



**National HQ /
 Logistical Support Branch
 Purchases and Sales Dept.
 Purchases Division**
 Telephone: 08-9124596
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**5th Heshvan 5775
 October 29, 2014**

**Re: Tender 78/2014 - Supply of multi-threat body armor for patrol officers
Update no. 1**

Further to the tender documents published on October 6, 2014, and in response to clarification questions that have been received, attached please find answers to clarification questions and/or requests, and amendments and clarifications to the tender documents.

1. It is clarified that the form of the questions detailed below is not necessarily identical to that used by those addressing inquiries to us, and that not every question has necessarily been answered.
2. All the clarifications, changes and amendments set out in this letter of clarification will be considered to be part of the tender documents, and the terms used in this letter of clarification will have the same meaning as in the tender documents.
4. Interpretations given verbally, in writing, or in any other way by anyone on behalf of the Client or by INP representatives, insofar as may have been given, in any forum or in any form whatsoever, should not be relied upon. The only changes from that stated in the tender documents, and all the interpretations and clarifications thereof, are exclusively as detailed in this notification and other notifications to be sent out by the author of the tender or on his behalf, insofar as may be issued.
5. That stated in this notification does not change or derogate from that stated in the tender documents unless explicitly stated otherwise.

<u>No.</u>	<u>Question / answer</u>	<u>Form of question</u>	<u>Section in tender / specification</u>
1.	Question:	Date of suppliers conference	Section 5.9 of tender
	Answer:	A reminder that the suppliers conference will be held on November 3, 2014 at 10 am in the Construction Dept. boardroom, National HQ Ramle, 41 Ba'alei Hamelacha St., Ramle Industrial Area.	



2.	Question:	Is compliance with the NIJ standards as stated a prerequisite?	Section 2.2 of tender
	Answer:	The required preliminary conditions are detailed in the tender conditions.	
3.	Question:	Can bank guarantees be provided from American banks and in US dollars?	Section 2.3 of tender
	Answer:	Yes, bank guarantees may be provided from American banks, and in US dollars, as detailed in the tender documents.	
4.	Question:	An American company will have difficulty complying with the Israeli standard - this is discrimination against foreign manufacturers.	Section 7.4 of tender
	Answer:	There is no requirement for a bidder to present confirmation in advance that it meets the Israeli standard. This is a general statement that should such a standard exist, the product will have to comply with it.	
5.	Question:	Can the local agency provide the certificates required under the Public Bodies Transactions Law?	Section 7.5 of tender
	Answer:	A bidder that is an Israeli company will be required to present the documents as detailed. If the bidder is a company from outside Israel, it is not required to present these documents.	
6.	Question:	In the framework of the government procurement agreements (GPA) it states that "the relationship between the agreement and Israeli law, Article 5a(b) of the Mandatory Tenders Law, and section 44 of the Mandatory Tenders Regulations states that the provisions of the law and the standards (respectively) apply insofar as they do not conflict with Israel's undertakings under international agreements". One of the main consequences is that it is not possible to include regulations preferring Israeli products to tenders that are subject to the agreement.	Section 9 of tender
	Answer:	Government procurement agreements (GPA) do not apply to the Israel National Police, and accordingly the INP must give 15% preference in favor of Israeli-made goods and 50% preference to Israeli-made textiles, in accordance with the various regulations and as detailed in the tender documents.	
7.	Question:	It states on the website of the Ministry of the Economy - Foreign Trade Directorate that the main principles of the agreement: section (a) giving equal treatment to local or foreign bidders from other countries that have signed the agreement, competing by means of bodies covered by the agreement. Preference should not be given to local or foreign suppliers in any way whatsoever, and there shall be no discrimination in the provision of information, technical	Section 9 of tender

		specifications, etc.	
	Answer:	As above	
8	Question:	50% preference for the vest cover is excessive and is liable to cause foreign entities to cancel their participation in the tender.	Section 9 of tender
	Answer:	50% preference for Israeli-made textile is in accordance with the Mandatory Tenders Law.	
9.	Question:	Under export terms, is there no taxation?	Section 11.16 of tender
	Answer:	In the event of supply at the factory gate abroad, the tax is paid by the INP, and therefore it is weighted in the framework of the price quote.	
10.	Question:	Is it possible for the supply and engagement to be in US dollars, and what will be the compensation mechanism for price increases over the 7-year period (5 + 2)?	Section 11.18 of tender
	Answer:	The prices in the price quote, even if they are given in foreign currency, are linked to the index as detailed in the Linkage Appendix. A different linkage mechanism may be proposed as detailed in section 22 of the tender.	
11.	Question:	Weighting and ranking of the bids: In this section it states the time for returning the vests to the client after making the changes will be after 14 days. For an overseas supplier this is not feasible; an extension is requested.	Section 17.3.5 of tender
	Answer:	A local supplier will supply the vests after making the required changes within 14 working days, and a foreign manufacturer will be required to supply the vests after making the required changes within 28 working days.	
12.	Question:	Method of weighting: I request clarification of this section, which is unclear.	Section 18 of tender
	Answer:	Bids will be weighted according to the weighting key set out in the tender. The cost component will have a 60% weighting and the quality component will have a 40% weighting. The quality component will be given by the 'bonus' method, that is, bids giving a response that exceeds the minimum requirements set out in the tender will receive preference / a bonus as detailed in the weighting table.	
13.	Question:	Clarification with regard to section 5 of the quality points table for the body armor.	Section 18.10 of tender
	Answer:	Ergonomic testing refers to a trial to examine the properties, comfort, and functionality of the vests.	
14.	Question:	This section needs to be updated and amended, it is not relevant to foreign suppliers (criminal register, field security, etc.)	Appendix A

	Answer:	With regard to a foreign supplier, the examination will relate to its agency/representative.	
15.	Question:	Accountant's confirmation of financial turnover - we request that this section be altered to suit an American company.	Appendix B
	Answer:	Will appear in the document as translated into English	
16.	Question:	Characterization of maintenance - if NIJ is a binding condition, the American or NIJ standard should also be allowed with regard to sampling.	Appendix K
	Answer:	European and/or American standards may be put forward, up to 14 days before the last date for submitting bids. The INP will consider requests and if accepted, a written update will be issued.	

Sincerely,



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