



EXPRESSION OF INTEREST:

POTENTIAL RESPONDERS ARE REQUIRED TO NOTIFY THE LAND BANK SUPPLY CHAIN DEPARTMENT VIA E-MAIL OF THEIR INTENTION TO TENDER FOR THE ABOVE MENTIONED TENDER

POTENTIAL BIDDERS ARE TO SUBMIT THE FOLLOWING DETAILS VIA E-MAIL TO NMAHARAJ@LANDBANK.CO.ZA

NAME OF COMPANY:

CONTACT PERSON(S):

PHONE:

CSD REGISTRATION NUMBER:

BBBEE LEVEL:

E-MAIL ADDRESS:



REQUEST FOR INFORMATION

EXPRESSION OF INTEREST TO BUY LAND BANK LOAN ASSETSREFERENCE

RFI01/01/23

The Land and Agricultural
Development Bank of South Africa

P O Box 375 Pretoria 0001
272 Lenchen Avenue, Lakefield Office Park,
Building A, First Floor,
Die Hoewes, Centurion
Telephone (012) 686 0500 Toll-free
0800 00 52 59

E-mail address: info@landbank.co.za Web
address: www.landbank.co.za

**Registered credit provider: Reg
number NCRC18**

Directors: Ms NR Nkosi (Chairperson), Mr AL Makenete (Deputy Chairperson), Ms KH Mukhari (Acting Chief Executive Officer), Ms ME Makgatho, Dr JF Kirsten, Ms TN Mashanda, Ms NP Motshegoa, Ms D Maithuji, Ms E Pillay, Dr MM Tom and Mr DW Van der Westhuizen

Mr B Padachie (Acting Chief Financial Officer) Mr Mashumi K Mzaidume (Company Secretary)



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1. REQUEST FOR INFORMATION

RFI Reference	RFI01/01/23
Title of this RFI	EXPRESSION OF INTEREST TO BUY LAND BANK LOAN ASSETS
Issue Date	13 th January 2023
RFI Closing Time & Date	10 th February 2023, 11:00
Delivery Address	Land Bank Head Office
	272 Lenchen Avenue
	Lakefield Office Park
	Building A – 1 st Floor; Die Hoeves
	Centurion
Originals to be submitted	1 Original proposal
Copies to be submitted	1 soft copy (USB)
Tender Validity Period	n/a

2. OVERVIEW OF LAND BANK

Land Bank was established in 1912 and is a wholly owned government owned Development Finance Institution with the sole mandate of financing agricultural development to achieve food security and to drive economic growth and development in South Africa. The bank is charged with the promotion of agricultural and rural development as well as providing a range of financial products to farmers and agribusiness. Land Bank Insurance Company SOC Ltd (LBIC) and Land Bank Life Insurance Company SOC Ltd (LBLIC) complement the Bank's financial services by providing insurance and risk management solutions to the agricultural community

The broad mandate, as expressed in the Land Bank Act, covers 11 objectives:

- Equitable ownership of agricultural land, in particular the increase of ownership of agricultural land by historically disadvantaged persons
- Agrarian reform, land redistribution or development programme aimed at historically disadvantaged persons
- Land access for agricultural purposes
- Agricultural entrepreneurship
- Removal of the legacy of racial and gender discrimination in agriculture
- Enhancing productivity, profitability, investment and innovation
- Growth of the agricultural sector and better use of land



- Environmental sustainability of land and related natural resources
- Rural development and job creation
- Commercial agriculture
- Food security

3. INFORMATION REQUEST

Information is requested from interested persons, companies, close corporations or enterprises [hereinafter referred to as the Respondent(s)] to supply the below mentioned information to Land Bank.

The subsequent Request for Proposal [RFP] if and when this is issued by Land Bank, will be limited to only those Respondents who have responded to this RFI.

It is envisaged that one or more bidders will be considered, through a separate RFP process, to purchase the defined portfolio of loan assets that are being put on sale by the Bank.

This RFI is intended to establish a shortlist of potential purchasers of the loan assets, and will be followed by the subsequent Request for Proposals from the shortlisted bidders. Land Bank will not accept any proposals in this RFI process and will not be obligated to accept proposals in the subsequent RFP process which may be issued hereafter.

Your submission should include, in detail, your proposed methodology and preliminary program of expected activities to assess the potential purchasing of loan assets and to make an offer for the acquisition of the assets. From the RFI and response and/or submissions thereto, Land Bank will compile an RFP document which will include an indicative schedule of activities and timelines.

In responding to this RFI, Land Bank encourages all RFI Respondents to put their best effort into the construction and development of the proposal.

4. DISCLAIMER

Respondents are hereby advised that Land Bank is not committed to any course of action as a result of its issuance of this RFI and/or its receipt of submissions in response to it. In particular, please note that Land Bank reserves the right and at its sole and full discretion to:



- A) Utilise any information provided to it in response to this RFI to draft the scope of requirements for inclusion in an RFP, unless it is specifically stated as Intellectual Property;
- B) Take no further action whatsoever, if it so decides;
- C) Withdraw from this process and the provisions of this project at any time;
- D) Select the RFI and RFP participants based on Land Bank's criteria;
- E) Change the dates of adjudication and submission;
- F) Not invite RFI respondents for further participation in the RFP process;
- G) Not bind itself to accept any or all of the RFIs;
- H) Increase or decrease the quantities/scope as indicated in the RFI;
- I) Validate any information submitted by Respondents in response to this bid. This would include, but is not limited to, requesting the Respondents to provide supporting evidence. By submitting a bid, Respondents hereby irrevocably grant the necessary consent to Land Bank to do so;
- J) Request audited financial statements or other documentation for the purposes of a due diligence exercise; and/or
- K) Not accept any changes or purported changes by the Respondent to the bid rates after the closing date and/or after the award of the business, unless the contract specifically provides for it.

Kindly note that Land Bank will not reimburse any Respondent for any preparatory costs or other work performed in connection with this submission.

5. **SCOPE OF WORK**

Land Bank intends to undertake the disposal of a portfolio of the loan asset book in support of the Bank's approved strategy on the management of its assets. The RFI relates to a part of this strategy which deals with the disposal of the portfolio of the Bank's off-balance sheet legal book.

Requirements and Evaluation Criteria

Land Bank wishes to engage with the potential bidders interested in acquiring the Bank's portfolio of the off-balance sheet loan book which is in line with the implementation of the loan asset book disposal strategy, including the methodology the bidders will use to determine their indicative pricing bids. The disposal will be for the entire identified portfolio and/or portions thereof to a number of bidders.



Pertinent information regarding this required proposal is as follows:

Evaluation Criteria	Weighting
The Respondent to evidence a track record of active business operations in the financial services industry. In addition, the Respondent should indicate experience in the acquisition of commercial & corporate loan asset portfolios or distressed loan assets, including evidence of acquisition of agricultural loan assets. Bidders should also provide details on collections methodology/strategy	20 points
Respondent to demonstrate financial capability (including a letter of good standing from the Respondent's financier/s demonstrating the ability of the Respondent to participate in a transaction of this nature and the Balance Sheet to fund or raise funding for the purchase / acquisition of a commercial & corporate loan asset portfolio of at least R300million)	80 points

Minimum technical threshold required to move onto the next phase of the tender process: 80

Points	Interpretation
0	Non-Responsive
1	Poor
2	Satisfactory
3	Good
4	Very good
5	Excellent

6. OBJECTIVE CRITERIA & RISK ANALYSIS

a. In addition to the financial offer and preference evaluation, the Tenderers having the highest ranking / number of points, will additionally be reviewed against the following points listed as "Other Objective Criteria" in terms of the PPPFA Regulations of 2017, in order to ascertain suitability for award.

- i. If having passed Qualifying Criteria, the tenderer will again be checked in terms of having a Compliant Tax Status at time of recommendation to confirm that the status



has not changed, based on an active and Tax Complaint Pin issued by the South African Revenue Services

- ii. Fully compliant and registered with the National Treasury Central Supplier Database
- iii. No misrepresentation in the tender information submitted
- iv. Any non-performance on Land Bank projects
- v. The tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; and
- vi. The tenderer has declared that there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process and persons in the employ of the state are permitted to submit tenders or participate in the contract
- vii. Convicted by a court of law for fraud and corruption
- viii. Removed from a contract between them and any organ of state on account of failure to perform on or comply with the contract
- ix. Unduly high or unduly low Tendered rates in the Tender offer. In this regard, a financial risk analysis will be performed to verify that the costs are reasonable and balanced. Tenders may be disqualified if tendered rates are found to be distorted
- x. In terms of unduly high Tendered fees in the Tender offer, refer to the PPR2017.

b. Land Bank may perform a due diligence exercise on the preferred tenderer to determine its risk-profile. The outcome of the due diligence exercise may be considered as an objective criterion. A due diligence exercise may include, but is not limited to, the following factors;

I. Financial Analysis of Tenderers Financial Statements

Financial health of the bidder may be assessed if deemed necessary, to ensure that the service provider will be able to operate as per required deliverables (Ratios: Accounts Receivable & Payable Turnover, Liquidity & Solvency). In the case of an unincorporated JV or a SPV, each partner of the entity must submit their financial statements and it will be consolidated to determine their capability to execute the applicable contract.

II. Judgements and criminal convictions

Land Bank may consider previous civil judgements against the preferred tenderer as part of its risk assessment. Land Bank may also consider whether the preferred tenderer or any of its directors have been-convicted of a serious offence.

III. Pending litigation



Land Bank may consider any pending litigation in a court of law or administrative tribunal as part of its risk assessment.

IV. Performance

Land Bank may consider the Service Provider having a history of poor performance on any task orders/purchase orders or contracts, including poor performance in respect of compliance with policies or procedures regarding safety, health, quality control or environment, or having committed a serious and gross breach of contract.

V. Reputational-harm

If Land Bank is likely to suffer substantial reputational harm as a result of doing business with the preferred service provider, it may take this into account as part of its risk assessment.

The above set out other objective criteria may be clarified during the evaluation and correction of any non-compliance may be negotiated with the highest scoring tenderer, if possible. However, should the tenderer not comply with these requirements by the close of negotiations, Land Bank reserves have the right to award to the next ranked tenderer.

7. SUBMISSION REQUIREMENTS

- Any service provider requiring clarification on any matter whatsoever, including questions relating to the specifications required of the service provider to perform this project or the tender and evaluation process must do so via e-mail and address such request to nmaharaj@landbank.co.za (Nikita Maharaj)
- Proposals may be deposited in or couriered to the tender box at the reception area of Land Bank Head Office, 272 Lenchen Avenue, Building A First Floor, Lakefield Office Park, Die Hoewes, Centurion on or before 10th February 2023, 11:00am


ANNEXURE A

Vendor information sheet
SAP Registration number

1. Registration name of company _____

2. Company registration number _____

3. VAT number _____

4. Company details	Street address	Postal address
Building/complex _____	PO Box _____	
Street name _____	City _____	
Suburb _____	Code _____	
City _____	Suburb _____	
Code _____		
Telephone no _____	Contact person _____	
Fax no _____	Direct Tel _____	
E-mail _____	Direct Fax _____	

5. Payment terms _____

6. Payment must be made in (currency) _____

7. Bank detail Please attach banking details on an original letterhead signed by CEO/Director/s appearing on the letterhead.

Bank name _____	Branch _____
Type of account _____	(eg. Current account; Cheque account, Savings account, e.t.c)
Account number _____	Branch code _____

8. Contact person for Account queries Name Ms. Jeanette Raphalalani

Cell no _____	Tel no _____
E-mail <u>nraphala@landbank.co.za</u>	Fax no _____

9. How much is the company's annual turnover? : R _____

10. Share holding - (Please list Share holders with their % of share holding)

Title _____	Name _____	Identity number _____	Race _____	% share holding _____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

11. Business indicator - mark with (X) in the bracket

HDP - Historically Disadvantaged Persons (<input type="checkbox"/>)	INT - International business (<input type="checkbox"/>)
EXB - Existing business (<input type="checkbox"/>)	JVB - Joint venture business (<input type="checkbox"/>)

12. Additional
List the commodities / service that you currently supply to Land Bank
 Currently providing _____ Can provide _____

I the undersigned, confirm that the information provided on this vendor information sheet is accurate and contains no misrepresentations or omissions, and is based on current information known to me. I also undertake to immediately inform the Land Bank of any changes to the above furnished information. The Land Bank is hereby allowed to verify any of the details provided.

Name _____	Signature _____
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Designation _____	Date _____
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FOR OFFICE USE ONLY (LAND BANK)

Procurement Department

Name & Signature _____	Date: _____
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ANNEXURE B
BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state?

YES/NO

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

Full Name	Identity Number	Name of State institution

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

YES/NO

2.2.1 If so, furnish particulars:

.....
.....

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



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

YES/NO

2.3.1 If so, furnish particulars:

.....

.....

3 DECLARATION

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

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.



I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder



ANNEXURE C

CONVENTION OF INTEGRITY

I, the undersigned,

(Full Names)

do hereby make oath and state as follows:

1. I am:
 - 1.1. an adult male/female aged _____;
 - 1.2. presently employed as/carrying on business as _____ situated at _____.
2. The facts stated herein are both true and correct and within my personal knowledge and belief unless otherwise stated.
3. I hereby confirm that:
 - 3.1. I am duly authorised to depose to this affidavit;
 - 3.2. neither myself nor anyone acting on behalf of the tenderer is, or will be, engaged in any Prohibited Practice as defined in 4 below in connection in respect of any tendering process or in the provision of services and/or goods;
 - 3.3. I will immediately inform Land bank of any instance of any such Prohibited Practice which comes to my attention and/or the attention of the tenderer and/or its employees or agents concerning the following:
 - 3.3.1. if any of the tenderer's directors, employees or agents has been convicted in any court for any offence involving a Prohibited Practice in connection with any tendering process and/or the provision of goods or services during the 5 (five) years immediately preceding the date of this affidavit; and/or
 - 3.3.2. if any of the tenderer's directors, employees or agents is dismissed or resigns from the tenderer's employment on grounds of being implicated in any Prohibited Practice.
 - 3.4. I will provide Land Bank with full details of such conviction, dismissal or resignation and the measures taken to ensure that neither the tenderer nor any of its directors, employees or agents commits any Prohibited Practice in future.
 - 3.5. In the event that the tenderer is awarded any business by land bank, the tenderer grants Land bank or its employees and/or agents the right of inspection of its records. The tenderer shall preserve such records in accordance with applicable law but in any case for at least 3 (three) years after conclusion of each transaction contemplated under the Request for Tender.
4. I acknowledge that for all purposes under this affidavit, the following terms and/or expressions



below shall bear the meanings set out hereunder:

- 4.1. "Corrupt Practice" means the offering, giving or promising of any improper advantage to influence the action of a Public Official, or the threatening of injury to his person, employment, property, rights or reputation, in connection with any procurement process or in the execution of any contract in order that any person may obtain or retain business improperly or obtain any other improper advantage in the conduct of business;
- 4.2. "Fraudulent Practice" means a dishonest statement or act of concealment which is intended to, or tends to, improperly influence the procurement process or the execution of a contract to the detriment or potential detriment of land bank or is designed to establish tender prices at non-competitive levels and/or to deprive land bank of the benefits of fair and open competition, and includes collusive practices (whether before or after tender submission) among tenderers or between a tenderer and a consultant or any employees or agents of Land bank;
- 4.3. "Public Official" means any person holding a legislative, administrative, managerial, political or judicial post in any country, or exercising any public function in any country or a director or employee of a public authority or of a legal person controlled by a public authority of any country, or a director or official of a public international organisation; and
- 4.4. "Prohibited Practice" means an act that is either a Corrupt Practice or a Fraudulent Practice.

5. I/We consent that Land Bank will process (by collecting, using, storing or otherwise dealing with) my/our personal information and that of third parties which I/we provide, for the purposes of providing services and products to me/us. The personal information will be processed in accordance with the requirements of the law. All personal information I/we provide to Land Bank is given voluntarily. However, if I/we withhold any personal information requested; withhold consent for or object to the processing of my/our personal information, this may result in Land Bank not establishing or continuing a relationship.

DEPONENT

Thus done and signed at _____ on this the _____ day of _____,

the Deponent having acknowledged that:

1. he/she knows and understands the contents of this declaration;
2. he/she has no objection to taking the prescribed oath; and
3. he/she considers the prescribed oath to be binding on his/her conscience.



Commissioner of Oaths Stamp

COMMISSIONER OF OATHS

FULL NAMES

CAPACITY

BUSINESS ADDRESS