

PART A - REQUEST FOR BID (RFB)

TENDER IN ACCORDANCE WITH THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND PREFERENTIAL PROCUREMENT REGULATIONS 2022, THIS TENDER IS SUBJECT TO CRITERIA AS OUTLINED IN THE DOCUMENT BELOW.

TENDER NUMBER:	DLS 07-01-01-26-27
DESCRIPTION OF TENDER:	THE PROCUREMENT, PACKING AND SUPPLY OF YEARLY GV 6 SERVICE KITS
CLOSING DATE:	25 AUGUST 2026
CLOSING TIME:	11H00am GMT
COMPULSORY BRIEFING:	07 AUGUST 2026 10H00AM GT DENEL LANDWARD AUDITORIUM 368 SELBORNE AVENUE LYTTELTON
CLOSING DATE FOR WRITTEN QUESTIONS:	14 AUGUST 2026
TENDER VALIDITY DATE:	180 DAYS
COMPULSORY REQUIREMENT TENDER DOCUMENTS DELIVERY ADDRESS:	DELIVER TO: TENDER BOX, DLS RECEPTION, 368 SELBORNE AVENUE, LYTTELTON AND ALSO, EMAIL TO: Tenders.Landward@Denel.co.za PRICE BID MUST BE SUBMITTED IN A SEPARATE ENVELOPE AND IN A SEPARATE EMAIL
TENDER ENQUIRY EMAIL ADDRESS:	Tenders.Landward@Denel.co.za

NB: READ THROUGH THE ENTIRE DOCUMENT WITH CARE!!

TAKE NOTE OF BELOW VERY IMPORTANT NOTES REGARDING DISCLAIMER AND NDA

DISCLAIMER
THE PURPOSE OF THIS RFB IS TO IDENTIFY AND AWARD THIS TENDER TO A SUPPLIER THAT HAS THE TECHNICAL CAPACITY AND ABILITY TO DELIVER THE ITEMS AS LISTED IN THE RFB.
NDA INSTRUCTIONS
BIDDER MUST SUBMIT A SIGNED NON-DISCLOSURE AGREEMENT (NDA) 15:00 PM GMT BY NO LATER THAN THE 07 OF AUGUST 2026. UPON RECEIPT OF THE NDA, THE BOM WILL BE ISSUED TO THE BIDDER AT THE CLARIFICATION MEETING.

APPROVAL SHEET

TITLE: THE PROCUREMENT, PACKING AND SUPPLY OF 12 MONTHLY GV 6 SERVICE KITS
PROPOSAL NUMBER: DLS 07-01-01-26-27
DEPARTMENT: SUPPLY CHAIN
CLASSIFICATION: RESTRICTED

APPROVED BY:


PROCUREMENT MANAGER

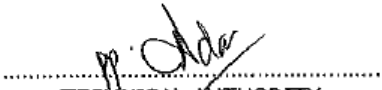
DATE:

29/07/2026

NAME IN PRINT:

Meka Glory Achabeleng

APPROVED BY:


TECHNICAL AUTHORITY

DATE:

29/7/2026

NAME IN PRINT:

Suciya Adam

TABLE OF CONTENTS

APPROVAL SHEET	2
TABLE OF CONTENTS.....	3
PART A- TERMS AND CONDITIONS FOR BIDDING.....	5
1 BID SUBMISSION	5
2 TAX COMPLIANCE REQUIREMENTS	5
PART B - CHECKLIST OF COMPULSORY RETURNABLE DOCUMENTS	6
PART C - SPECIFICATIONS, CONDITIONS OF PROPOSAL AND UNDERTAKINGS BY BIDDER.....	7
1 DEFINITIONS.....	7
2 BID OFFICE.....	9
3 SUBMISSION OF PROPOSALS.....	9
4 RULES GOVERNING THIS RFB AND THE BIDDING PROCESS	9
5 STATUS OF REQUEST FOR BID	9
6 ACCURACY OF THE RFB	9
7 ADDITIONS AND AMENDMENTS TO THE RFB	10
8 REPRESENTATIONS	10
9 CONFIDENTIALITY.....	10
10 UNAUTHORISED COMMUNICATIONS	10
11 IMPROPER ASSISTANCE, FRAUD AND CORRUPTION	10
12 ANTI-COMPETITIVE CONDUCT.....	10
13 COMPLAINTS ABOUT THE BIDDING PROCESS	11
14 CONFLICT OF INTEREST	11
15 LATE PROPOSALS.....	11
16 BIDDER 'S RESPONSIBILITIES	11
17 PREPARATION OF PROPOSALS.....	12
18 ILLEGIBLE CONTENT, ALTERATION AND ERASURES.....	12
19 OBLIGATION TO NOTIFY ERRORS.....	12
20 RESPONSIBILITY FOR BIDDING COSTS.....	13
21 DISCLOSURE OF PROPOSAL CONTENTS AND PROPOSAL INFORMATION	13
22 USE OF PROPOSALS.....	13
23 PROPOSAL ACCEPTANCE	13
24 CHANGES TO PRICE PROPOSALS	13
25 BROAD-BASED BLACK ECONOMIC EMPOWERMENT AND SOCIO-ECONOMIC OBLIGATIONS.....	13
26 B-BBEE JOINT VENTURES OR CONSORTIUMS.....	14
27 NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE	14
28 TAX COMPLIANCE.....	14
29 STATUS OF PROPOSAL.....	14
30 CLARIFICATION OF PROPOSALS	15
31 SUCCESSFUL PROPOSALS.....	15

32	NO OBLIGATION TO ENTER INTO CONTRACT	15
33	BIDDER WARRANTIES.....	15
34	DENEL LANDWARD's RIGHTS.....	16
35	GOVERNING LAWS	16
36	DENEL LANDWARD PROCUREMENT PHILOSOPHY	16
	PART D - STATEMENT OF WORK (SOW).....	17
	SBD 2 - PROOF OF TAX COMPLIANCE, AND REGISTRATION ON CENTRAL SUPPLIER DATABASE (CSD REPORT)	18
	PRICE BID	19
1	CURRENCY.....	19
2	PRICES SUBJECT TO CONFIRMATION	19
3	BINDING OFFER	19
4	DISCLAIMERS	19
5	PAYMENT TERMS.....	20
6	SCHEDULE OF RATES/PRICE.....	20
	SBD 3.2 - PRICING SCHEDULE – FIXED PRICES	21
	SBD 4 - DECLARATION OF CONFLICT OF INTEREST	23
	SBD 6.1 - PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022.....	26
1	GENERAL CONDITIONS	26
2	DEFINITIONS.....	27
3	FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES	27
4	POINTS AWARDED FOR SPECIFIC GOALS.....	28
5	DECLARATION WITH REGARD TO COMPANY/FIRM	29
6	ADJUDICATION USING A POINT SYSTEM	34
7	POINTS AWARDED FOR PRICE.....	35
8	POINTS AWARDED FOR BBB-EE STATUS LEVEL OF CONTRIBUTION	35
9	BID DECLARATION	36
10	DECLARATION WITH REGARD TO COMPANY/FIRM	36

PART A- TERMS AND CONDITIONS FOR BIDDING

1 BID SUBMISSION

- 1.1** Bids must be delivered by the stipulated time to the correct address. **Late bids will not be accepted for consideration.**
- 1.2 All bids must be submitted on the official forms provided (not to be re-typed) or in the manner prescribed in the bid document.
- 1.3 This bid is subject to the Preferential Procurement Policy Framework Act, 2000 and the Preferential Procurement Regulations, 2022, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract.
- 1.4 The award of the proposal may be subjected to price negotiation with the preferred bidders.
- 1.5 Denel Landward reserve the right to award to one or split the award to more than one bidders.

2 TAX COMPLIANCE REQUIREMENTS

- 2.1 Bidders must ensure compliance with their tax obligations.
- 2.2 Bidders must submit a printed TCS certificate together with the bid.
- 2.3 Bidders must submit the latest CSD report with a date in the current calendar year.
- 2.4 In bids where consortia / joint ventures / sub-contractors are involved; each party must submit a separate TCS certificate / pin / CSD number.
- 2.5 Where no TCS pin is available but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.
- 2.6 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:

.....

PART B - CHECKLIST OF COMPULSORY RETURNABLE DOCUMENTS

Please adhere to the following instructions:

1. Tick in the relevant block below:

- Ensure that the following documents are completed and signed where applicable.
- Use the prescribed sequence in attaching the annexures that complete the Bid Document.

NB: Should all of these documents not be included; the Bidder will be disqualified on the basis of non-compliance.

YES NO

☐	☐	Invitation to Bid (Signed)
☐	☐	Terms and Conditions for Bidding (Signed)
☐	☐	Checklist of Compulsory Returnable Documents (Ticked)
☐	☐	SBD 2 Proof of Tax Compliance, and registration on Central Supplier Database (CSD Report)
☐	☐	SBD 3.2 Pricing Schedule – Fixed Prices
☐	☐	SBD 4 Declaration of Conflict of Interest - Signed
☐	☐	SBD 6.1 Preference points claim form in terms of the preferential procurement regulations 2022 and SANAS B-BBEE certificate / or certified affidavit
☐	☐	Annexure A: Bidders are required to include certified copies of all relevant CIPC registration documents. In the case of a closed corporation all members and percentages must be listed.
☐	☐	Annexure B: Bidders are required to submit certified copies of their latest Shareholder Agreements/Certificate – If Applicable
☐	☐	Annexure C: Bidders who submit Proposals as an unincorporated joint venture, consortium or other association of persons are required to submit a breakdown of how the fees and work will be split between the various people or entities which constitute the Bidder – If Applicable
☐	☐	Annexure D: DENEL LANDWARD Standard Terms and Conditions – Signed
☐	☐	Annexure E: Recent references and transactions the Bidder has handled as specified in the evaluation criteria – If Applicable
☐	☐	Annexure F: Company Organogram and proposed human resources for this specific project.
☐	☐	Annexure G: Details of Experience in partnering with companies owned and managed by Black People – If Applicable
☐	☐	Annexure H: 3 months bank statements preceding tender submission and letter from the bank confirming: B Bank rating for R1 million. C Bank rating for R1 million

PART C - SPECIFICATIONS, CONDITIONS OF PROPOSAL AND UNDERTAKINGS BY BIDDER

1 DEFINITIONS

In this Request for Bids, unless a contrary intention is apparent:

- 1.1 **All applicable taxes** include value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 1.2 **B-BBEE Act** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No 53 of 2003);
- 1.3 **B-BBEE** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act, 2003 (Act No 53 of 2003);
- 1.4 **B-BBEE status level** means the B-BBEE status received by a measured entity based on its overall performance used to claim points in terms of Regulation 6 and 7 of the Preferential Procurement Regulations, 2022;
- 1.5 **BBB-EE status level of contributor** means the BBB-EE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 1.6 **Bid** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 1.7 **Broad-Based Black Economic Empowerment Act** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 1.8 **Business Day** means a day which is not a Saturday, Sunday or public holiday;
- 1.9 **Companies Act** means the Companies Act, 2008 (Act No 71 of 2008);
- 1.10 **Comparative price** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 1.11 **Compulsory Documents** means the list of compulsory schedules and documents set out in Part B;
- 1.12 **Consortium or joint venture** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 1.13 **Contract** means the agreement that results from the acceptance of a bid by an organ of state;
- 1.14 **Denel Landward** means Denel Landward SOC Ltd, a state-owned company with registration number: 1992/001337/30) or any of its Divisions and Subsidiaries;
- 1.15 **EME** means any enterprise with an annual total revenue of R5 million or less.
- 1.16 **Evaluation Criteria** means the criteria set out under the Clause 2.1 of this Part C, which includes the Mandatory Criteria, Functional Criteria (Stage 1) and Price and Preferential Points (Stage 2) Assessment;
- 1.17 **Firm price** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 1.18 **Functional Criteria** means the criteria set out in clause 2.2 referring to the qualifying specification in accordance with the relevant standards. Refer to Part C of this document;
- 1.19 **Functionality** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;

- 1.20 **Includes or including** means includes or including without limitation;
- 1.21 **Intellectual Property Rights** means all rights, title and interests in and to any creation of the mind that is capable of being protected by statute or through common law including, but not limited to, Copyright, Designs, Know-how, Patents and Trademarks and any other ensuing Intellectual Property Rights and interests of a similar nature whether registerable or not;
- 1.22 **NKP** means an area declared as a National Key Point area in terms of the National Key Point Act, 1980 (Act No 102 of 1980) as amended;
- 1.23 **Person** includes a juristic person;
- 1.24 **PFMA** means the Public Finance Management Act, 1999 (Act No 1 of 1999), as amended;
- 1.25 **PPPFA Regulations** means the Preferential Procurement Regulations 2022, published in terms of the PPPFA;
- 1.26 **Price and Preferential Points Assessment** means the process described in Clause 2.3 of this document in Part C, as prescribed by the PPPFA.
- 1.27 **Rand or R** is a reference to the lawful currency of the Republic of South Africa;
- 1.28 **Rand value** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 1.29 **REQUEST FOR BID or RFB** means this document (comprising each of the parts identified under Part A, Part B, Part C and Part D) including all annexures and any other documents so designated by Denel Landward;
- 1.30 **SARS** means the South African Revenue Service;
- 1.31 **SLA** means Service Level Agreement that will be concluded between Denel Landward and successful Bidder;
- 1.32 **SOC** means State Owned Company, as defined by the Companies' Act;
- 1.33 **Specification** means specification or description of Denel Landward's requirements contained in this RFB;
- 1.34 **State** means the Republic of South Africa;
- 1.35 **Sub-Contract** means the primary contractor's assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 1.36 **Proposal** means a written offer in the prescribed or stipulated form lodged by a Bidder in response to an invitation in this REQUEST FOR BID (RFB), containing an offer to provide goods, works or services in accordance with the Specification as provided in this RFB ;
- 1.37 **Bidder** means a person or legal entity, or an unincorporated group of persons or legal entities that submit a Proposal;
- 1.38 **Bidding Process** means the process commenced by the issuing of this REQUEST FOR BID and concluding upon formal announcement by Denel Landward of the selection of a successful Bidder (s) or upon the earlier termination of the process;
- 1.39 **Total Revenue** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February 2007;
- 1.40 **Trust** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 1.41 **Trustee** means any 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.
- 1.42 **Website** means a website administered by Denel Landward under its name with web address www.DenelLandwardlandsystems.co.za;

Note: The term SLA and Contract are used interchangeably in this document.

2 BID OFFICE

DENEL LANDWARD– PROCUREMENT

NO QUERIES / QUESTIONS WILL BE ENTERTAINED TELEPHONICALLY. ALL QUERIES / QUESTIONS MUST BE EMAILED TO Tenders@dlsys.co.za

BID DOCUMENTS MAY BE UPDATED IN SOME INSTANCES ON ALL THE PORTALS/ON REQUEST BY THE TENDER ADMINISTRATOR BEFORE CLOSURE, SO BIDDERS MUST MAKE SURE ON A REGULAR BASIS THAT THEY ARE WORKING ON THE LATEST BID DOCUMENT. IN SOME CASES, CLOSING DATES MAY BE EXTENDED BEFORE THE CLOSING DATE. BIDDERS MUST MAKE SURE THAT THEY USE THE LATEST SCOPE OF WORK AND SPECIFICATIONS BEFORE PREPARING THEIR PROPOSAL.

No canvassing of any Denel Landward employee will be tolerated and that will result in an **immediate disqualification** of the Bidder.

3 SUBMISSION OF PROPOSALS

Note: Return address must be reflected at the back of the package containing the proposal. Note that Bid Documents and Price Proposal must be presented in two different envelopes, clearly marked.

Bidders are requested to initial each page of the proposal document on the bottom right-hand corner.

4 RULES GOVERNING THIS RFB AND THE BIDDING PROCESS

- 4.1 Participation in the proposal process is subject to compliance with the rules, terms and conditions contained in Part C of this RFB. All Bidders are deemed to accept the rules, terms and conditions contained in Part C of this RFB.
- 4.2 All persons (irrespective of whether they are participants in this proposal process) who obtained or received this RFB may only use it, and the information contained herein, in compliance with the rules, terms and conditions contained in this RFB.
- 4.3 The rules, terms and conditions contained in this RFB apply to:
 - 4.3.1 The RFB and any other information given, received, or made available about this RFB, and any revisions or annexures;
 - 4.3.2 The Bidding Process; and
 - 4.3.3 Any communications (including any briefings, presentations, meetings, and negotiations) relating to the RFB or the Bidding Process.

5 STATUS OF REQUEST FOR BID

This RFB is an invitation for person(s) to submit a Proposal(s) for the provision of the services as set out in the Specification contained in Part D of this RFB. Accordingly, this RFB must not be construed, interpreted, or relied upon, whether expressly or implicitly, as an offer capable of acceptance by any person(s), or as creating any form of contractual, promissory, or other rights. No binding contract or other understanding for the supply of products/services will exist between Denel Landward and any Bidder unless and until Denel Landward has executed a formal written contract with the successful Bidder.

6 ACCURACY OF THE RFB

- 6.1 Whilst all due care has been taken in connection with the preparation of this RFB, Denel Landward makes no representations or warranties that the content in this RFB or any information communicated to or provided to Bidders during the Bidding Process is, or will be, accurate, current or complete. Denel Landward, and its officers, employees and advisors will not be liable with respect to any information communicated which is not accurate, current or complete.

- 6.2 If a Bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFB or any other information provided by Denel Landward (other than minor clerical matters), the Bidder must promptly notify Denel Landward in writing of such discrepancy, ambiguity, error or inconsistency in order to afford Denel Landward an opportunity to consider what corrective action is necessary (if any).
- 6.3 Any actual discrepancy, ambiguity, error or inconsistency in this RFB or any other information provided by Denel Landward will, if possible, be corrected and provided to all Bidders without attribution to the Bidder who provided the written notice.

7 ADDITIONS AND AMENDMENTS TO THE RFB

- 7.1 Denel Landward reserves the right to change any information in, or to issue any addendum to this RFB before the Closing Date and Time. Denel Landward and its officers, employees and advisors will not be liable in connection with either the exercise of, or failure to exercise this right.
- 7.2 If Denel Landward exercises its right to change information in terms of Clause 7.1, it may seek amended Proposals from all Bidders.

8 REPRESENTATIONS

No representations made by or on behalf of Denel Landward in relation to this RFB will be binding on Denel Landward unless that representation is expressly incorporated into the contract ultimately entered between Denel Landward and the successful Bidder.

9 CONFIDENTIALITY

All persons (including all Bidders) obtaining or receiving this RFB and any other information about this RFB or the Bidding Process must keep the contents of the RFB and other such information confidential, and not disclose or use the information except as required for the purpose of developing a Proposal in response to this RFB.

10 UNAUTHORISED COMMUNICATIONS

- 10.1 Communication (including promotional or advertising activities) with staff of Denel Landward or staff assisting with the Bidding Process is not permitted during the Bidding Process. Nothing in this Clause 11 is intended to prevent communications with staff of, or advisors to, Denel Landward to the extent that such communication is not related to this RFB or the Bidding Process.
- 10.2 Bidders must not otherwise engage in any activities that may be perceived as, or that may have the effect of, influencing the outcomes of the Bidding Process in any way.

11 IMPROPER ASSISTANCE, FRAUD AND CORRUPTION

- 11.1 Bidders may not seek or obtain the assistance of employees of Denel Landward in the preparation of their proposal responses.
- 11.2 Denel Landward may in its absolute discretion, immediately disqualify a Bidder that it believes has sought or obtained such improper assistance.
- 11.3 Bidders are to be familiar with the implications of contravening the Prevention and Combating of Corrupt Activities Act, 2004 and any other relevant legislation.
- 11.4 Any improper communication, canvassing, or engagement with any Denel Landward people/person/representative will result in immediate disqualification from the RFB process.

12 ANTI-COMPETITIVE CONDUCT

- 12.1 Bidders and their respective officers, employees, agents, and advisors must not engage in any collusion, anti-competitive conduct or any other similar conduct with any other Bidder or any other person(s) in respect of this Bidding Process, including during the:
- a. Preparation or lodgment of their proposal;
 - b. Evaluation and clarification of their proposal; and
 - c. Negotiations with Denel Landward.

- 12.2 For the purposes of this Clause 13, collusion, anti-competitive conduct or any other similar conduct may include disclosure, exchange, and clarification of information whether such information is confidential to Denel Landward or any other Bidder or any other person or organisation.
- 12.3 In addition to any other remedies available to it under law or contract, Denel Landward may, in its absolute discretion, immediately disqualify a Bidder that it believes has engaged in any collusive, anti-competitive conduct or any other similar conduct during or before the Bidding Process.

13 COMPLAINTS ABOUT THE BIDDING PROCESS

- 13.1 Any complaint about the RFB or the Bidding Process must be submitted to the Proposal Office via the Proposal Response email address, by email only, immediately upon the cause of the complaint arising or becoming known to the Bidder.
- 13.2 The written complaint must set out:
- 13.2.1 The basis for the complaint, specifying the issues involved;
- 13.2.2 How the subject of the complaint affects the organisation or person making the complaint;
- 13.2.3 Any relevant background information; and
- 13.2.4 The outcome desired by the person or organisation making the complaint.
- 13.3 If the matter relates to the conduct of an employee of Denel Landward, the complaint should be addressed in writing marked for the attention of the Chief Executive Officer of Denel Landward, and delivered to the physical address of Denel Landward, as notified.

14 CONFLICT OF INTEREST

- 14.1 A Bidder must ensure that its officers, employees, agents and advisors do not place themselves in a position that may give rise to actual, potential or perceived conflict of interest between the interests of Denel Landward and the Bidder 's interests during the Proposal Process.
- 14.2 The Bidder is required to provide details of any interests, relationships or clients which may or do give rise to a conflict of interest in relation to the supply of the products/services under any contract that may result from this RFB. If the Bidders submits its Proposal and a subsequent conflict of interest arises, or is likely to arise, which was not disclosed in the Proposal, the Bidder must notify Denel Landward immediately in writing of that conflict.
- 14.3 Denel Landward may immediately disqualify a Bidder from the Bidding Process if the Bidder fails to notify Denel Landward of the conflict of interest as required.

15 LATE PROPOSALS

- 15.1 Proposals must be delivered by the Closing Date and Time. The Closing date and time may be extended by Denel Landward in its absolute discretion by providing written notice.
- 15.2 Proposals delivered after the Closing date and Time or lodged at a location or in a manner that is contrary to that specified in this RFB will be disqualified from the Bidding Process and will be ineligible for consideration.
No Late Proposals will be accepted.
- 15.3 The determination by Denel Landward as to the actual date and time that a Proposal is submitted is final.

16 BIDDER 'S RESPONSIBILITIES

- 16.1 Bidders are responsible for:
- 16.1.1 Examining this RFB and any documents referenced or attached to this RFB and any other information made or to be made available by Denel Landward to Bidders in connection with this RFB;
- 16.1.2 Fully informing themselves in relation to all matters arising from this RFB, including all matters regarding Denel Landward's requirements for the provision of the Services;

- 16.1.3 Ensuring that their Proposals are accurate and complete;
- 16.1.4 Making their own enquiries and assessing all risks regarding this RFB, and fully considering and incorporating the impact of any known and unknown risks into their Proposal;
- 16.1.5 ensuring that they comply with all applicable laws with regards to the Bidding Process particularly as specified by National Treasury Regulations, Guidelines, Instruction Notes and Practice Notes and other relevant legislation as published from time to time in the Government Gazette; and
- 16.1.6 Submitting all Compulsory Documents.
- 16.2 Bidders with annual total revenue of R10 million or less qualify as Exempted Micro Enterprises (EMEs) in terms of the B-BBEE Act and must submit a certificate issued by a registered, independent auditor (who is not the Bidder or a partner to the Bidder) or an accredited verification agency.
- 16.3 Bidders other than Exempted Micro-Enterprises (EMEs) must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE status. The submission of such certificates must comply with the requirements of instructions and guidelines issued by National Treasury and must be in accordance with the applicable notices published by the Department of Trade and Industry in the Government Gazette.

17 PREPARATION OF PROPOSALS

- 17.1 Bidders must ensure that:
 - 17.1.1 Their Proposal is submitted in the required format as stipulated in this RFB; and
 - 17.1.2 All the required information fields in the Proposal are completed in full and contain the information requested by Denel Landward.
- 17.2 Denel Landward may in its absolute discretion reject a Proposal that does not include the information requested or if is not in the format required.
- 17.3 Unnecessarily elaborate responses or other representations beyond that which is sufficient to present a complete and effective Proposal is not desired or required. Elaborate and expensive visual and other presentation aids are not necessary.
- 17.4 Where the Bidder is unwilling to accept a specified condition, the non-acceptance must be clearly and expressly stated. Prominence must be given to the statement detailing the non-acceptance. It is not sufficient that the statement appears only as part of an attachment to the Proposal or be included in the general statement of the Bidder's usual operating conditions.
- 17.5 An incomplete Proposal may be disqualified or assessed solely on the information completed or received with the Proposal.

18 ILLEGIBLE CONTENT, ALTERATION AND ERASURES

- 18.1 Denel Landward may disregard any content in a Proposal that is illegible and will be under no obligation whatsoever to seek clarification from the Bidder.
- 18.2 Denel Landward may permit a Bidder to correct an unintentional error in its Proposal where that error becomes known or apparent after the closing time, but in no event, will any correction be permitted if Denel Landward reasonably considers that correction would materially alter the substance of the Proposal or affect the fairness of the bidding process.

19 OBLIGATION TO NOTIFY ERRORS

If, after a Bidder's Response has been submitted, the Bidder becomes aware of an error in its Response (including an error in pricing, but excluding clerical errors which would have no bearing on the evaluation of the Proposal), the Bidder must promptly notify Denel Landward of such error before closing date and time of the proposal.

20 RESPONSIBILITY FOR BIDDING COSTS

- 20.1 The Bidders participation or involvement in any stage of the Bidding Process is at the Bidders sole risk, cost and expense. Denel Landward will not be held responsible for, or pay for, any expense or loss that may be incurred by Bidders in relation to the preparation or lodgment of their Proposal.
- 20.2 Denel Landward is not liable to the Bidder for any costs based on any contractual, promissory or restitution grounds whatsoever as a consequence of any matter relating to the Bidder's participation in the Bidding Process, including without limitation, instances where:
- 20.2.1 The Bidder is not engaged to perform under any contract; or
- 20.2.2 Denel Landward exercises any right under this RFB or at law.

21 DISCLOSURE OF PROPOSAL CONTENTS AND PROPOSAL INFORMATION

- 21.1 All Proposals received by Denel Landward will be treated as confidential. Denel Landward will not disclose contents of any Proposal and Proposal information, except:
- 21.1.1 As required by law;
- 21.1.2 For the purpose of investigations by other government authorities having relevant jurisdiction;
- 21.1.3 To external consultants and advisors of Denel Landward engaged to assist with the Bidding Process; or for the general information of Bidders required to be disclosed as per National Treasury Regulations, Guidelines, Instruction Notes or Practice Notes.

22 USE OF PROPOSALS

- 22.1 Upon submission in accordance with the requirements relating to the submission of Proposals, all Proposals submitted become the property of Denel Landward. Bidders will retain all ownership rights in any intellectual property contained in the Proposals.
- 22.2 Each Bidder, by submission of their Proposal, is deemed to have licensed Denel Landward to reproduce the whole, or any portion, of their Proposal for the sole purposes of enabling Denel Landward to evaluate the Proposal.

23 PROPOSAL ACCEPTANCE

All Proposals received must remain open for acceptance for a minimum period of 180 (One hundred and eighty) days from the Closing Time. This period may be extended by written mutual agreement between Denel Landward and the Bidder.

24 CHANGES TO PRICE PROPOSALS

Changes by the Bidders to submitted Proposals will not be considered after the closing date and time.

25 BROAD-BASED BLACK ECONOMIC EMPOWERMENT AND SOCIO-ECONOMIC OBLIGATIONS

- 25.1 As explained in more detail in the BBBEE Preference Points Claim Form and as prescribed in terms of the Preferential Procurement Policy Framework Act, 2000 (PPPFA), (Act No 5 of 2000) and its Regulations, Bidders are to note that Denel Landward will award preference points to companies who provide valid proof of their B-BBEE status using either the latest version of the generic Codes of Good Practice or Sector Specific Codes (if applicable).
- 25.2 Denel Landward shall use the lowest acceptable Proposal to determine the applicable preference point system that is either 90/10- or 80/20-point system as per the PPPFA Regulations.
- 25.3 Bidders are required to complete the B-BBEE Preference Point Claim Form and submit it together with valid proof of their B-BBEE Status as stipulated in the Claim Form in order to obtain preference points for their B-BBEE status.

- 25.4 Bidders are always required to comply with the latest B-BBEE legislation and/or instruction notes as issued from time to time by the Department of Trade and Industry.

Note: Failure to submit a valid and original or a certified copy of the Bidder's B-BBEE certificate as stipulated in this document (the B-BBEE Preference Points Claim Form) at the Closing Date and Time of this RFB, will result in a score of zero being allocated for B-BBEE.

26 B-BBEE JOINT VENTURES OR CONSORTIUMS

- 26.1 Bidders who wish to respond to this RFB as a Joint Venture [JV] or consortium with other entities, must state their intention to do so in their RFB submission.
- 26.2 Such Bidders must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If such a JV or consortium agreement is unavailable, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by Denel Landward through this RFB process.
- 26.3 This written confirmation must clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to Denel Landward.
- 26.4 Bidders are to note the requirements for B-BBEE compliance of JVs or consortiums as required in the B-BBEE Preference Point Claim Form and submit it together with proof of their B-BBEE Status as stipulated in the Claim Form in order to obtain preference points for their B-BBEE status.

Note: Failure to submit a valid and original B-BBEE certificate for the JV or a certified copy thereof at the Closing Date and Time of this RFB, will result in a score of zero being allocated for B-BBEE.

27 NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE

Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. Denel Landward is required to ensure that price proposals are invited and accepted from prospective Bidders listed on the CSD. A Proposal may not be awarded to a Bidder who has failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD. The CSD can be accessed at <https://secure.csd.gov.za/>. Respondents are required to provide the following to Denel Landward in order to enable it to verify information on the CSD:

28 TAX COMPLIANCE

- 28.1 A Bidder must be compliant when submitting a proposal to Denel Landward and remain compliant for the entire contract term with all applicable tax legislation, including but not limited to the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).
- 28.2 It is a condition of this RFB that the tax matters of the successful Bidder are in order, or that satisfactory arrangements have been made with the South African Revenue Service (SARS) to meet the Bidder's tax obligations.
- 28.3 Bidders are required to be registered on the Central Supplier Database and the National Treasury shall verify the Bidder's tax compliance status through the Central Supplier Database.
- 28.4 It is a requirement that a Bidder grant a written confirmation when submitting a Proposal that SARS may on an on-going basis during the tenure of the contract disclose the Bidder's tax compliance status and by submitting this Proposal such confirmation is deemed to have been granted.
- 28.5 Where Consortia / Joint Ventures / Sub-contractors are involved; each party must be registered on the Central Supplier Database and their tax compliance status will be verified through the Central Supplier Database.

29 STATUS OF PROPOSAL

- 29.1 Each Proposal constitutes an irrevocable offer by the Bidder to Denel Landward to provide the Products/Services required and otherwise to satisfy the requirements of the Specification as set out in this RFB.

- 29.2 A Proposal must not be conditional on:
- a. the Board approval of the Proposal or any related governing body of the Bidder being obtained;
 - b. the Bidder conducting due diligence or any other form of enquiry or investigation on Denel Landward;
 - c. the Bidder (or any other party) obtaining any regulatory approval or consent;
 - d. the Bidder obtaining the consent or approval of any third party; or
 - e. The Bidder stating that it wishes to discuss or negotiate any commercial terms of the contract.
- 29.3 Denel Landward may, in its absolute discretion, disregard any proposal that is, or is stated to be, subject to any one or more of the conditions detailed above (or any other relevant conditions).
- 29.4 Denel Landward reserves the right to accept a Proposal in part or in whole or to negotiate with a Bidder in accordance with the provisions of this RFB and the applicable laws and regulations.

30 CLARIFICATION OF PROPOSALS

- 30.1 Denel Landward may seek clarification from and enter discussions with any or all of the Bidders in relation to their Proposal. Denel Landward may use the information obtained when clarification is sought, or discussions are held in interpreting the Proposal and evaluating the cost and risk of accepting the Proposal. Failure to supply clarification to the satisfaction of Denel Landward may render the Proposal liable to disqualification.
- 30.2 Denel Landward is under no obligation to seek clarification of anything in a Proposal and reserves the right to disregard any clarification that Denel Landward considers to be unsolicited or otherwise impermissible or irrelevant in accordance with the rules set out in this RFB.

31 SUCCESSFUL PROPOSALS

- 31.1 Selection as a successful Bidder does not give rise to a contract (express or implied) between the successful Bidder and Denel Landward for the supply of Products / Services until such time that Denel Landward and the successful Bidder conclude the SLA.
- 31.2 The Bidder is bound by its Proposal and all other documents forming part of its Response, and Denel Landward will not entertain any material deviation from the original offer.

32 NO OBLIGATION TO ENTER INTO CONTRACT

Denel Landward is under no obligation to appoint a successful Bidder (s) (as the case may be), or to enter into a contract and/or SLA with a successful Bidder or any other person, if it is unable to identify a Proposal that complies in all relevant respects with the requirements of Denel Landward, or if due to changed circumstances, there is no longer a need for the Services requested, or if funds are no longer available to cover the total envisaged expenditure. For the avoidance of any doubt, in these circumstances Denel Landward will be free to proceed via any alternative process.

33 BIDDER WARRANTIES

- 33.1 By submitting a Proposal, a Bidder warrants that:
- 33.1.1 It did not rely on any express or implied statement, warranty or representation, whether oral, written, or otherwise made by or on behalf of Denel Landward, its officers, employees, or advisers other than any statement, warranty or representation expressly contained in the RFB;
 - 33.1.2 It did not use the improper assistance of Denel Landward's employees or information unlawfully obtained from them in compiling its Proposal;
 - 33.1.3 It is responsible for all costs and expenses related to the preparation and submission of its Proposal, and any future process connected with or relating to the Bidding Process;
 - 33.1.4 It accepts and will comply with the terms set out in this RFB; and
 - 33.1.5 It will provide additional information in a timely manner as requested by Denel Landward to clarify any matters

contained in the Proposal.

34 DENEL LANDWARD's RIGHTS

- 34.1 Notwithstanding anything else in this RFB, and without limiting its rights at law or otherwise, Denel Landward reserves the right, in its absolute discretion at any time, to:
 - 34.1.1 Cease to proceed with, or suspend the Bidding Process prior to the execution of a formal written contract and/or SLA;
 - 34.1.2 Alter the structure and/or the timing of this RFB or the Bidding Process;
 - 34.1.3 Amend any proposal condition, proposal validity period, RFB specifications or extend the proposal closing date, all before the proposal closing date;
 - 34.1.4 Terminate the participation of any Bidder or any other person in the Bidding Process;
 - 34.1.5 Request additional relevant information, agreements and other documents to verify information provided in the proposal response or request clarification from any Bidder or any other person;
 - 34.1.6 Provide additional information or clarification;
 - 34.1.7 Negotiate with any one or more Bidder's;
 - 34.1.8 Call for new Proposals;
 - 34.1.9 Reject any Proposal that does not comply with the requirements of this RFB;
 - 34.1.10 Disregard the lowest priced proposal or any proposal in part or in whole;
 - 34.1.11 Categorise the proposals into different areas of expertise;
 - 34.1.12 Conduct site visits at the Bidders Offices or at Client's Site or office if so required;
 - 34.1.13 Consider the guidelines and prescribed hourly remuneration rates for consultants as provided for in DPSA guideline for Consultants of 1 July 2020 in conjunction with the National Treasury Instruction No 1 of 2024/25: Cost Containment Measures, where relevant.

35 GOVERNING LAWS

- 35.1 This RFB and the Bidding Process are governed by the laws of the Republic of South Africa.
- 35.2 All Proposals must be completed using the English language, and
- 35.3 All costing must be in South African Rand.

36 DENEL LANDWARD PROCUREMENT PHILOSOPHY

It is the policy of Denel SOC (Pty) Ltd, when purchasing products, services and works, to follow a course of optimum value and efficiency by adopting best purchasing practices in Supply Chain Management, ensuring where possible that open and fair competition has prevailed, with due regard to the importance of:

- 36.1 The PFMA and the PPPFA;
- 36.2 Preferential procurement regulations 2022;
- 36.3 Relevant legislation; and

Note: This tender will be evaluated in accordance to BBB-EE contribution levels as depicted in paragraph 5, subsection 5.2 table.

PART D - STATEMENT OF WORK (SOW)

The Statement of Work and supporting engineering documents is attached to this bid as Annexures:

- GV6 Packing list
- Bill of Materials
- Denel SCO LTD Standard Terms and Conditions of Procurement

**SBD 2 - PROOF OF TAX COMPLIANCE, AND REGISTRATION ON CENTRAL SUPPLIER
DATABASE (CSD REPORT)**

Printed CSD Report to be attached as **Annexure B**
NOT APPLICABLE TO FOREIGN BIDDERS

PRICE BID

Bidders must complete the table for the Schedule of Rates below and submitted as a pricing proposal. Failure to submit this document **will result in the Bidder's submission being disqualified.**

1 CURRENCY

All prices must be quoted in South African Rand on a firm price basis, with all applicable taxes included.

2 PRICES SUBJECT TO CONFIRMATION

Prices quoted which are subject to confirmation will not be considered.

3 BINDING OFFER

Any proposal furnished pursuant to this RFB shall be deemed to be an offer. Any exceptions to this statement must be clearly and specifically indicated.

4 DISCLAIMERS

Bidders are hereby advised that Denel Landward is not committed to any course of action as a result of its issuance of this RFB and/or its receipt of Proposals. Please note that Denel Landward reserves the right to:

- 4.1 Modify the RFB's requirements and request Bidders to re-propose on any changes;
- 4.2 Reject any Proposal which does not conform to instructions and specifications which are detailed herein;
- 4.3 Not necessarily accept the lowest priced Proposal, highest score Proposal or an alternative Proposal;
- 4.4 Reject all Proposals/Proposals, if it so decides;
- 4.5 Award only a portion of the proposed product(s)/service(s) which are reflected in the scope of this RFB;
- 4.6 Split the award between more than one enterprise/organisation should it at Denel Landward's discretion be more advantageous in terms of, amongst others, cost or developmental considerations; or make no award at all;
- 4.7 Validate any information submitted by Bidders in response to this Proposal. This would include, but is not limited to, requesting the Bidders to provide supporting evidence. By submitting a proposal, Bidders hereby irrevocably grant the necessary consent to Denel Landward to do so;
- 4.8 Request audited financial statements or other documentation for the purposes of a due diligence exercise;
- 4.9 Award the Proposal to the next highest ranked Bidder, should the preferred Bidder fail to sign or commence with the contract within a reasonable period after being requested to do so, provided that the preferred Bidder is still prepared to provide the required goods at the quoted price. Under such circumstances, the validity of the proposals of the next ranked Bidder (s) will be deemed to remain valid, irrespective of whether the next ranked Bidder (s) were issued with a Letter of Regret. Bidders may therefore be requested to advise whether they would still be prepared to provide the required goods at their quoted price, even after they have been issued with a Letter of Regret;
- 4.10 Cancel the contract and/or place the Bidder on Denel Landward's list of Restricted Suppliers, should a contract be awarded on the strength of information furnished by the Bidder, which after award of the contract, is proven to have been incorrect;
- 4.11 Award Proposal to the highest scoring Bidder (s) unless objective criteria justify the award to another Bidder.

Note: Denel Landward will not reimburse any bidder for any preparatory costs or other work performed in connection with its Proposal, whether the Bidder is awarded a contract.

5 PAYMENT TERMS

The service provider shall note and accept Denel Landward's payment terms as stipulated in the SLA and/or contract.

6 SCHEDULE OF RATES/PRICE

As applicable

SBD 3.2 - PRICING SCHEDULE – FIXED PRICES

NOTE: Only fixed prices will be accepted. Firm prices (including prices subject to rates of exchange variations) will not be considered.
In cases where different delivery points influence the pricing, a separate pricing schedule must be submitted for each delivery point.

Name of Bidder	
Bid Number	
Closing Time	
Closing Date	

OFFER TO BE VALID FOR **180 DAYS** FROM THE CLOSING DATE OF BID.

FIXED PRICES CANNOT BE LINKED TO SEIFSA ESCALATION FORMULAS (ALL PRICES MUST BE FIXED FOR THE DURATION OF THE CONTRACT).

Note:

All delivery costs must be **INCLUDED** in the bid price, for delivery at the prescribed destination.

Except for basic prices, where required, **ALL PRICES SHALL BE QUOTED IN SOUTH AFRICAN CURRENCY.**

The bid prices shall be given in the units shown.

ITEM NO	PART NO	DESCRIPTION	QUANTITY	UNIT PRICE INCLUDING VAT	TOTAL PRICE INCLUDING VAT	LEAD TIMES
1	428077145000 02	12 MONTHLY SERVICE KIT (GV6 MK1)	30			
2						
3						
4						
5						

6						
7						
8						
9						
10						

IMPORTANT NOTICE: PLEASE ENSURE THAT THE PRICES QUOTED FOR IS ACCORDING TO THE STATEMENT OF WORK AND LEAD TIMES MUST BE INDICATED. IF QUOTED INCORRECTLY THE BID WILL BE DISQUALIFIED. BIDDERS ARE REQUESTED A FORMAL PROPOSAL ON COMPANY LETTER HEAD.

Does the offer comply with the specification(s)? *

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

If not to specification, indicate deviation(s)

--

Period required for delivery	
------------------------------	--

* Delivery: Fixed/Firm

Delivery Basis	
----------------	--

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

* Delete if not applicable

SBD 4 - DECLARATION OF CONFLICT OF INTEREST**BIDDER'S DISCLOSURE****1. PURPOSE OF THE FORM**

1.1 Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa, 1996 (Constitution), and further expressed in the various applicable legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

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

2. DECLARATION ON EMPLOYMENT BY ORGAN OF STATE

2.1 Is the bidder, or any of the directors / trustees / shareholders / members / partners of the bidder employed by an organ of state, as defined in section 239 of the Constitution?

YES/NO

2.2 If YES, furnish particulars of the names, individual identity numbers, in the table below:

FULL NAME	IDENTITY NUMBER	NAME OF ORGAN OF STATE

2.3 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

YES/NO

2.3.1 If so, furnish particulars:

.....

- 2.4 Does the bidder or any of its directors/trustees/shareholders members/partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise, whether or not they are bidding for this contract?

YES/NO

- 2.4.1 If so, indicate all companies registered in the CSD in the table below:

SUPPLIER REGISTRATION NUMBER (MAAA)	STATUS (ACTIVE/INACTIVE/DELETED)

Failure to disclose all CSD-registered active companies linked to all Directors will lead to disqualification.

3. GENERAL DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure.
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found to be false.
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act, 1998 (Act No. 89 of 1998) and or may



be referred to law enforcement agencies for criminal investigation and or may be restricted from conducting business with the state for a period not exceeding 10 years in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) or any other applicable legislation.

I CERTIFY THAT THE ABOVE IS CORRECT.

I ACCEPT THAT THE PROCURING INSTITUTION MAY REJECT THE BID OR TAKE APPROPRIATE ACTION AGAINST ME IF THIS DECLARATION IS FALSE.

.....
Signature

.....
Date

.....
Designation

.....
Name of Bidder

SBD 6.1 - PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1 GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- a) Price; and
- b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that

preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2 DEFINITIONS

- a) “tender” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- b) “price” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- c) “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- d) “tender for income-generating contracts” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- e) “the Act” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1 POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20	or	90/10	
$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$	or	$Ps = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$	

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

3.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1 POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \quad \text{or} \quad P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = Price of highest acceptable tender

4 POINTS AWARDED FOR SPECIFIC GOALS

- 4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

5 DECLARATION WITH REGARD TO COMPANY/FIRM

5.1 Name of company/firm:

5.2 Company registration number:

5.3 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

5.4 I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - a) disqualify the person from the tendering process;
 - b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

..... SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:	
DATE:	
ADDRESS:	

5.5 FIRST STAGE – FUNCTIONAL EVALUATION

5.5.1 Bidders are evaluated based on the functional criteria set out in this RFB. Only those Bidders which score seventy (70) points or higher (out of a possible 100) during the functional evaluation will be evaluated during the second stage of the Proposal.

5.5.2 The Functional Evaluation that will be used to assess the capability and capacity of the Bidders will be as follows:

Guideline for rating between 1-5

Rating	Measurement
1	Do not meet the requirement
2	Minimally Meet the requirement
3	Partially Meet the requirement
4	Substantially Meet the requirement and beyond
5	Fully Meet the requirement and exceed expectations



DLS 07-01-01-26-27- BSC Criterion - Yearly Service Kit, GV6 MK1							
	Requirement	Explanation	Weight	Max Score	BIDDER		
					Raw Score	Score	Comments
1	COMPLIANCE TO YEARLY SERVICE KITS BOM						
	Did the Bidder acknowledge the items on the service kit BOM	5 Points—Fully Complies The Bidder has acknowledged all items on the service kit BOM and provided clear evidence of understanding and capability 4 Points—Substantially Complies The Bidder has acknowledged most items on the service kit BOM, with minor omissions or unclear areas, but overall demonstrates capability 3 Points-Partially Complies The Bidder has acknowledged some items on the service kit BOM, with significant omissions or ambiguities that may affect performance 2 Points-Minimally Complies The Bidder has acknowledged few items on the service kit BOM, with major omissions or unclear commitments; limited confidence in ability to deliver 1 Point-Does Not Comply The Bidder has not acknowledged or addressed items on the service kit BOM; no confidence in ability to meet requirements	30%	5		0%	



2	CAPACITY						
	Demonstration of appropriate resources to execute the requirements as per the service kit BOM.	5 Points—Fully Complies Supplier provides a comprehensive list of critical resources directly aligned with the service kit BOM with full major details of capability to execute the project. 4 Points—Substantially Complies Supplier provides a list of critical resources aligned with the service kit BOM. Minor gaps exist in detail but overall capability to execute is demonstrated 3 Points—Partially Complies Supplier provides a limited list of critical resources, with some alignment to the service kit BOM. Moderate key details is missing concerns about full capability 2 Points—Minimally Complies Supplier provides only a high-level or generic list of resources with little evidence of direct alignment to the service kit BOM. Lack relevance to critical roles 1 Point—Does Not Comply Supplier fails to provide a list of critical resources and does not provide evidence of capacity to fulfil the requirement	30%	5		0%	
3	SUPPLY AND DELIVERY SCHEDULE						

	Bidders shall be in position to supply and deliver quality products on time to the relevant delivery points and must provide a project plan indicating the project schedule. (Comply with the service kit BOM).	5 Points–Fully Complies Project plan is detailed, realistic, and fully aligned with the time scale for supply and delivery of the service kits. 4 Points–Substantially Complies Project plan aligns with the time scale for supply and delivery of the service kits but with minor details provided. 3 Points-Partially Complies Project plan provided but lacks significant details. 2 Points-Minimally Complies Project plan is vague with little evidence of alignment to the time scale of supply and delivery of the service kits. 1 Point-Does Not Comply No project plan provided and does not align with the time scale and requirement.	40%	5		0%	
Minimum 70% threshold on the above technical requirements MUST BE MET in order to move to the next level of evaluation			100%			0%	

5.6 SECOND STAGE – PRICE AND PREFERENTIAL POINTS ASSESSMENT

5.6.1 After the evaluation of Mandatory Criteria and Functional criteria, the second stage of evaluation of the Proposals will be in respect of price and B-BBEE status only. Points will be allocated to Bidders at this stage of the evaluation in accordance with the PPPFA Regulations, as follows:

- **Price points 80**
- **B-BBEE 20**

NB: The 80/20 formula applies to proposals with a Rand value equal to or above R50 000 and up to a Rand value of R50 million inclusive of all applicable taxes and 90/10 formula applies to proposals with a Rand value above R50 million inclusive of all applicable taxes.

5.6.2 The successful Bidder will typically be the Bidder that scores the highest number of points in the second stage of the Proposal evaluation. However, DENEL LANDWARD may exercise its right to cancel the RFB or may award the proposal to a company that did not obtain the highest score.

Note: Denel Landward reserves the right to demand an Action Plan that addresses shortcomings in the successful Bidder's transformation status.

5.6.3 Price points

The following formula will be used to calculate the points for price:

$Ps = 80 (1 - (Pt - Pmin) / Pmin)$ or $Ps = 90 (1 - (Pt - Pmin) / Pmin)$ Where:

Ps = Points scored for comparative price of proposal or offer under consideration; Pt = Comparative price of proposal or offer under consideration; and

Pmin = Comparative price of lowest acceptable proposal or offer.

5.6.4 Preferential Procurement Points

A maximum of 20 or 10 points may be awarded in respect of preferential procurement, which points must be awarded to a bidder for attaining their B-BBEE Status Level in accordance with the table 5.1 below:

A consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate Proposal.

5.6.5 Total

The total points scored by each Bidder will be calculated by adding the points scored for price (out of 80 or 90) to the points scored for B-BBEE level (out of 20 or 10) respectively.

The recommended Bidder will be the Bidder who has the highest total points (out of 100) for both price and preferential procurement (unless there is a basis for selecting a different successful Bidder in accordance with section 2(1) (f) of the PPPFA, 2022).

5.7 Failure on the part of a bidder to submit BBB-EE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS), B-BBEE Affidavit, or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for BBB-EE status level of contribution are not claimed.

5.8 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

5.9 If the price offered by a Bidder scoring the highest points is above the project budget or is not market related the Buyer may:

- a. Negotiate a market related price with the Bidder scoring the highest points or cancel the proposal;
- b. If the bidder does not agree to the market-related price, negotiate a market related price with the Bidder scoring the second highest points or **cancel the proposal**;
- c. If the Bidder scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the Bidder scoring the third highest points or **cancel the proposal**.

6 ADJUDICATION USING A POINT SYSTEM

6.1 The bidder obtaining the highest number of total points will be awarded the contract.

6.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;

6.3 Points scored must be rounded off to the nearest 2 decimal places.

6.4 If two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.

6.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.

6.6 Should two or more bids be equal in all respects; the award shall be decided by the drawing of lots.

7 POINTS AWARDED FOR PRICE

7.1 The 80/20 Or 90/10 Preference Point Systems

A maximum of 80 or 90 points is allocated for price on the following basis:

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

$P_{\min}$ = Comparative price of lowest acceptable bid

8 POINTS AWARDED FOR BBB-EE STATUS LEVEL OF CONTRIBUTION

8.1 The 10 and 20 points shall be allocated to "specific goals" i.e. specific goals as contemplated in section 2(1)(d) of the PPPF Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994.

8.2 "tender" means a written offer in the form determined by an organ of state In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the BBB-EE status level of contribution in accordance with the table below:

BBB-EE STATUS LEVEL OF CONTRIBUTOR	Specific Goals (90/10 SYSTEM)	Specific Goals (80/20 SYSTEM)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

8.3 Bidders who qualify as EMEs in terms of the BBB-EE Act must submit a B-BBEE affidavit.

8.4 A trust, consortium or joint venture, will qualify for specific goals allocation for their BBB-EE status level as a legal entity, provided that the entity submits their BBB-EE status level certificate.

- 8.5 A trust, consortium or joint venture will qualify for points for their BBB-EE status level as an unincorporated entity, provided that the entity submits their consolidated BBB-EE scorecard as if they were a group structure and that such a consolidated BBB-EE scorecard is prepared for every separate bid.
- 8.6 Tertiary institutions and public entities will be required to submit their BBB-EE status level certificates in terms of the specialized scorecard contained in the BBB-EE Codes of Good Practice.
- 8.7 A person will not be awarded points for BBB-EE 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 specific goals 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.
- 8.8 A person 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 BBB-EE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract. In the event of subcontracting, the sub-contractor must be CSD and tax compliant. The description of the sub-contracted portion must be communicated to Denel Landward as well as the name of the subcontractor.

9 BID DECLARATION

- 9.1 Bidders who claim specific goal must submit the following:
- 9.1.1 Proof of BBB-EE status level of contribution claimed in terms of paragraphs 1.4 and 5.1
- 9.1.2 BBB-EE Status Level of Contribution: _____ (maximum of 10 or 20 points)
- 9.1.3 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a BBB-EE certificate/Affidavit)

10 DECLARATION WITH REGARD TO COMPANY/FIRM

- 10.1 Name of company/firm:

- 10.2 VAT registration number:

- 10.3 Company registration number:

- 10.4 Type of Company/ Firm **[Tick applicable box]**

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Company

(Pty) Limited

☐
☐
☐
☐
☐

- 10.5 Describe Principal Business Activities

10.6 Company Classification **[Tick applicable box]**

Manufacturer

Supplier

Professional service provider

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

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

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10.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

10.8.1 The information furnished is true and correct;

10.8.2 The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.

10.8.3 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 the purchaser that the claims are correct;

10.8.4 If the BBB-EE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have:

- a. disqualify the person from the bidding process;
- b. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- c. cancel the contract and claim any damages which it has suffered as a result of having to make less favorable 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 forward the matter for criminal prosecution.

Signature(s) of Bidder(s)

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Date:

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Address:

Witnesses:

1.
2.

Date:

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