



**INVITATION TO QUOTE: BEY-SCM-506
SALE OF MUNICIPAL VACANT LAND**

Quotations are hereby invited from members of the public to submit offers for the below vacant properties.

Name of property	Size	Asking price
Erf 3052, Jasmin Street, Graaff-Reinet	837 m ²	R 20 000.00
Erf 4150, C/O Woeke and Piet Retief, Graaff-Reinet	2159 m ²	R 200 000.00

Quotes must be placed in the municipal tender box, Robert Sobukwe Building, in sealed envelopes clearly marked "**BEY-SCM-506**", not later than 12h00, **Thursday , 22nd of August 2024** and will be opened in public immediately thereafter.

Note:

1. Faxed, e-mailed or late quotations will not be accepted.
2. The tender will be evaluated on 80/20 system Whereby 80 points will be allocated for price and a maximum of 20 points for specific goals.
3. To claim for specific goals prospective bidders MUST submit proof/required the required documents
4. A current original tax clearance certificate of SARS is to be submitted.
5. Attached declaration of interest to be completed.
6. Council is not bound to accept the lowest or any quotation and reserves the right to accept any tender or part thereof.
7. The 2015 GCC will apply.
8. For further details, please contact **Ms. Z. Tsutsu @ 049 807 5700/ tsutsuz@bnlm.gov.za**.
9. Allocation of specific goals

NO	Specific goal categories	Max Points Allocation	Evaluation Indicators
2	The promotion of enterprises located in a specific province for work to be done or services to be rendered in that province.	20	20 Points- Located within the boundaries of the Dr Beyers Naudé Local Municipality
			12 Points- Located within the boundaries of Sarah Baartman District Municipality
			8 Points- Located within the boundaries of the Eastern Cape
			2 Point- Outside of the boundaries of the Eastern Cape

DR. E.M. RANKWANA

MUNICIPAL MANAGER

DR BEYERS NAUDE LOCAL MUNICIPALITY**QUOTATIONS ARE HEREBY INVITED FOR THE FOLLOWING QUOTATION:**

Name of property	Size	Asking price
Erf 3052, Jasmin Street, Graaff-Reinet	837 m ²	R 20 000.00
Erf 4150, C/O Woeke and Piet Retief, Graaff-Reinet	2159 m ²	R 200 000.00

**DR EM RANWAKANA
MUNICIPAL MANAGER**

LIST OF RETURNABLE DOCUMENTS THAT SHOULD FORM PART OF THE BID DOCUMENT

1.	Certified copy of Identity Document(s)
2.	Company registration documents (if tendering as a company)
3.	Pricing Schedule/Proposal
4.	Personal Income Tax Numbers
6.	MBD 8: Declaration of Bidders Past SCM practices
7.	MBD 9: Certificate of Independent Bid Determination
8.	MBD 7.3 Contract Form: Sale of Goods/Works

DR BEYERS NAUDE LOCAL MUNICIPALITY**BEY-SCM-506: ALIENATION OF MUNICIPAL LAND****SCOPE**

Quotations are invited from interested parties for the sale of the following property:

Erf 3052, Jasmin Street, Graaff-Reinet

Erf 4150, C/O Woeke and Piet Retief, Graaff-Reinet

CONDITIONS OF QUOTATION

- 1.1 The Municipality reserves the right to request that presentations to the Municipality be illustrated and expanded upon in any suitable manner.
- 1.2 The Municipality will not necessarily accept the highest or any bid.
- 1.3 The Municipality will notify the successful tenderer in writing.
- 1.4 The successful tenderer must within 90 (ninety) days after he/she has been given such notice, enter into a formal deed of sale with the Municipality.
- 1.5 If the Municipality accepts the tender of a person who tenders as an agent or as a trustee for a company/close corporation to be founded, and if the company/close corporation is not registered for whatever reason or if it is registered, but refuses or fails for some or other reason is unable to accept and ratify the deed, such agent or trustee will be held liable for compliance with all the conditions of the said deed of sale in his/her personal capacity.
- 1.6 The date on which the Municipality's Attorneys notify the tender that the property has been awarded to him/her shall be the commencement date of the 90 days during which formal deed of sale must be concluded.
- 1.7 Validity of this bid is 120 Days.

2. GENERAL CONDITIONS OF SALE

- 2.1 The purchase price / amount will be payable in full up on the signing of the contract
- 2.2 The Municipality's attorneys will attend to the transfer of the property after the purchase price has been paid or properly guaranteed.
- 2.3 The purchaser is liable for all transfer and accompanying costs, including transfer duties which he/she must pay to the Municipality's attorneys on demand.
- 2.4 Possession of the property will be given to the purchaser from the date of transfer, from which date it will be exclusively at the risk of the purchaser. The purchaser will be liable for all municipal rates and levies with regard to the property.
- 2.5 The Municipality is not liable for any defects, latent or patent, in or on the property. The size of the property as indicated is not guaranteed. The purchaser will be responsible for the removal of illegal structures/occupants that may have occupied the land.
- 2.6 The purchaser shall not have the right to sell the property or any portion thereof without the prior written consent of the Municipality, before it has been transferred into his name.
- 2.7 Plans in respect of buildings to be erected on the property will be considered by the Municipality. The actual building of improvements on the property is however prohibited until the property is registered in the purchaser's name.
- 2.8 The successful tenderer shall bare all registration costs associated with the property.
- 2.9 The purchaser shall pay the normal tariffs to obtain a meter as well as the full fees to obtain a connection to services. Bulk infrastructure levies, Water, Sewer and electricity and stormwater will apply. The purchaser shall be responsible for all internal services infrastructure. (Electricity,

Water, Sewer, Streets, Stormwater etc.) According to municipal standards (designs, supply and installations) Enquiries (Mr. A. Van Zyl & Mr. B. Arends).

- 2.10 All costs incurred as a result of the moving of, or change of a private or municipal sewer, electrical network of water or Storm water system that is necessitated by this transaction shall be for the account of the purchaser.
- 2.11 In the event that a bond has since been registered over the property, the purchaser shall at his own cost, be obliged to cancel such bond before the property is transferred back to the Municipality.
- 2.11 In the event of the cancellation of the contract of sale and the retransfer of ownership of the property to the Municipality, the purchaser shall have no claim for compensation in respect of all or any improvements of whatsoever nature to the property, against the Municipality.
- 2.12 The purchaser unconditionally accepts the risk of completing the agreed development of the property within the prescribed period.
- 2.13 In the event of the cancellation of the contract of sale and retransfer of ownership of the property to the Municipality, the purchaser shall have no claim for damages against the Municipality.
- 2.14 In the event where the purchaser fails to take the required steps, DBNM reserves the right to take any reasonable steps to effect the cancellation of the bond and to recover expenditure incurred from the purchaser.
- 2.15 Only ONE (1) ERF will be awarded per person.

3. **SPECIFIC CONDITIONS OF SALE**

3.1 In the event that the successful bidder fails to comply with condition 1.4 the property is offered to the second successful bidder.

4 The following information is required to enable the municipality to evaluate the bid:

- Copy of identity document
- In case of private individuals Personal Income Tax Number
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THE FOLLOWING MUST BE SUPPLIED

Full Name	Identity Number	Personal Income Tax Reference Number	Signature

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	80
SPECIFIC GOALS	20
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.

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or } Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
 Pt = Price of tender under consideration
 Pmax = 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—

- (a) 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
- (b) 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)

The promotion of enterprises located in a specific province for work to be done or services to be rendered in that province		20		
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DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. 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]

4.6. 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.

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SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

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DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
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4.1	<p>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?</p> <p>(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).</p> <p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

BEY-SCM-506: Sale of Vacant Municipal Land

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf

of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

- 6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
- 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
- 8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 9. 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 Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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Signature

Date

.....

.....

Position

Name of Bidder

PRICING SCHEDULE
BEY-SCM-506
OFFER TO PURCHASE ERVEN IN
GRAAFF-REINET
SALE OF VACANT MUNICIPAL LAND

DESCRIPTION	RESERVE PRICE	Purchase Offer
Erf 3052 Jasmin Street, Graaff-Reinet	R 20 000.00	R_____ (VAT INCL)
Erf 4150 C/O Woeke and Piet Retief, Graaff- Reinet	R 200 000.00	R_____ (VAT INCL)

Name of Tenderer: _____

Signature of Tenderer: _____

Date : _____

MBD 7.3

CONTRACT FORM - SALE OF GOODS/WORKS

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE SELLER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE SELLER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to purchase all or any of the goods and/or works described in the attached bidding documents from Dr Beyers Naude Local Municipality in accordance with the requirements stipulated in BEY-SCM-506 at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the seller during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, *viz*
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Declaration of Bidder's past SCM practices;
 - Certificate of independent bid determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) cover all my obligations and I accept that any mistakes regarding price(s) and calculations will be at my own risk.

- 4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
- 5. I undertake to make payment for the goods/works as specified in the bidding documents.
- 6. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
- 7. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1
....	

MBD 7.3

CONTRACT FORM - SALE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE SELLER)

1. I Dr E.M. Rankwana in my capacity as Municipal Manager accept your bid under reference number BEY-SCM-506 for the purchase of goods/works indicated hereunder and/or further specified in the annexure(s).
2. I undertake to make the goods/works available in accordance with the terms and conditions of the contract.

ITEM NO.	DESCRIPTION	PRICE (ALL APPLICABLE TAXES INCLUDED)		

3. I confirm that I am duly authorized to sign this contract.

SIGNED ATON.....

NAME

(PRINT)

SIGNATURE

.....

OFFICIAL STAMP



WITNESSES

1.

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A rectangular box with a thin black border containing the text 'WITNESSES' at the top. Below it is a numbered list starting with '1.' followed by a dotted line, and a period below that.