	
	Signature _____
Date _____	Date _____

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"	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 – (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- 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"	"Black Designated Groups means: (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 2 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 between R5,000,000.00 (Five Million Rands) to R50,000,000.00 (Fifty Million Rands)
- 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)	

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.

Commissioner of Oaths	Deponent
Signature and Stamp	
	Signature
Date	Date

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		CONTACT PERSON			
TELEPHONE NUMBER		TELEPHONE NUMBER			
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS		E-MAIL ADDRESS			
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	[TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				☐ YES ☐ NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				☐ YES ☐ NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				☐ YES ☐ NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				☐ YES ☐ NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				☐ YES ☐ NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

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:



RFB NUMBER: ARMD/2021/01

MRS: 7104-16-05-09-01-Contracts-ARMD-21-01

THE PROCUREMENT OF CIRCUIT BREAKER SPARE PARTS AT ARMSCOR DOCKYARD, SIMON'S TOWN

SUMMARY: THIS DOCUMENT CONTAINS THE REQUIREMENT FOR THE
PROCUREMENT OF CIRCUIT BREAKER SPARE PARTS,
SIMON'S TOWN

DATE OF ISSUE : APRIL 2021

AMENDMENT HISTORY		
DOCUMENT ISSUE	DATE	CHECKED BY
01	APRIL 2021	

DISTRIBUTION PAGE	
COPY NUMBER	DISTRIBUTION
01 (Master Copy)	Mr J Relihan Armscor Dockyard Procurement Secretariat

DEFINITIONS

The following non-standard terms have been used in this document, which are explained as follows:

Client	ARMSCOR Dockyard
Contractor	The company contracted by ARMSCOR to supply as per Specification
OEM	Original Equipment Manufacturer
RFB	Request For Bid

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1. INTRODUCTION

1.1 Instruction to Bidder

The Bidder must strictly adhere to the requirements stipulated in this Request for Bid (RFB). The onus rests on the Bidder to submit an unambiguous bid in order to enable Armscor to carry out a transparent and fair bid evaluation.

1.2 Scope

The scope of this RFB covers the requirement for the procurement of circuit breaker spare parts for the Submarine, at ARMSCOR Dockyard, Simon's Town as set out in paragraph 5.4 in this document.

2. APPLICABLE DOCUMENTS

Armscor documents are available on the Armscor Website <http://www.armscor.co.za>. The following documents are applicable to this RFB to the extent specified herein:

- 2.1 A-STD-0010: Rules Applicable to prospective Contractors, Issue 1; 20 April 2009.
- 2.2 A-PRAC-1034: Practice for the Selection of Contractual Sources, Issue 003, 21 July 2014.
- 2.3 A-STD-0020: Armscor's General Conditions of Contract, Issue: 004, 14 February 2020.
- 2.4 A-PRAC-4011: BBBEE Practice, Issue 006.
- 2.5 A-STD-61 Part 5: Contract Conditions, Technical, Standard for Commercial Off-the-Shelf (COTS) Procurement
- 2.6 A-DOC-9045: Terms of Reference for the Bid Evaluation Committee
- 2.7 A-DOC-9046: Terms of Reference for the Bid Specification Committee

3. BID REQUIREMENTS

3.1 General

The bid shall address each and every requirement of the RFB in a comprehensive and logical way. The following information and communication is to be observed:

3.1.1 Armscor Registration

In order to qualify as a potential supplier, prospective Bidders must be registered with Armscor as a supplier. Bidders that are not registered shall undertake to register prior to any contract placement.

3.1.2 Communication

- 3.1.2.1 All communication with Armscor shall be made to: The Procurement Secretariat, Fax no +27 (021) 787 3470, E-mail address: ZikhonaG@armscordy.co.za Tel: +27 (021) 787 4055
- 3.1.2.2 The Bidder shall appoint a single person for communication with Armscor. Communication shall not take place via an agent or representative other than a fulltime employee of the Bidder.
- 3.1.2.3 All enquiries regarding the RFB shall be directed to the Procurement Secretariat and the RFB reference number shall be used in all correspondence.
- 3.1.2.4 No direct contact or communication with Armscor or the Department of Defence personnel shall be allowed, unless through formally arranged meetings or briefing sessions if and when required by the prospective Bidders.

3.1.3 Submission of Bids

Partial Bids: Armscor **shall only** consider bids for the **TOTAL** requirement.

3.1.4 Validity of Bids

The validity of the bid shall be one hundred and twenty (120) days after the tender closing date.

3.1.5 Confidentiality of information

The information contained in this RFB, as well as the response received shall be treated as "Company Confidential" between Armscor and the Bidder submitting the response. The receiver of this RFB may not disclose any information in connection with this RFB to the media or any third party, or allow information to be disclosed without prior written approval of Armscor. The potential Bidder shall ensure that any confidentiality arrangements between themselves and Armscor apply *mutatis mutandis* to partners and/or subcontractors or agents of the Bidder.

3.1.6 Submission of offer documentation

The original offer and two (2) copies thereof together with any supporting documentation such as brochures, handbooks and drawings shall be submitted to Armscor. The original must be marked as the original and each copy must be marked with a copy number. The original shall take precedence over any copy in the event of discrepancies.

3.2 Minimum requirements

The following is the minimum prescribed requirements of the bid:

3.2.1 Covering letter

The covering letter shall give a brief introduction to the bid and briefly summarise the implementation methodology, time-scale and the total cost. The letter shall also state any other aspects the Bidder deems necessary and important. The Bidder shall use the company's official letterhead when providing the covering

letter.

Bidder shall use the company's official letterhead when providing the covering letter.

3.2.2 Forms to be completed

The following forms shall be completed by the Bidder and submitted as part of the bid:

- Commercial Bid: all Armscor KD forms as per Armscor Procurement Secretariat requirements.

3.2.3 The Bidder shall demonstrate, as part of their bid and with the necessary evidence, that they have the necessary resources and appropriate expertise to supply the equipment should they be awarded the contract.

Note: The ARMSCOR Dockyard retains the right to perform an audit to confirm the integrity of the content of the bids received.

3.3 Bidder conference

Not applicable

3.4 Registration of E-portal bids

In the case where potential bidders have downloaded the bid documents or obtained it from a party that downloaded it from the E-portal, they are requested to inform the following person:

Ms Zikhona Gxakwe, Fax no +27 (021) 787 3470, E-mail address: ZikhonaG@armscordy.co.za Tel: +27 (021) 787 4055

By doing so, they will ensure that they are captured on the list of potential bidders and receive tender related correspondence such as bidders briefing minutes etc. Failure to register as such may invalid the bidders bid as their bid may exclude updated information issued by means of Bidders briefing minutes or updates.

4. BID EVALUATION

4.1 Bids received

Bids received will be evaluated in accordance with an approved value model that was developed in accordance with A-PRAC-1034, and such value model consists of pre-qualification and critical criteria that are reflected in this RFB. Failure by a Bidder to comply with a pre-qualifying or a single critical criterion will result in immediate elimination from the adjudication process.

4.2 Awarding Of Bids

The awarding of bids will be in terms of Armscor Document A-PRAC-4011 (BEE Practice). All bids conforming to the pre-qualification, and subsequently meeting the stated critical criteria, will be evaluated in terms of the following point allocation:

The applicable points are:

- | | |
|---------------------|------------------|
| 4.2.1 Price: | 80 points |
| 4.2.2 BBBEE: | 20 points |

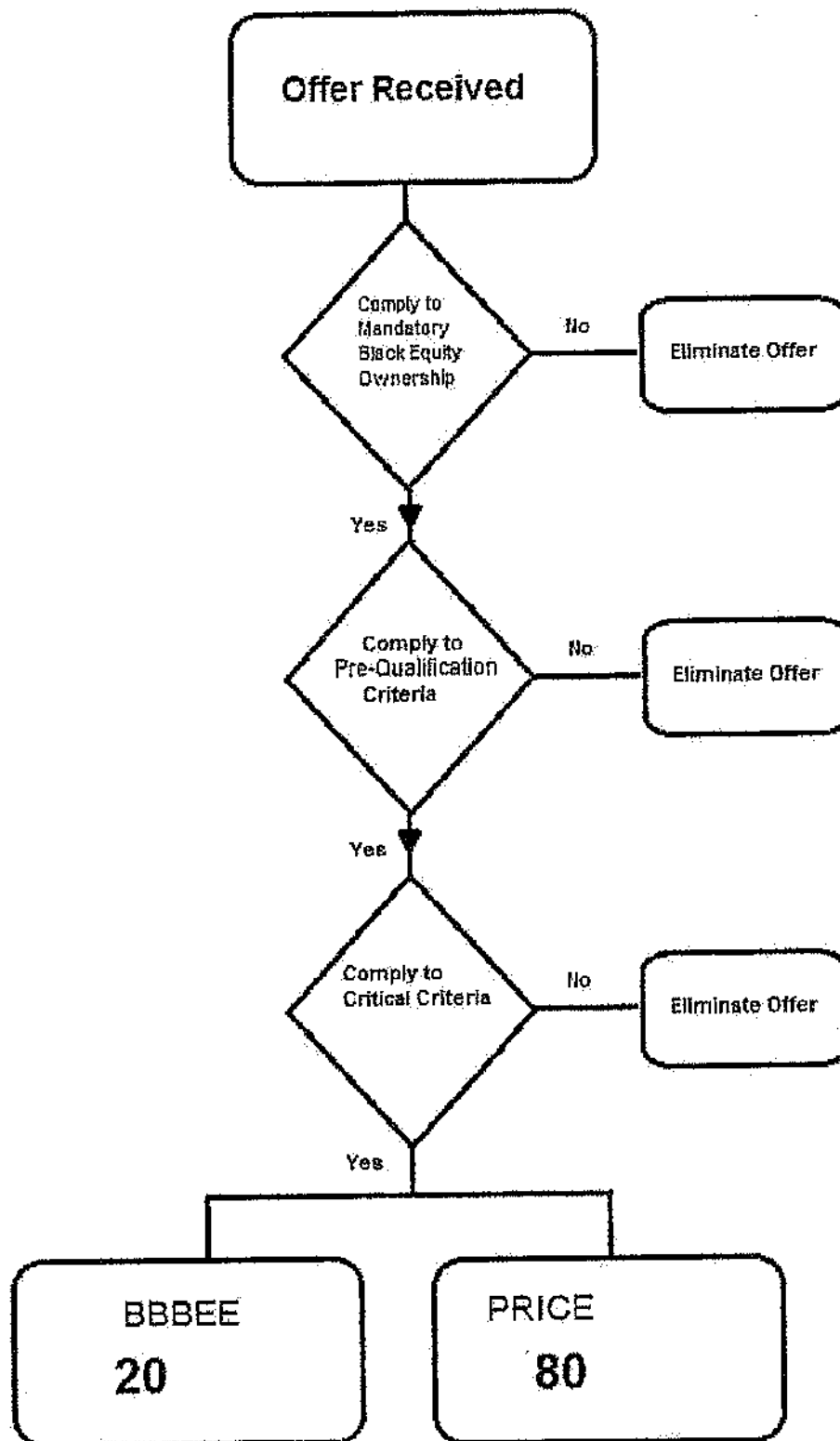


Fig.1: Value Model for the 20/80 Model

4.3 MANDATORY CRITERIA

4.3.1 TAX CLEARANCE CERTIFICATE 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. (Not applicable to foreign companies).

- 4.3.1.1 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 offers.
- 4.3.1.2 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.
- 4.3.1.3 The Tax compliance PIN letter shall be submitted with the bid, with an authorisation letter for Armscor to use the PIN code for verification of tax compliance status of the supplier.
- 4.3.1.4 In bids where Consortia /Joint Ventures / are involved, each party must submit a separate tax compliance PIN with authorisation letter.
- 4.3.1.5 In the event of subcontracting, tax compliance PIN letter and authorisation letter for the subcontractor must also be submitted with the bid.
- 4.3.1.6 Tax compliance is done via e-filing on the SARS website www.sars.gov.za.
- 4.3.1.7 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.

4.4 MANDATORY BLACK EQUITY OWNERSHIP

No contract for goods and services shall be awarded to any Bidder unless such Bidder has Black Equity Ownership of at least 25% in year 1 (12 April 2019 to 31 March 2020) of the Defence Sector Codes gazetting, 30% in year 2 (01 April 2020 to 31 March 2021) and 35% in year 3 (01 April 2021) onwards.

4.5 PRE-QUALIFYING CRITERIA

BBBEE level 2 or better.

4.5 Critical Criteria

Criterion 1	
Requirement:	Compliance:
The Bidder shall supply all the required items as per NSN and part numbers as outlined in Annexure A - Statement of supply.	The bidder shall provide the specification sheets from the OEM for all the items, indicating the technical conformance to the item specification.
Criterion 2	
Requirement:	Compliance:
The bidder shall confirm that they are supplying all of the items as outlined in Annexure A - Statement of supply.	The bidder shall provide with their bid a complete and signed Bid Conditions Acceptance Form, as found on page 7 of the KD17 document.

4.6 Qualifying Threshold

Not Applicable.

5. REQUIREMENT STATEMENT

5.1 Introduction

Armcor Dockyard is tasked with the refit of the Submarine. The 3WR2 circuit breakers are required to be overhauled as part of the refit. NSD Wingfield has insufficient spare parts required.

5.2 Purpose

The Purpose of this Request for Bid is to appoint a supplier to supply and deliver circuit breaker spare parts for the Submarine, to the ARMSCOR Dockyard, Simon's Town.

5.3 Background

The 3WR2 circuit breakers perform protective, switching functions, overcurrent and short-circuit protective devices in the system for, Batteries, Generators, Charging connection, Propulsion motor and Making Connections for various components. The original equipment manufacturer (OEM) for the circuit breakers and spare part is SIEMENS AG I&S P 94.

SA Navy has insufficient spare parts available for overhauling the 3WR2 circuit breakers for the Submarine, therefore Dockyard is required to procure the spare parts.

5.4. SPECIFICATION

- 5.4.1 See Attached **ANNEXURE A Statement of Requirement**
- 5.4.2 The Bidder is required to quote for all the requirements as per **ANNEXURE A Statement of Requirement**

SECTION 2

A - ADDITIONAL CONDITIONS

1. ACCESS TO THE PREMISES

The Client shall grant the Contractor and/or his employees the necessary access at all reasonable times, in order to meet the obligations in terms of this Agreement, subject, however, to the Client's security arrangements. Access to the Client's premises may be refused under appropriate circumstances.

2. SECURITY

- 2.1 The Contractor shall be subject to the security rules and regulations as in place on any Client property he enters. These regulations shall be in line with Department of Defence unit security regulations. This includes controlled access through a security gate and prohibition of carrying photographic equipment (including cell phones with cameras), firearms, explosives, unlawful narcotics, etc. onto client property.
- 2.2 While on any Client property, the Contractor employees and vehicles may at all times be subjected to security searches by the security forces.
- 2.3 Transgression of any security rules and regulations can lead to detention by security and subsequent prosecution.

3. SAFETY

- 3.1 While on client property related to this contract, the contractor shall be responsible for the safety of his employees.
- 3.2 Should any of the contractor's employees sustain an injury, while on client property, through the contractor's action, the contractor shall be responsible for rendering medical attention.
- 3.3 The contractor enters client property at own risk. Treatment for any injury sustained by contractor's employee, caused by client action, but not due to negligence or malicious intent on the part of the client, shall be the responsibility of the contractor.
- 3.4 In any case, the client can, according to its discretion, render limited medical attention to the contractor, but the client will not accept any liability for the outcome of such medical assistance rendered. Furthermore, the client can, according to its discretion, charge the contractor for such service rendered.

4. IDENTIFICATION

The Contractor shall at all times, on site, positively identify all his employees and subcontractors by visually standardized dress/overalls and conspicuously attaching workers' respective name tags thereto.

5. CONTRACTOR'S STATUS AND RESPONSIBILITIES

- 5.1 The contractor shall not permit any worker to perform any task for which such worker has not been trained.
- 5.2 Under no circumstances may the contractor's employees litter, roam, sleep or prepare food on site, unless otherwise arranged and agreed to by the client.
- 5.3 Under no circumstances may the contractor's employees accept tasks (with or without payment) from the client's personnel or any other instruction/request that is not part of this contract.
- 5.4 The contractor shall see to it that his employees do not interfere in any way with the client's employees or with occupants of the premises.
- 5.5 The contractor shall comply with the client's security requirements.
- 5.6 The contractor shall not damage the property of the client or his employees.
- 5.7 The contractor shall leave all areas where work has been executed in a clean and neat condition.
- 5.8 The contractor shall not erect any signs or advertisements on site.
- 5.9 The contractor shall not unreasonably encumber the site with his materials and equipment, and shall make such provisions and carry out his operations in such a manner that will permit continuous, safe traffic and pedestrian circulation, and he shall provide and maintain safe access to all buildings within the work boundaries.
- 5.10 The contractor shall confine his equipment, tools, and the operations of his employees as indicated by the client and within the limits of statutory requirements.

B MAINTENANCE CONDITIONS

1. WORKING HOURS

All work on the Client's site shall take place during the Client's normal working hours, except when instructed by the Project Manager.

Normal working hours are:

Monday – Thursday: 07:15 - 16:30
Friday: 07:15 - 12:15

Should there be a requirement to work outside of the Client's normal working hours, sufficient notification and approval is required from the Project Manager.

2. ADVERSE CONDITIONS AND DEFECTS

- 2.1 The Contractor shall report in writing to the Client any adverse conditions prior to delivery, which may adversely affect delivery.
- 2.2 The Contractor shall not commence or continue with delivery until such adverse conditions have been investigated and corrected, unless otherwise instructed in writing by the Client.

URS: PROCUREMENT OF CIRCUIT BREAKER SPARE PARTS



ANNEXURE A

STATEMENT OF REQUIREMENT

PROCUREMENT OF CIRCUIT BREAKERS SPARE PARTS

SUMMARY: THIS DOCUMENT ESTABLISHES THE USER REQUIREMENTS FOR
PROCUREMENT OF CIRCUIT BREAKERS SPARE PARTS

DATE OF ORIGINAL ISSUE: April 2021

URS: PROCUREMENT OF CIRCUIT BREAKER SPARE PARTS

AMENDMENT HISTORY

Doc Issue	Date	Amendments	Doc change proposal No.	CM Conformance	
				Name	Initials

URS: PROCUREMENT OF CIRCUIT BREAKER SPARE PARTS

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URS: PROCUREMENT OF CIRCUIT BREAKER SPARE PARTS

1 INTRODUCTION

The purpose of the document is to identify the user requirements for the procurement of circuit breaker spare parts for the SAS CHARLOTTE MAXEKE S102 refit.

Armcor Dockyard is tasked with the refit of the SAS CHARLOTTE MAXEKE S102. The 3WR2 circuit breakers are required to be overhauled as part of the refit. NSD Wingfield has insufficient spare parts required.

2 BACKGROUND

The 3WR2 circuit breakers perform protective, switching functions, overcurrent and short-circuit protective devices in the system for, Batteries, Generators, Charging connection, Propulsion motor and Making Connections for various components. The original equipment manufacturer (OEM) for the circuit breakers and spare part is SIEMENS AG I&S P 94.

SA Navy has insufficient spare parts available for overhauling the 3WR2 circuit breakers for the Submarine, therefore Dockyard is required to procure the spare parts.

3 REQUIREMENT

The requirement is to procure the spare parts required for overhaul of circuit breaker. The requirement is generated from a survey conducted on the submarine circuit breakers where spare parts were identified. The spare parts are not all available at NSD Wingfield, therefore the requirement to procure.

3.1 Supply spare parts

3.1.1 Supply of circuit breaker spare parts according to the NSN, part number and manufacturer specified in Annexure A of the Statement requirement.

3.2 Codification Required

3.2.1 Supply codification of the spare parts in Annexure A that are not codified.

3.2.2 Cost for codification to be quoted as a separate line item.

3.3 Certificate of Conformance (COC)

3.3.1 The supplier shall supply a Certificate of Conformance (COC) from the OEM for the spare parts supplied.

3.4 Deviations

3.4.1 The Bidder shall advise the Dockyard Project Manager in writing of any deviations from the original requirement. In the case where items are obsolete or have been allocated a new part number, the Bidder shall provide supporting documents from the Original Equipment Manufacturer (OEM) advising of the changes.

URS: PROCUREMENT OF CIRCUIT BREAKER SPARE PARTS

3.5 Delivery

3.5.1 Supplier to deliver the spares to Armscor Dockyard Address:

Armscor Dockyard
Cole Point Road
Simon's Town
7995

3.5.2 Import Permits are the responsibility of the Supplier.

3.6 EUC/EUU End User Certificate/Undertaking

3.6.1 Request for End User Certificated/Undertaking (EUC/EUU) shall be done in writing from the foreign supplier, listing all items required. The Armscor Dockyard Project Manager will arrange the EUC (End User Certificate) though the Armscor Arms Control Division.

3.6.2 Supplier to supply a draft copy (soft copy) of the EUC/EUU requested.

3.6.3 Supplier to ensure that they are registered DCACC Director

URS: PROCUREMENT OF CIRCUIT BREAKER SPARE PARTS

ANNEXURE A: STATEMENT OF REQUIREMENT					
No.	DESCRIPTION	NIIN/NSN	PART No.	MANUFACTURER	QUANTITY
1	Bearing Bolt	18-188-9791	HH4NT2490411	SIEMENS AG	75
2	Seal	19-002-2154	4W15208	SIEMENS AG	30
3	Repair Kit, Locking mechanism	18-188-9741	HH3NG2392220	SIEMENS AG	25
4	Repair Kit, Terminal Strip	18-191-9922	4G24970-C1010-L096	SIEMENS AG	30
5	Pneumatic cylinder	N/A	HH1NT2490392	SIEMENS AG	15
6	Piston	12-354-2342	HH3NT2182030	SIEMENS AG	25
7	Solenoid valve	18-182-7381	3G24970-C1010-B123	SIEMENS AG	25
8	Stop Lever	12-354-3079	HH3NG2392198	SIEMENS AG	12
9	Breaker Shaft	12-354-2194	3G24970-A1047-B210	SIEMENS AG	10
10	Tripping Combination	12-370-7545	1W15409	SIEMENS AG	15
11	Position Indicating Device	12-354-3084	3W11627	SIEMENS AG	15
12	Contact Spring	N/A	3NG2181148-A4	SIEMENS AG	6
13	Contact Carrier (Bearing Piece)	12-354-3085	2W11642	SIEMENS AG	26
14	Baseplate	N/A	2W11988	SIEMENS AG	11
15	Tripping Shaft	12-195-4071	HH3NG2392163-A1	SIEMENS AG	25
16	Contact Carrier	18-188-9796	HH2NG2182582-A1	SIEMENS AG	16
17	Spacer Tube	18-188-9813	HH4NT2490412	SIEMENS AG	5
18	Main Contact	12-318-2291	HH3NG2490570-A2	SIEMENS AG	20
19	Operating Shaft	12-321-5598	2W11634	SIEMENS AG	6
20	Over Current release 1/2	N/A	HH0NG2392105-A1	SIEMENS AG	4
21	Over Current release 3/4	N/A	HH0NG2392105-A2	SIEMENS AG	4
22	On Hand Lever	12-374-3650	HH3NG2490444	SIEMENS AG	4
23	Straight Pin	N/A	4W15206	SIEMENS AG	3
24	Straight Pin	N/A	4G24930-K1000-C168	SIEMENS AG	3
25	Spring Guard	12-354-4423	HH4NT2180760	SIEMENS AG	4
26	Formed Gasket	N/A	GDM 3-16	SIEMENS AG	3

URS: PROCUREMENT OF CIRCUIT BREAKER SPARE PARTS

No.	DESCRIPTION	NIIN/NSN	PART No.	MANUFACTURER	QUANTITY
27	Spacer Tube	N/A	HH4NT2392129	SIEMENS AG	5
28	Insulating Cover	N/A	HH4NT2180526-A2	SIEMENS AG	12
29	Codification (for Items 5; 12; 14; 20; 21; 23; 24; 26; 27 and 28)	N/A	N/A	N/A	1