



**Bank of Uganda**

**Standard Bidding Document**

**for**

**Disposal by Public Bidding**

**Subject of Disposal:** Disposal of Bank of Uganda Properties

**Disposal Reference Number:** BOU/22-23/00012

**Disposal Method:** Public Bidding

**Date of Issue:** February 22, 2023.

# Standard Bidding Document

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# PART 1: Bidding Procedures

## Instructions to Bidders

Disposal Reference Number: **BOU/22-23/00012**

Subject of Disposal: **Disposal of Bank of Uganda Properties**

### 2. GENERAL

Scope of Bid: Bank of Uganda, hereinafter called the “Procuring and Disposing Entity”, invites bids for the purchase of the assets described in Part 2, Description of Assets.

This disposal process will be conducted in accordance with the Public Bidding disposal method contained in the Government of Uganda’s Public Procurement and Disposal of Public Assets Act, 2003 and Public Procurement and Disposal of Public Assets (Disposal of Public Assets) Regulations, 2014 and the procedures described in Part 1: Bidding Procedures.

Any resulting contract shall be subject to the terms and conditions detailed in Part 3: Contract.

Condition attached to the sale of the properties: the properties shall be handed over to the Buyers after they have been legally transferred to them “Buyers”.

Lots and Items: The assets are divided into lots, as listed in Part 2, Description of Assets. Bidders shall be permitted to bid for individual or both properties

Corrupt Practices: It is the Government of Uganda’s policy to require that Procuring and Disposing Entities, as well as Bidders and Buyers observe the highest standards of ethics during disposal and the execution of contracts. In pursuit of this policy, the Government of Uganda;

- (a) defines, for the purposes of this provision, the terms set forth below as follows:
  - (i) “corrupt practice” includes the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the action of a public official in the disposal process or in contract execution;
  - (ii) “fraudulent practice” is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation;
  - (iii) “collusive practice” is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party; and
  - (iv) “coercive practice” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;
- (b) will reject a recommendation for award if it determines that the Bidder recommended for award has engaged in corrupt, fraudulent, collusive or coercive practices in competing for the Contract;
- (c) will suspend a Provider or bidder from engaging in any public procurement and disposal proceeding for a stated period of time, if it at any time determines that the Provider or bidder has engaged in corrupt, fraudulent, collusive or coercive practices in competing for, or in executing, a Government contract.

In pursuit of the policy defined above, the Procuring and Disposing Entity may terminate a contract, or be ordered by the PPDA Tribunal to cancel a contract, if it at any time determines that corrupt, fraudulent, collusive, or coercive practices were engaged in by representatives of the Procuring and Disposing Entity or of a Bidder, Provider or Buyer during the disposal process or the execution of that contract.

Code of Ethical Conduct: In pursuit of the policy defined above, the Government of Uganda requires representatives of both the Procuring and Disposing Entities and of Bidders, Providers and Buyers to adhere to the relevant codes of ethical conduct. **The Code of Ethical Conduct for Bidders and Providers as provided in the bidding forms shall be signed by the Bidder and submitted together with the other bidding forms.**

## **B. Bidding Document**

Bidding Document: The Bidding Document consists of the following Parts, which should be read in conjunction with any addenda issued:

- Part 1: Bidding Procedures
- Part 2: Description of Assets
- Part 3: Contract

The Bid Notice is not part of the Bidding Document.

At any time prior to the deadline for submission of bids, the Procuring and Disposing Entity may amend the Bidding Document or extend the deadline for submission of bids by issue of addenda. Addenda will be issued in writing to all Bidders who obtained the Bidding Document directly from the Procuring and Disposing Entity.

Clarification of Bidding Document: Any queries regarding this Bidding Document should be addressed to the Procuring and Disposing Entity in writing at the following address and not later than the date indicated below.

Address: Director Procurement and Disposal Department  
Bank of Uganda  
Plot 37/45 Kampala Road  
P.O. Box 7120  
Kampala.  
[procurement@bou.or.ug](mailto:procurement@bou.or.ug)

Latest Date: **March 14, 2023**

Any clarifications will be issued to all Bidders who obtained the Bidding Document directly from the Procuring and Disposing Entity.

## **C. Preparation of Bids**

Preparation of Bids: You are advised to carefully read the complete Bidding Document, including the Conditions of Contract in Part 3: Contract, before preparing your bid.

Inspection of Assets: Potential Bidders may inspect the assets on appointment basis prior to preparing bids, at the following location and at the following time and date:

Address for inspection: **Lot 1:** Plot 7-9 Elizabeth Avenue Kololo, Kampala City  
Property Reference: FRV 705 Folio 14  
**Lot 2:** Plot 41 Kampala Road, Masaka City  
Property Reference: FRV MSK 176 Folio 13

Date(s) for inspection: **February 22, 2023- March 14, 2023.**

Time(s) for inspection: 11:00am to 4:00pm EAT

Documents Comprising the Bid: You are requested to bid for these items by completing, signing, and returning:

1. the Code of Ethical Conduct for Bidders and Providers.
2. the Bid Submission Sheet in this Part;
3. the List of Assets and Price Schedule in Part 2, with prices completed for all items or lots for which you are bidding;

The standard forms in this Bidding Document may be retyped for completion but the Bidder is responsible for their accurate reproduction.

Validity of Bids: Bids shall be valid until **September 29,2023.**

Currency of Bids: Bids may be priced in **Uganda Shillings.**

**Bid Security: A Bid Security for each of the lots is required:**

Lot No.	Brief Description of Asset	Bid Security (UGX)
1.	<b>Location:</b> Plot 7-9 Elizabeth Avenue Kololo, Kampala City <b>Property Reference:</b> FRV 705 Folio 14	<b>506,236,000</b>
2.	<b>Location:</b> Plot 41 Kampala Road, Masaka City <b>Property Reference:</b> FRV MSK 176 Folio 13	<b>24,738,000</b>

Copies of Bid: The Bidder shall prepare and submit one copy of the bid.

Signing of Bids: The bid shall be typed or written in indelible ink and shall be signed by a person duly authorised to sign on behalf of the Bidder. All pages of the bid shall be signed or initialled by the person signing the bid.

#### **D. Submission and Opening of Bids**

Sealing and marking of Bids: Bids should be sealed in a single envelope, clearly marked with the Disposal Reference Number above, the Bidder's name, the name of the Procuring and Disposing Entity and a warning not to open before the date and time of the bid opening. Envelopes should be sealed in such a manner that opening and resealing cannot be achieved undetected.

Submission of Bids: Bids should be submitted to the address below, not later than the date and time of the deadline below. Late bids shall be declared late, rejected and returned unopened to the bidder.

Date of deadline: **March 15, 2023**

Time of deadline: **10:00am**

Address: The Office of the Director Procurement and Disposal Department  
Level 3, New Building  
Bank of Uganda Headquarters  
Plot 37/45 Kampala Road  
P.O. Box 7120  
Kampala.

**OR [procurement@bou.or.ug](mailto:procurement@bou.or.ug)**

*Disposal of Bank of Uganda Properties - BOU/22-23/00012*

Opening of Bids: The Procuring and Disposing Entity shall conduct the bid opening **in the presence of Bidders or their representatives**, at the address, date and time below. A record of the opening will be posted on the Procuring and Disposing Entity's website within one working day of the opening.

Date of opening: **March 15, 2023**

Time of opening: 11:30 am

Address: Bank of Uganda Headquarters  
Procurement and Disposal Department – Committee Room  
3<sup>rd</sup> Floor, New Building Room 3E – 05  
Plot 37/45 Kampala Road.

### **E. Evaluation of Bids**

Bid security: Only bids submitted with the required bid security shall qualify for evaluation.

Evaluation of Bids: Evaluation of bids shall be based on price only subject to fulfilment of the bid security requirement.

Evaluation of Price: The Procuring and Disposing Entity shall correct any arithmetic errors in the bids, convert the bids to a common currency and rank bids to determine the highest priced bid per item.

Evaluation Currency: The currency of evaluation is Uganda Shillings. Bids in other currencies will be converted to this currency for evaluation purposes only, using the exchange rates published by the Bank of Uganda on the date of the submission deadline.

Best Evaluated Bid: The best evaluated bid shall be the highest priced bid per lot.

The best evaluated bid shall be recommended for award of contract, subject to any reservations regarding failure to meet the **official valuation or reserve price**.

Right to Reject: The Procuring and Disposing Entity reserves the right to accept or reject any bid or to cancel the bidding process and reject all bids at any time prior to contract award.

### **F. Award of Contract**

Formation of contract: Formation of a contract shall be by signing a contract in accordance with Part 3: Contract.

The successful bidder will be expected to pay for and collect the assets within the period specified in the Agreement.

Right to Review: Bidders may seek an Administrative Review by the Accounting Officer in accordance with the Public Procurement and Disposal of Public Assets Act 2003 if they are aggrieved with the decision of the PDE.

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## Bid Submission Sheet

*[Complete this form with all the requested details and submit it as the first page of your bid, with any documents requested above attached. Ensure that your bid is authorised or signed in the signature block below. A signature and authorisation on this form will confirm that the terms and conditions of this Bidding Document prevail over any attachments. If your bid is not authorised or signed, it may be rejected.]*

Bid Addressed to (PDE):	Bank of Uganda
Date of Bid:	
Disposal Reference Number:	BOU/22-23/00012
Subject of Disposal:	Disposal of Bank of Uganda Properties

*We/I* offer to purchase the item or items listed in the attached List of Assets and Price Schedule, at the prices indicated on the attached List of Assets and Price Schedule, in accordance with the terms and conditions stated in your Bidding Document referenced above.

*We/I* have signed and undertake to abide by the Code of Ethical Conduct for Bidders and Providers attached, during the disposal process and the execution of any resulting contract;

This bid is valid until the **September 29, 2023.**

*We/I* confirm that the prices quoted in the List of Assets and Price Schedule are fixed and firm for the duration of the validity period and will not be subject to revision or variation.

### **Bid Submitted By:**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_ (DD/MM/YY)

Address: \_\_\_\_\_

\_\_\_\_\_

Email \_\_\_\_\_

Address: \_\_\_\_\_

Tel No: \_\_\_\_\_

# CODE OF ETHICAL CONDUCT IN BUSINESS FOR BIDDERS AND PROVIDERS<sup>1</sup>

(Under Section 93 of the Public Procurement and Disposal of Public Assets Act, 2003)

## 1. Ethical Principles

Bidders and providers shall at all times-

- (a) maintain integrity and independence in their professional judgment and conduct;
- (b) comply with both the letter and the spirit of-
  - i. the laws of Uganda; and
  - ii. any contract awarded.
- (c) avoid associations with businesses and organizations which conflict with this Code.

## 2. Conflict of Interest

Bidders and providers shall not accept contracts which would constitute a conflict of interest with, any prior or current contract with any procuring and disposing entity. Bidders and providers shall disclose to all concerned parties those conflicts of interest that cannot reasonably be avoided or escaped.

## 3. Confidentiality and Accuracy of Information

- (1) Information given by bidders and providers in the course of the disposal processes or the performance of contracts shall be true, fair and not designed to mislead.
- (2) Providers shall respect the confidentiality of information received in the course of performance of a contract and shall not use such information for personal gain.

## 4. Gifts and Hospitality

Bidders and providers shall not offer gifts or hospitality directly or indirectly, to staff of a procuring and disposing entity that might be viewed by others as having an influence on a government procurement or disposal decision.

## 5. Inducements

- (1) Bidders and providers shall not offer or give anything of value to influence the action of a public official in the disposal process or in contract execution.
- (2) Bidders and providers shall not ask a public official to do anything which is inconsistent with the Act, Regulations, Guidelines or the Code of Ethical Conduct in Business.

## 6. Fraudulent Practices

Bidders and providers shall not-

- (a) collude with other businesses and organisations with the intention of depriving a procuring and disposing entity of the benefits of free and open competition;
- (b) enter into business arrangements that might prevent the effective operation of fair competition;
- (c) engage in deceptive financial practices, such as bribery, double billing or other improper financial practices;
- (d) misrepresent facts to influence a disposal process or the execution of a contract to the detriment of the Procuring and Disposing Entity, or utter false documents.
- (e) unlawfully obtain information relating to a disposal process in order to influence the process or execution of a contract to the detriment of the PDE
- (f) withholding information from the PDE during contract execution to the detriment of the PDE.

I ..... agree to comply with the above Code of Ethical Conduct in business.

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**AUTHORISED SIGNATORY**

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**NAME OF BIDDER/PROVIDER**

<sup>1</sup> The Code of Ethical Conduct in Business for Bidders and Providers has been modified for use in the disposal process.



## Part 2: Description of Assets

### Description of Assets

Disposal Reference Number: **BOU/22-23/00012**

The descriptions of the assets given below are for information purposes only and the Procuring and Disposing Entity gives no guarantee of the accuracy of the description. The Bidder bears all risk for the condition of the assets.

Lot	Description of Asset
1.	<p><b>Location: Plot 7-9 Elizabeth Avenue Kololo, Kampala City</b></p> <p><b>Property Reference: FRV 705 Folio 14</b></p> <ul style="list-style-type: none"> <li>• <b>Title:</b> Freehold</li> <li>• <b>Area:</b> 1.469 Hectares</li> <li>• <b>Owner:</b> Bank of Uganda</li> <li>• <b>Property Description:</b> The triangular parcel of land located on Plot 41 measuring approximately 1.469 Hectares (3.629acres) is developed with a severely dilapidated double storey structure. The property boundaries are secured by metallic grill fence throughout onto a fairly well-maintained lawn.</li> <li>• <b>Surrounding neighborhood:</b> Predominantly commercial and with similar storied properties and institutional establishments such as Supreme Court of Uganda, International Crimes Division, Interpol Offices, Embassy of Democratic Republic of Congo among others.</li> </ul>

Lot	Description of Asset
2.	<p><b>Location: Plot 41 Kampala Road, Masaka City</b>  <b>Property Reference: FRV MSK 176 Folio 13</b></p> <ul style="list-style-type: none"> <li>• <b>Title:</b> Freehold</li> <li>• <b>Area:</b> 0.062 Hectares</li> <li>• <b>Owner:</b> Bank of Uganda</li> <li>• <b>Property Description:</b> The triangular shaped parcel of land measuring approximately 0.062 hectares (0.153acres) is developed with an old fashioned three- storey office building, a gate house and toilet block. The property boundaries are secured by a metal grill fence through out and accessed through a double leaf sliding metal grill gate opening onto a concrete yard.</li> <li>• <b>Surrounding neighborhood:</b> Predominantly commercial with similar storied properties and institutional establishments such as Masaka Municipal Council Offices, Uganda Revenue Authority offices, DFCU Bank Offices, Total Fuel Station among others.</li> </ul>

## List of Assets and Price Schedule

Disposal Reference Number: **BOU/22-23/00012**

Description: Disposal of Bank of Uganda Properties

*[Complete the currency of your bid. Complete the price for each item below for which you are bidding. Insert "No Bid" against any items for which you are not bidding. Authorise your bid prices in the signature block below.]*

**CURRENCY OF BID: UGX**

Lot No.	Brief Description of Asset	Price (UGX)
1.	<p><b>Location:</b> Plot 7-9 Elizabeth Avenue Kololo, Kampala City  <b>Property Reference:</b> FRV 705 Folio 14</p>	
2.	<p><b>Location:</b> Plot 41 Kampala Road, Masaka City  <b>Property Reference:</b> FRV MSK 176 Folio 13</p>	
<b>TOTAL</b>		

**Bid Submitted By:**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_ (DD/MM/YY)

Address: \_\_\_\_\_

Tel No: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Part 3: Contract**

Any resulting contract shall be placed using the contract agreement form below and shall be subject to the Government of Uganda General Conditions of Contract (GCC) for the Disposal of Public Assets, as attached.

**Contract Agreement**

Disposal Reference Number: BOU22-23/00012

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, between \_\_\_\_\_ of \_\_\_\_\_ (hereinafter referred to as “the Procuring and Disposing Entity”), of the one part, and \_\_\_\_\_ of \_\_\_\_\_ (hereinafter referred to as “the Buyer”), of the other part:

WHEREAS the Procuring and Disposing Entity invited bids for the disposal of Assets, viz., \_\_\_\_\_ and has accepted a Bid by the Buyer for the purchase of those Assets in the sum of \_\_\_\_\_ (hereinafter referred to as “the Contract Price”).

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. This Agreement shall be subject to the Government of Uganda General Conditions of Contract for the Disposal of Public Assets (attached), except where modified herein.
2. The Buyer hereby covenants to pay the Procuring and Disposing Entity in consideration of the provision of the Assets, the Contract Price at the times and in the manner prescribed by the Contract.
3. In consideration of the payments to be made by the Buyer to the Procuring and Disposing Entity as indicated in the Contract, the Procuring and Disposing Entity hereby covenants with the Buyer to release the Assets in conformity in all respects with the provisions of the Contract.

THE GENERAL CONDITIONS OF CONTRACT ARE MODIFIED AS FOLLOWS:

The location of the assets is Bank of Uganda Headquarters.

The official to contact to arrange collection of the assets is Director Administrative Services Department, Bank of Uganda.

Payment for the assets shall be made within two weeks of the date of signing the Agreement.

In consideration of the payment to be made by the Buyer to the Procuring and Disposing Entity as indicated in the Contract, the Procuring and Disposing Entity hereby covenants with the Buyer to handover the Asset(s) after it has been legally transferred to the Buyer.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Uganda on the day, month and year indicated above.

*Disposal of Bank of Uganda Properties - BOU/22-23/00012*

Signed by \_\_\_\_\_ (for the Procuring and Disposing Entity)

Name: \_\_\_\_\_ Position: \_\_\_\_\_

In the presence of:

Name: \_\_\_\_\_ Position: \_\_\_\_\_

Signed by \_\_\_\_\_ (for the Buyer)

Name: \_\_\_\_\_ Position: \_\_\_\_\_

In the presence of:

Name: \_\_\_\_\_ Position: \_\_\_\_\_

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# General Conditions of Contract for the Disposal of Public Assets

## 1. Definition of Assets

The assets subject to this contract are as defined in the attached Description of Assets.

## 2. Condition of Assets

The Procuring and Disposing Entity shall sell the assets on an “as is, where is” basis and shall offer no warranty or guarantee as to the condition of the assets.

The Buyer shall assume full responsibility for the assets from the date and time of transfer and shall bear all costs and risks associated with the assets thereafter.

## 3. Payment

The Buyer shall make payment to the Procuring and Disposing Entity of the full Contract Price, as defined in the Agreement, **within one month** of the date of signing the Agreement. The Procuring and Disposing Entity shall issue a receipt for the payment.

**The Dedicated Account on which successful bidders shall pay is:**

**A/C Name: Gain or Loss on Disposal of fixed Assets**

**A/C No: 099405002**

**Bank of Uganda**

Payment shall be made by **Bank draft, EFT or RTGS** and shall be considered to have been made on the date that it is credited to the Procuring and Disposing Entity’s account.

## 4. Transfer of Assets

The location of the assets is as specified in the Agreement.

The Buyer shall have full responsibility and shall bear all risks and costs associated with the transfer, collection, demolishing and shall bear and pay all associated costs.

The Buyer shall contact the official named in the Agreement, at the Procuring and Disposing Entity’s address, as specified in the Agreement, to arrange a date and time for the transfer of the assets.

The Buyer shall sign a Handover Certificate, certifying receipt of the assets, at the time of transfer.

## 5. Corrupt Practices

It is the Government of Uganda’s policy to require that Procuring and Disposing Entities, as well as Bidders and Buyers for contracts for public assets, observe the highest standard of ethics during the disposal process and execution of such contracts.

In pursuit of this policy, the Procuring and Disposing Entity may terminate a contract for disposal if it at any time determines that corrupt, fraudulent, collusive or coercive practices were engaged in by representatives of the Procuring and Disposing Entity or of a Buyer, during the disposal process or the execution of that contract, without the Procuring and Disposing Entity having taken timely and appropriate action satisfactory to the Government of Uganda to remedy the situation.