

**Terms of Reference
for
the appointment of an Operator
for the Tea Garden and Kiosk at the
KwaZulu Natal National Botanical Garden,
Pietermaritzburg**

**Document Number: One (1) of two (2)
April 2018**

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GENERAL TERMS & INSTRUCTIONS

Please read the following terms and instructions carefully. Failure to comply with the requirements of these instructions and general terms will lead to the rejection of your quotation submission.

1. PREPARATION AND SUBMISSION OF QUOTATIONS

1.1 The Request for Quotation (RFQ) documentation consists of:

- General Terms & Instructions to Bidders; and
- Forms of Quotation.
- The quotation documents can be obtained from the South African National Biodiversity Institute (SANBI) webpage www.sanbi.org.

1.2 It is accompanied by:

- Catering Specifications (document 2)

1.3 Quotations shall be prepared and submitted in accordance with the RFQ documentation. The South African National Biodiversity Institute (SANBI) shall not incur any obligation or liability towards the successful Bidder until the written contract has been signed by SANBI and the Bidder.

1.4 Bidders are to submit one (1) pack of original proposals, marked "ORIGINAL" in a separate envelope and three (3) packs of copies, marked "COPY" in a second envelope.

Quotation Number: **Q5954/2018**

Closing date for submissions is: **21 May 2018 @ 11:00**

1.5 Quotations received after the Quotation closing date and time will be disqualified. This Quotation is being issued by SANBI and does not constitute an offer. These documents are intended to provide information and guidelines for the preparation and submission of a Quotation by the Bidders.

Quotations must be submitted in the Tender Box located in the Biodiversity Building at the Pretoria National Botanical Garden, 2 Cussonia Avenue,

Brummeria, Pretoria, during office hours (08:00 – 16:00, except on the closing date when the time is 11:00).

Quotations may also be submitted by post addressed to:

The Deputy Director: Supply Chain Management
The South African National Biodiversity Institute (SANBI)
Private Bag X101
Silverton
0184

1.6 All SCM queries and communications in relation to this RFQ should be directed to Mr Mlingani Mavimbela (SCM Unit) at Tel 012 843 5277 or M.Mavimbela@sanbi.org.za Operational or technical queries can be directed to Miss Sthembile Zondi (Curator: KwaZulu Natal National Botanical Garden) on Tel.: 033 344 3585 or s.zondi@sanbi.org.za prior to the quotation closing date.

1.7 Preparation of the Quotation including but not limited to attendance at any pre-quotation meetings and site visits shall be at the sole expense of the Bidder.

1.8 The Quotation shall be submitted without review by, comparison of figures with, arrangement with, or knowledge of any other person or company submitting a Quotation for the same work, and shall in all respects be without collusion with other Bidders. Bidders forming a joint venture with another Bidder in order to submit a single consolidated Quotation shall advise SANBI prior to the submission of the Quotation and include in their Quotation full details of the joint venture including a copy of the signed joint venture agreement.

1.9 REQUIREMENTS

1.9.1 Each quotation document must include the following documentation and failure to include all these documents will lead to disqualification of the quotation:

- a) A current copy of the **Central Suppliers Database (CSD) registration report or registration number.**
- b) **Minimum rental** to be submitted in the “original” quotation document only
- c) One envelop marked **“original”** with minimum rental and one envelop marked copy with 3 (three) copies.

1.9.2 Each quotation document must include the following documentation for criteria/functionality evaluation purposes:

- Company information and profile and capabilities of staff and company

- Proposed selection of product, i.e. Menu, equipment and added value for money
- Track records /references relevant to the proposed operation
- An original or certified copy of B-BBEE certificate or sworn affidavit. (Please note that failure to submit a valid original or certified B-BBEE; certificate/sworn affidavit mentioned above will result in the tender not being awarded points
- A proof of UIF registration or valid letter of compliance issued by the department of labour . If the service provider does not possess a UIF registration or valid letter of compliance this will be required within 30 days of commencing the work. If the certificate cannot be presented within this period the second recommended bidder will be appointed
- Service providers with one or more employees are required by law to contribute to the Compensation Fund. A valid letter of good standing certificate with COIDA is required. The certificate should be issued by the Department of Labour. If the service provider does not possess a COIDA certificate this will be required within 21 days of commencing the work. If the certificate cannot be presented within this period the second recommended bidder will be appointed
- Copy of the latest Audited Financial Statement
- Proof of Public Liability Insurance or proof of application. If you have submitted proof of application. The bidder will be required to submit proof of insurance after 7 days of appointment. If a bidder failed to submit proof of insurance within 7 days the second recommended bidder will be appointed

2. EXAMINATION OF REQUEST FOR QUOTATION (RFQ)

2.1 SANBI may modify the RFQ at any time prior to the Quotation due date. Modifications will be made in the form of addenda to the RFQ and will be transmitted simultaneously to all Bidders.

2.2 The Bidder is responsible for examination of the RFQ and addenda and for informing itself in all respects of conditions, which may in any way affect the performance of the work. Should the Bidder find discrepancies or omissions in the RFQ or should any other questions arise, the Bidder shall notify SANBI in writing by fax or e-mail immediately on discovery of any discrepancy or omission.

2.3 Bidders should make their own independent studies, enquiries and plans and obtain and furnish to SANBI as part of the Quotation all information and data that may affect their Quotation and their prices, at their own risk and cost and allow for all contingencies irrespective of any information or other data supplied by SANBI.

3. CONFIDENTIALITY

- 3.1 By accepting this RFQ the Bidder agrees to ensure that its members, directors, officers, employees, agents and representatives (and, where applicable, those of its participating members) use the RFQ only to evaluate the Quotation opportunity and for no other purpose. The aforesaid parties are not to divulge or distribute any information or pass any copies of the RFQ to anyone else without the prior written approval of SANBI and to return the RFQ to SANBI with all copies thereof promptly upon being requested to do so.
- 3.2 SANBI will maintain the confidentiality of information designated as confidential by the Bidders when it submits its Quotation, except where that information is not proprietary or where disclosure is required by Law or is otherwise required by SANBI for the purpose of evaluating and selecting quotations. SANBI reserves the right to publicly disseminate any information of a non-confidential nature contained in any Quotation.

4. SITE INSPECTION AND CONDITIONS

- 4.1 The Bidder is responsible for making arrangements it considers necessary to become fully informed regarding all conditions that might in any way affect the performance of the contract including any equipment, furniture, fittings, space allocations and similar.
Site visits in addition to the compulsory site visit (see number 4.3 below) are to be arranged with the KwaZulu Natal National Botanical Garden management.
- 4.2 Failure by the Bidder to satisfactorily investigate the conditions as aforesaid shall not relieve the Bidder from the responsibility for properly estimating the cost of performing the contract in accordance with the RFQ.
- 4.3 A compulsory site meeting will be held at the time and date indicated below:

Date: 9 May 2018

Time: 12:00 am

Venue: Curio Shop, KwaZulu Natal National Botanical Garden,
Pietermaritzburg

5. QUOTATION VALIDITY, MODIFICATION AND WITHDRAWAL OF QUOTATIONS

- 5.1 The Bidder may modify or withdraw its Quotation at any time prior to the Quotation due date specified in the RFQ provided that notification of such withdrawal or modification is received by SANBI in writing prior to the Quotation closing date.
- 5.2 Once submitted, Quotations shall be fully binding upon the Bidder and shall be valid for a period of three (3) months from the date of submission of the Quotation, thereafter as mutually agreed.

6. AWARD OF CONTRACT

- 6.1 SANBI shall not be bound to accept the highest, lowest or any other Quotation and it shall be entitled to accept all or part of a Quotation. It shall not be liable for any costs or expenses or damages incurred by any Bidder who submits a Quotation, irrespective of the outcome of such Quotation. If, however, any such Quotation leads to the conclusion of a Contract, then the rights and obligations of SANBI and Bidder shall be governed solely by the provisions of such Contract. Should such preferred Bidder and SANBI fail to come to an agreement, SANBI may then, at its sole discretion, negotiate the Contract with an alternative Bidder or decide not to conclude a contract at all.
- 6.2 SANBI reserves the right to invite Bidders, after the closing date but prior to the date for award of their Quotations, to discuss any matter relating to the Quotation and/or to issue supplements or addenda to the Quotation. SANBI also reserves the right, after the closing date and evaluation process, to request Bidders clarification on the Quotation submission. Any such clarifications or addenda or supplements shall be considered as forming part of the Quotation documents. Any such discussion, issue of supplements or addenda or invitation to clarify, should not be construed as an acceptance, award or allocation of the Quotation to that Bidder.

7. BIDDERS' RETURN OF DOCUMENTS

Unsuccessful Bidders' documents will not be returned.

8. INFORMATION TO BE SUBMITTED WITH THE QUOTATION

Bidders shall submit their Quotations in accordance with the Forms of Quotation.

9. FORMS OF QUOTATION (Annexure 1 to 9)

9.1 Proposed Concept

Bidders are to indicate in **Annexure 1** how they intend decorating and furnishing the facilities making use of photographs, sketches, artists impressions, swatches (samples), design boards and similar.

9.2 Operating Hours

Bidders are to indicate intended operating hours for normal operations in **Annexure 2**.

9.3 Product Details & Pricing

Since the diversity and quality of products offered for sale will be one of the key criteria on which the contract will be awarded, Bidders are advised to give as much information as possible on their proposed products in **Annexure 3** including selling prices. Photographs can be submitted. Please note that selling prices submitted with the Forms of Quotation are to remain valid for a period of 6 months from the date of submission of the Quotation unless otherwise agreed with SANBI.

9.4 Staff Uniform

Bidders are requested to indicate by means of description, photographs, sketches and fabric swatches (samples), the type, style and colour of proposed staff uniform in **Annexure 4**.

9.5 Staff Training Programmes

In **Annexure 5**, Bidders are to give as much information as possible on their training policy and programmes applicable to this contract.

9.6 Capital Investment

In **Annexure 6**, Bidders are to indicate how much they will be initially investing in the Restaurant including equipment, appliances, furniture, decor and any other items they believe would enhance their offer to SANBI.

9.7 Rentals

Please note: Bidders are to indicate their projected net sales revenue for the first three (3) years of operation. **Annexure 7**

Rental will be calculated as percentage of monthly turnover as follows:

9.7.1 If the appointed Bidder has to make a substantial investment (in excess of R500 000) to establish the restaurant then the monthly rental will begin at 5% and increase annually by 1% per annum until the target of 10% is achieved.

or

9.7.2. If the appointed quotationed does not need to make a substantial investment to establish the restaurant (less than R500 000). Then the rental will be 7% from the first month of operation and it will increase annually by 1% until target of 10%.

In accordance with SANBI's lease agreement with operators, Bidders must take note that the minimum monthly rental payable will be R5000.00 or

percentage based on the above clauses (9.7.1 or 9.7.2), whichever is highest. The minimum monthly rental will increase annually by CPI.

9.8 References & General information

Each Bidder is required to submit details of three contactable relevant business references in **Annexure 8**.

9.9 Bidder's History

Each Bidder is to submit details of its history and relevant experience in **Annexure 9** and a company profile.

- 9.10 Bidders shall agree to maintain the confidentiality of all information supplied to it in connection with the quotation process regardless of format. Unless required by Law, Bidders shall not disclose in whole or in part any details pertaining to their submissions unless written consent is obtained from SANBI prior to such disclosure.

10. EVALUATION CRITERIA

In accordance with the National Treasury Instruction Note on the Amended Guidelines in Respect of Bids that include Functionality as a Criterion for the Evaluation (issued 3 September 2010) this bid will be evaluated in two stages.

Stage One:

FUNCTIONALITY CRITERIA	POINTS
1. Proposed concept of operation (See points 9.1) Proposed concept (Point 9.1) Staff uniforms (Point 9.4)	15 (10) (5)
2. Proposed selection of products, menu, equipment and added value for money (See points 9.3 and 9.6) Product details and pricing (Point 9.3) Capital investment (Point 9.6)	30 (15) (15)

3. Capability of staff and company,	35
3.1. CV's of staff not more than three pages. CV's to include experience, qualification and previous employer (CV's should be for Management, Chef, Waitress, etc.) and the Current company profile	(10)
3.2. Marketing capability (provide previous copies of adverts and marketing activities)	(10)
3.3. Existing resources suitable to operate the Restaurant during the contract period. Please attach the list of your resources. See details in annexure 6	(10)
3.4. Staff training programme (point 9.5)	(5)
4. Track record and experience relevant to the proposed operation, (See point 9.8 - References) and (Quotations History 9.9)	20
Total	100

Any bidder who scores less than **60 out of 100 points against** the functionality criteria in the table above will be excluded from further consideration.

The second stage will be evaluated in accordance with the Preferential Procurement Regulations, 2011, pertaining to the Preferential Procurement Policy Framework Act (No. 5 of 2000). The 80/20 point system will be applied in evaluating proposals that qualify for further consideration, where price constitutes 80 points and a maximum of 20 points will be awarded based on the bidder's Broad-based Black Economic Empowerment (B-BBEE) Status Level Certificate. However, as price is not relevant to this quotation, the second stage of evaluation of bids will focus solely on preference points as determined from the bidder's B-BBEE Status Level Certificate.

ANNEXURE 1

DETAILS OF PROPOSED CONCEPT

ANNEXURE 2

PROPOSED OPERATING HOURS

ANNEXURE 3

PRODUCT DETAILS & PRICING

Restaurant Menu

ANNEXURE 4

STAFF UNIFORM

ANNEXURE 5

STAFF TRAINING POLICY & PROGRAMMES

ANNEXURE 6

CAPITAL INVESTMENT

ANNEXURE 7

Net Sale revenue for three (3) years

ANNEXURE 8

CONTACTABLE BUSINESS REFERENCES

*Please provide details of three RELEVANT business references as follows:

Reference 1:

Name of reference:

Contact person:

Telephone numbers:

Length of contract/trading period:

Reference 2:

Name of reference:

Contact person:

Telephone numbers:

Length of contract/trading period:

Reference 2:

Name of reference:

Contact person:

Telephone numbers:

Length of contract/trading period:

.....

ANNEXURE 9

BIDDER'S HISTORY & GENERAL INFORMATION

Full legal company name	
Registered office physical address	
Postal address	
Telephone number	
Contact name	
Is the company the provider of the proposed service? If not, please supply the name and address of the other provider.	
How long in years has this company been operating in this business?	
Please indicate the proposed team structure that will be dedicated to the proposed service and provide CVs of key personnel involved.	
Please provide a copy of the last two years' consolidated income statements and cash flow statements and balance sheets.	

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