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|---|---|----------------------------|------------------|------------|---|
|  | <b>INVESTMENT RECOVERY<br/>OFFER TO PURCHASE<br/>IRP313</b> | <b>Template Identifier</b> | 240-43921804     | <b>Rev</b> | 6 |
|   |   | <b>Document Identifier</b> | 240-75978567     | <b>Rev</b> | 1 |
|   |   | <b>Effective Date</b>      | 01 February 2014 |            |   |
|   |   | <b>Review Date</b>         | February 2021    |            |   |

## INVITATION TO TENDER FOR VARIOUS RESIDENTIAL PROPERTIES IN KWAZULU NATAL

**TENDER ENQUIRY NUMBER: IRP313**  
**CLOSING DATE: 09 NOVEMBER 2021**

Date: 20 October 2021

Enquiry:  
 Nomusa Manquzi  
 ☎ +27 11 711 3284

### INVESTMENT RECOVERY SECTION

You are kindly invited to submit your offer to purchase for:

1. Erf 686, 96 Mangosuthu Buthelezi Drive Ext 1 Eshowe with extent 4 174m<sup>2</sup>
2. Erf 150, 6 Kruger Street Paulpietersburg with extent 2 855m<sup>2</sup>
3. Erf 1777, 530 Alexander Road Ptn 3 Bisley Pietermaritzburg with extent 897m<sup>2</sup>
4. Farm Uitvlugt Ptn 12 of 1875, 2 Noorberg Road Wartburg with extent 3 443m<sup>2</sup>
5. Farm Gowrie Ptn 141 of 138 House No 2 Robin/Nottingham Road with extent 1 600m<sup>2</sup>
6. Farm Gowrie Ptn 142 of 138 House No 3 Robin/Nottingham Road with extent 1 826m<sup>2</sup>
7. Erf 582, 109 Lamport Street Richmond with extent 1 266m<sup>2</sup>

#### 1. DESCRIPTION

| Address   | Improvement                             |
|---|---|
| 7x Various Properties<br>See above list for addresses | <b><u>LOCATION</u></b><br>Kwazulu Natal |

#### 2. ENVIRONMENTAL REQUIREMENTS

Any environmental requirements indicated in the attached environmental due-diligence report, but not limited thereto, needs to be addressed by the purchaser for his account.

#### 3. INSPECTION AND VIEWING

Should you be interested in viewing the site or need more information you can contact Nomusa Manquzi on 011 711 3284 or email: ManquzNB@eskom.co.za

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#### 4. SUBMISSION OF THE “OFFER TO PURCHASE”

##### **THE FOLLOWING DOCUMENTATION FORMS AND A COMPLETE TENDER TO BE SUBMITTED TOGETHER WITH YOUR TENDER DOCUMENT:**

Your quotation, as submitted by you on the “Offer to Purchase” document shall be either placed in a sealed envelope and marked, Offer to Purchase Confidential Enquiry No. **IRP313** and submitted as follows:

- By posting in Eskom’s Tender Box situated at the Back Entrance, next to Nick’s Shop, **Eskom Megawatt Park, Maxwell Drive Sunninghill** or faxed to: **086 212 7654** – Please note: Tenders may be faxed to this number only or email to **tenderoffice@eskom.co.za**

**The closing date is 10:00am on 09 November 2021.**

**ALL OFFERS TO PURCHASE ARE TREATED AS CONFIDENTIAL!  
NO LATE OFFERS WILL BE ACCEPTED!**

#### 5. PRICING AND TENDERING

- Please quote the tender enquiry number on all correspondence.
- The offered price must be tendered in Rand and will be the full offered price for the purchase of the property on sale, and must exclude costs. Only a price as such will be accepted for evaluation.

Should the property be sold in such a way that will require or need the use of Value Added Tax, the tenderer must clearly indicate this position and provide their VAT number and details on their tender document. The tender document must show Value Added Tax separate from the price that is offered for the property on sale.

- Please take note of the STANDARD CONDITIONS OF TENDER, (March 2013) noted in this letter and any amendments that accompany the **TENDER ENQUIRY IRP313**. The tenderer should understand that his/her signed Offer to Purchase serves as his legal agreement to the Standard conditions of tender.
- Please take note of the SOE NON-CORE PROPERTY DISPOSAL POLICY AND B-BBEE GUIDELINES JUNE 2009 RESIDENTIAL POINTERS.



|                                     |  |
|-------------------------------------|--|
| <b>Standard Condition of Tender</b> | <b>SOE Non-Core Property Disposal Policy</b> |
|-------------------------------------|--|

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|  |  |
|--|--|
| <br>Standard Conditions<br>of Tender March 2011 | <br>SOE Non-Core<br>Property Disposal Poli |
|--|--|

## 6. SCOPE OF WORK

Sale of 9x Various Residential Properties in Kwazulu Natal

### NOTES

- (a) Tender is subject to proof of funds from the bank that would be payable within 14 days upon signing the deed of sale with Eskom. Deed of sale and servitude agreement should be signed within 30 days after the successful Tenderer has been notified.
- (b) Undisturbed occupation of the property shall be given to the purchaser upon registration of the property in the purchaser's name.
- (c) The conveyancer responsible for the transfer of the property will be selected from Eskom's Panel of Attorneys.
- (d) All servitude deeds in favour of Eskom will be registered prior or simultaneous with the transfer of the property.
- (e) The conveyancer shall ensure the registration of the transfer immediately after all the relevant conditions as set out in this agreement have been fulfilled. Transfer and bond costs must be paid by the purchaser to an interest bearing account in accordance with Section 78 (2A) of the Attorneys Act (Act No. 53 of 1979) established and administered by the Conveyancers on request, immediately by the purchaser to the transferring attorneys. The Purchaser and seller must immediately and on request, provide all information and sign all documents in order to ensure registration of the property and/or bonds over the property.
- (f) Should registration of the transfer be delayed for more than 30 days, Eskom would have the right to withdraw and offer to the next acceptable bidder.
- (g) On the date of registration of transfer, all risks of damage in connection with the property and ownership shall be transferred to the purchaser, together with all the benefits and responsibilities for payment of any rates, property taxes and/or expenses in connection with the Property. The Purchaser shall also be responsible to insure the property against any contingency.

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- (h) The property is sold VOETSTOOTS, subject to all conditions of title and servitudes contained in the current and/or previous Title Deeds of the property, which are available for public inspection at the relevant deeds office, as well as any new conditions of title and servitudes for Eskom infrastructure that may exist regarding the current condition and size of the Property.
- (i) All parties will declare that they have acquainted with the VOETSTOOTS clause and the legal effect thereof. The Property is sold in its current condition, excluding any normal wear.
- (j) Take note that as guided by the **DPE** policy: Residential Houses (employees who reside in the house as their primary residence will have first right of refusal incase the property has been declared surplus. However, all arrears should be settled in full by the employee eligible for this dispensation. Other employees shall **NOT** have the right to make an offer for the acquisition of immovable assets being disposed of by Eskom.

## 7. RISK AND OWNERSHIP

Full risk and ownership of the property on sale passes to the successful buyer immediately at the time Eskom confirms the sale with the buyer, who will become fully responsible and liable for the property.

## 8. GUARANTEE / WARRANTY

Eskom Holdings SOC Limited gives no guarantee or warranty to the workability or condition of this property other than allow each tenderer to familiar themselves at the site prior to tendering in terms of the Consumer Protection Act

## 9. OFFERS

Offers received for this tender will be deemed valid for a period of 12 months (360 days) from tender closing date.

**Eskom reserves the right not to accept the lowest or any tender / offer or withdraw the land it wishes to retain.**

**Only the successful tenderer will be notified.**

## 10. VALUE ADDED TAX (VAT)

Value Added Tax Act no. 89 of 1991 will apply.  
DECLARATION (BY TENDERERS) OF GOOD STANDING REGARDING TAX  
IT IS A CONDITION OF TENDERERS THAT:

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- 10.1 It is an absolute requirement that the taxes of the successful tenderer must be in order, or that suitable arrangement is made with the Receiver of Revenue to satisfy them.
- 10.2 The tenderer must include with his tender documents a copy of a Tax Clearance Certificate (in respect of Tenderer).
- 10.3 If the certificate is not included or found to be incorrect, Eskom may, in addition to any other remedy it may have:
- Recover from the buyer all costs, losses or damage incurred or sustained by Eskom as a result of the award of the disposal agreement; and/or
  - Cancel the disposal agreement and claim any damages, which Eskom may suffer by having to make less favourable arrangements after such cancellation.
- 10.4 Each party to Consortium / purchaser must complete a separate declaration.

The onus will be on the Tenderer / Purchaser to obtain “Tax Clearance Certificate (in respect of tenders)”, from the office of the South African Revenue Services (SARS) and submit the same with their tenders.

## 11. VARIATION

No variation or modification of the proposed agreement shall be in force, unless the same is confirmed in writing.

## 12. CRITERIA USED FOR EVALUATION OF OFFERS

In terms of the Eskom Purchasing Act, the following criteria will be used in the evaluation and awarding of the contract:

| <b>Evaluation Criteria</b> | <b>Weighting</b> |
|----------------------------|------------------|
| Financial                  | 80%              |
| B-BBEE                     | 20%              |

It is expected that all Bidders for assets will meet the criteria outlined in Codes of Good Practice issued in terms of the B-BBEE Act. Any enterprise bidding for SOE property will need to supply evidence of its level of compliance with B-BBEE.

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Yours faithfully

**Taki Kharivhe**  
Group Commercial

**This has been sent electronically and must be considered as signed.**

**ENQUIRY NO.** : **IRP313**  
**CLOSING DATE** : **09 November 2021**  
**CONTACT PERSON** : **Nomusa Manquzi**  
**Tel. No.** : **011 711 3284**

Commercially required Returnable Documentation:

Your tender must be submitted strictly in accordance with the requirements stipulated in the following sections, forms and/or documents on the basis that tenders out of time or incomplete tenders will not qualify for consideration and the under mentioned documents and required declarations are to accompany the "Offer to Purchase" to qualify for evaluation purposes.

**PLEASE NOTE: PRICES LOWER THAN THE RESERVE PRICE WILL NOT BE ACCEPTED BY ESKOM**

| Item No. | Stand No.   | Eskom Reserved Price (excl. VAT) | Offered Price (excl. VAT) |
|----------|---|----------------------------------|---------------------------|
| 1.       | Erf 686 Ext 1, 96 Mangosuthu Bbuthlezi Drive Eshowe         | R 1 200 000.00                   |                           |
| 2        | Erf 150, 6 Kruger Street Paulpietersburg                    | R 500 000.00                     |                           |
| 3.       | Erf 1777 Ptn3, 530 Alexander Road Bisley Pietermaritzburg   | R 850 000.00                     |                           |
| 4.       | Ptn 12 of 1875 Farm Uitvlugt 2 Noorberg Road Wartburg       | R 850 000.00                     |                           |
| 5.       | Ptn 141 of 138 Farm Gowrie House No 2 Robin/Nottingham Road | R 500 000.00                     |                           |
| 6.       | Ptn 142 of 138 Farm Gowrie House No 3 Robin/Nottingham Road | R 575 000.00                     |                           |
| 7.       | Erf 582, 109 Lamport Street Richmond                        | R 700 000.00                     |                           |

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**OFFER SUBMITTED BY:**

**NAME (Print):** ..... **SIGNATURE:** .....

**IDENTITY NUMBER:** ..... **DATE:** .....

**TEL NO.:** ..... **CELL NO.:** ..... **FAX NO.:** .....

**EMAIL ADDRESS:** .....

**MARITL STATUS:** *(Please circle / tick one of the below)*

Single / Divorced / Married in/out of Community of Property

**Spouse Details:**

**NAME (Print):** ..... **SIGNATURE:** .....

**IDENTITY NUMBER:** ..... **DATE:** .....

**Pre-approved Bond:** Yes / No

**Bank Guarantee:** Yes / No

**Who are legally authorized to provide this tender on behalf of:**

**BUSINESS NAME:** .....

**BUSINESS REG. NO.:** ..... **VAT NO.:** .....


**ADDRESS:** .....  
 .....  
 .....

**POSTAL CODE:** .....

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I understand that this “Offer to Purchase” is not a binding Contract between me and Eskom. This “Offer to Purchase” is subject to evaluation and approval by Eskom.

.....  
**PURCHASER** (Signature)

.....  
**SPOUSE** (Signature)

.....  
**DATE**

.....  
**DATE**

**ENCLOSE COPIES OF BOTH I.D. DOCUMENTS AND PRE-APPROVED BOND LETTER OR LETTER FROM THE BANK STATING QUALIFYING AMOUNT.**

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