YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)

**BID NUMBER:** Q10632/2024  **CLOSING DATE:** 19 July 2024  **CLOSING TIME:** 11:00

**DESCRIPTION:**
THE APPOINTMENT OF AN OPERATOR TO OPERATE THE RESTAURANT AT THE LOWVELD NATIONAL BOTANICAL GARDEN, RIVERSIDE, MBOMBELA, MPUMALANGA, FOR A PERIOD OF FIVE YEARS

**Compulsory Briefing Session**
This is compulsory and will be conducted at the venue, time and date given below:
- **Date:** 16 July 2024
- **Time:** 10:30
- **Venue:** Lowveld National Botanical Garden Offices (Tea Garden, Lowveld National Botanical Garden, Riverside, Mbombela, Mpumalanga)

Submission of proposals: proposals must be emailed to [S.SCM-Quotations@sanbi.org.za](mailto:S.SCM-Quotations@sanbi.org.za) with a copy to Ms. Mogapi at [c.mogapi@sanbi.org.za](mailto:c.mogapi@sanbi.org.za)

**Please state the Bid number as the reference number on the subject line when responding.**

**BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO**  **TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**

<table>
<thead>
<tr>
<th>CONTACT PERSON</th>
<th>Cynthia Mogapi</th>
<th>CONTACT PERSON</th>
<th>Mr Carona Mathipa</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELEPHONE NUMBER</td>
<td>012 339 2713</td>
<td>TELEPHONE NUMBER</td>
<td>(013)- 752 -5531</td>
</tr>
<tr>
<td>FACSIMILE NUMBER</td>
<td>N/A</td>
<td>FACSIMILE NUMBER</td>
<td>N/A</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:c.mogapi@sanbi.org.za">c.mogapi@sanbi.org.za</a></td>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:C.Mathipa@sanbi.org.za">C.Mathipa@sanbi.org.za</a></td>
</tr>
</tbody>
</table>

**SUPPLIER INFORMATION**

| NAME OF BIDDER |  |
| POSTAL ADDRESS |  |
| STREET ADDRESS |  |
| TELEPHONE NUMBER | CODE | NUMBER |
| CELLPHONE NUMBER |  |
| FACSIMILE NUMBER | CODE | NUMBER |
| E-MAIL ADDRESS |  |
| VAT REGISTRATION NUMBER |  |

<table>
<thead>
<tr>
<th>SUPPLIER COMPLIANCE STATUS</th>
<th>TAX COMPLIANCE SYSTEM PIN:</th>
<th>OR</th>
<th>CENTRAL SUPPLIER DATABASE No:</th>
<th>MAAA</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE</th>
<th>TICK APPLICABLE BOX</th>
<th>B-BBEE STATUS LEVEL SWORN AFFIDAVIT</th>
<th>[TICK APPLICABLE BOX]</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Yes</td>
<td>☐ No</td>
<td>☐ Yes</td>
<td>☐ No</td>
</tr>
</tbody>
</table>

**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSES) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]**
**PART B**

**TERMS AND CONDITIONS FOR BIDDING**

1. **BID SUBMISSION:**
   1.1. **BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.**
   1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
   1.3. **THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.**
   1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. **TAX COMPLIANCE REQUIREMENTS**
   2.1 **BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.**
   2.2 **BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.**
   2.3 **APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE Error! Hyperlink reference not valid..**
   2.4 **BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.**
   2.5 **IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.**
   2.6 **WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.**
   2.7 **NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”**

**NB:** FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

**SIGNATURE OF BIDDER:** .................................................

**CAPACITY UNDER WHICH THIS BID IS SIGNED:** ..................................................

(Proof of authority must be submitted e.g. company resolution)

**DATE:** ..................................................
NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID

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 interest\(^1\) 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.

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Identity Number</th>
<th>Name of State institution</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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:

……………………………………………………………………………………
……………………………………………………………………………………

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:

……………………………………………………………………………………
……………………………………………………………………………………

\(^{1}\) 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.
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.

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 ........................................

---

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.
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:
   a) The applicable preference point system for this tender is the 80/20 preference point system.

   b) The 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:

<table>
<thead>
<tr>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRICE</td>
</tr>
<tr>
<td>SPECIFIC GOALS</td>
</tr>
<tr>
<td>Total points for Price and SPECIFIC GOALS</td>
</tr>
</tbody>
</table>
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.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS
(a) “tender” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
(b) “price” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
(c) “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
(d) “tender for income-generating contracts” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
(e) “the Act” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES
3.1. POINTS AWARDED FOR PRICE
3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS
A maximum of 80 or 90 points is allocated for price on the following basis:

\[ Ps = \begin{cases} 80 \left(1 - \frac{Pt-P_{min}}{P_{min}}\right) & \text{or} \\ 90 \left(1 - \frac{Pt-P_{min}}{P_{min}}\right) \end{cases} \]

Where
\[ Ps \] = Points scored for price of tender under consideration
\[ Pt \] = Price of tender under consideration
\[ P_{min} \] = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT
3.2.1. **POINTS AWARDED FOR PRICE**

A maximum of 80 or 90 points is allocated for price on the following basis:

\[
\begin{align*}
Ps &= 80 \left(1 + \frac{Pt - P_{max}}{P_{max}}\right) \quad \text{or} \\
Ps &= 90 \left(1 + \frac{Pt - P_{max}}{P_{max}}\right)
\end{align*}
\]

Where

- \(Ps\) = Points scored for price of tender under consideration
- \(Pt\) = Price of tender under consideration
- \(P_{max}\) = 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.)

<table>
<thead>
<tr>
<th>Categories of persons historically disadvantaged by unfair discrimination on the basis of race</th>
<th>Number of points allocated (80/20 system)</th>
<th>Number of points claimed (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>100% black ownership</td>
<td>10</td>
<td>(To be completed by the organ of state)</td>
</tr>
<tr>
<td>(Points will be allocated based on the percentage of ownership per goal. Information will be verified on CSD. CSD must be attached as proof)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Categories of persons historically disadvantaged by unfair discrimination on the basis of gender</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>100% female ownership</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>(Points will be allocated based on the percentage of ownership per goal. Information will be verified on CSD. CSD must be attached as proof)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Points</td>
<td>20</td>
<td></td>
</tr>
</tbody>
</table>

**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.

.................................................................
SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME: ............................................................
DATE: .............................................................................
ADDRESS: ..............................................................
..............................................................................
REQUEST FOR PROPOSAL

For

THE APPOINTMENT OF AN OPERATOR TO OPERATE THE RESTAURANT AT THE LOWVELD NATIONAL BOTANICAL GARDEN, RIVERSIDE, MBOMBELA, MPUMALANGA, FOR A PERIOD OF FIVE YEARS

QUOTATION: 10632/2024
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GENERAL TERMS & INSTRUCTIONS

BACKGROUND

This document (Document 1) gives a general overview of the process to be followed in appointing an Operator to operate the restaurant inside the Lowveld National Botanical Garden, particularly regarding the requirements to be submitted in responding to a call for proposal in respect of the restaurant situated inside the Lowveld National Botanical Garden. This document is to be read in conjunction with the Catering Specifications and Background Information (Document 2)

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

1. PREPARATION AND SUBMISSION OF PROPOSALS

1.1 The Request for Proposal (RFP) documentation (Document 1) consists of:
- General Terms & Instructions to Proposers; and
- Forms of Proposal.
- The Proposal 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 Proposals shall be prepared and submitted in accordance with the RFP documentation. The South African National Biodiversity Institute (SANBI) shall not incur any obligation or liability towards the successful Proposer until the written contract has been finalized and signed by both SANBI and the Proposer.

1.4 Proposals received after the proposal closing date and time will be disqualified. This Request For Proposal (RFP) 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 Proposal by the Proposers.

1.5 Preparation of the proposal, including but not limited to attendance at any pre-proposal meetings and site visits, shall be at the sole expense of the Proposer.

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

1.7 Potential service providers are required to submit the following administrative documentation:
- Service providers are to submit a Full CSD report with a Tax Compliant Status.
- Duly completed SBD 1, 4, and 6.1
- Quotations must include cost breakdown of all the specifications and the price must be VAT-inclusive
1.8 **Potential service providers are required to submit the following Mandatory documentation, Failure to do so will lead to disqualification.**

- Completed forms of the Proposal (Annexures 1-13)
- 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.
- Proof of Public Liability Insurance or Letter to intend.
- Signed briefing session certificate

1.9 **Other documents to be submitted:**

- Copy of the latest Audited Financial Statement for any existing operator

2. **EXAMINATION OF REQUEST FOR PROPOSAL (RFP)**

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

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

2.3 Proposers should make their own independent studies, enquiries and plans and obtain and furnish to SANBI as part of the proposal all information and data that may affect their proposal 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 RFP the Proposer agrees to ensure that its members, directors, officers, employees, agents and representatives (and, where applicable, those of its participating members) use the RFP only to evaluate the Proposal opportunity and for no other purpose. The aforesaid parties are not to divulge or distribute any information or pass any copies of the RFP to anyone else without the prior written approval of SANBI and to return the RFP 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 Proposers when they submit their proposals, 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 Proposals. SANBI reserves the right to publicly disseminate any information of a non-confidential nature contained in any proposal.
4. SITE INSPECTION AND CONDITIONS

4.1 Kindly be informed that the building has no equipment. The Proposer 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 recommended site visit, are to be arranged with the Lowveld National Botanical Garden management from **08:00am to 14:00pm**.

4.2 Failure by the Proposer to satisfactorily investigate the conditions as aforesaid shall not relieve the Proposer from the responsibility for properly estimating the cost of performing the contract in accordance with the RFP.

5. PROPOSAL VALIDITY, MODIFICATION AND WITHDRAWAL OF PROPOSALS

5.1 The Proposer may modify or withdraw its proposal at any time prior to the proposal due date specified in the RFP provided that notification of such withdrawal or modification is received by SANBI in writing prior to the proposal closing date.

5.2 Once submitted, proposals shall be fully binding upon the Proposer and shall be valid for a period of 90 days (3 months) from the date of submission of the proposal, and thereafter as mutually agreed.

6. AWARD OF CONTRACT

6.1 SANBI shall not be bound to accept the highest, lowest or any other proposal and it shall be entitled to accept all or part of a proposal. It shall not be liable for any costs or expenses or damages incurred by any Proposer who submits a proposal, irrespective of the outcome of such proposal. If, however, any such proposal leads to the conclusion of a Contract, then the rights and obligations of SANBI and Proposer shall be governed solely by the provisions of such Contract. Should such preferred Proposer and SANBI fail to come to an agreement, SANBI may then, at its sole discretion, negotiate the Contract with an alternative Proposer or decide not to conclude a contract at all.

6.2 SANBI reserves the right to invite Proposers, after the closing date but prior to the date for award of their proposals, to discuss any matter relating to the Proposal and/or to issue supplements or addenda to the proposal. SANBI also reserves the right, after the closing date and evaluation process, to request Proposer’s clarification on the proposal submission. Any such clarifications or addenda or supplements shall be considered as forming part of the proposal 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 proposal to that Proposer.

7. PROPOSERS’ RETURN OF DOCUMENTS

Unsuccessful Proposers’ documents will not be returned.

8. INFORMATION TO BE SUBMITTED WITH THE PROPOSAL

Proposers shall submit their Proposals in accordance with the Forms of Proposal.

9. FORMS OF PROPOSAL (Annexure 1 to 13)
9.1 Proposed Concept
Proposers 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
Proposers are to indicate intended operating hours for normal operations in Annexure 2.

9.3 Product Details & Pricing menu
Since the diversity and quality of products offered for sale will be one of the key criteria on which the contract will be awarded, Proposers 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 Proposal are to remain valid for a period of 6 months from the date of submission of the Proposal unless otherwise agreed with SANBI.

9.4 Staff Uniform
Proposers 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. The choice of uniform must take into account the Garden environment as well as the theme of the restaurant.

9.5 Staff Training Policy & Programmes
In Annexure 5, Proposers are to give as much information as possible on their training policy and programmes applicable to this contract. The training must be relevant to the hospitality sector.

9.6 Capital Investment
In Annexure 6, Proposers 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 Projected sales
Please note: Proposers are to indicate their projected net sales revenue for the first three (3) years of operation (Annexure 7).

In accordance with SANBI’s lease agreement with operators, Proposers must take note that the minimum monthly rental payable will be R3,000 or percentage of turnover, whichever is higher. The minimum monthly rental will increase annually by CPI.

Rental calculated as a percentage of monthly turnover as follows:
If the appointed Proposer has to make a substantial investment (in excess of R300 000) to establish the restaurant, then the monthly rental will begin at 5% for the first year and increase annually by additional 1% per annum until the target maximum of 10% is achieved.
Or
If the appointed Proposer does not need to make a substantial investment to establish the restaurant, less than R300 000, then the rental will be 7% and increase annually by additional 1% per annum until the target maximum of 10% is achieved.
No sub-rental of the premises or business will be allowed without consultation with SANBI.

9.8 References & General information
For existing Operators, each Proposer is required to submit details of three contactable relevant business references in Annexure 8.

9.9 Proposer’s History
Each Proposer is to submit details of its history and relevant experience in Annexure 9.

9.10 Company profile
Each Proposer is to submit the company’s profile in Annexure 10.
9.11 Waste management plan
Each Proposer is to submit a detailed Waste Management Plan outlining the kind of waste that will be generated by the operation and how this will be managed in Annexure 11. (See Section 2.21 in Document 2)

9.12 Risk Management plan
Each Proposer is to submit a Risk Management Plan in relation to hazardous activities and COVID-19 in Annexure 12. (See Section 2.21 in Document 2).

9.13 Marketing Capability
Each Proposer is to submit examples of marketing initiatives used previously (one example of each, e.g. advert (print or electronic), FaceBook page screenshot, brochure (print or electronic)) in Annexure 13.

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 evaluation: The table below indicates the criteria for the phase one (functionality) evaluation.

<table>
<thead>
<tr>
<th>FUNCTIONALITY CRITERIA</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Proposed concept of operation needs to be aligned with the philosophy of the Garden (Annexures 1 and 4)</td>
<td></td>
</tr>
<tr>
<td>1.1 Proposed concept including visual/pictorial presentation of furniture (9.1)</td>
<td>(15)</td>
</tr>
<tr>
<td>1.2 Staff uniforms (9.4)</td>
<td>(10)</td>
</tr>
<tr>
<td>2. Proposed selection of products, menu, equipment and added value for money (Annexures 3, 6 and 7)</td>
<td>(30)</td>
</tr>
<tr>
<td>2.1 Product details and pricing menu (9.3)</td>
<td>(15)</td>
</tr>
<tr>
<td>2.2 Projected sales (9.7)</td>
<td>(5)</td>
</tr>
<tr>
<td>2.3 Capital investment and relevant resources suitable to operate the Restaurant during the contract period (9.6)</td>
<td>(10)</td>
</tr>
<tr>
<td>3. Capability of staff and company (part of Annexures 5, 9, 10 and 13)</td>
<td>(25)</td>
</tr>
<tr>
<td>3.1 CVs of staff (Management and the Chef applicable to this operation) (9.9) and the current company profile (9.10) (CVs to include experience, qualifications and previous employers and should not be more than three pages)</td>
<td>(10)</td>
</tr>
<tr>
<td>3.2 Marketing capability (provide 1 example of each of the marketing activities previously undertaken) (9.13) or how the operator intends to Market the restaurant</td>
<td>(10)</td>
</tr>
<tr>
<td>3.3 Staff training policy and programmes (9.5)</td>
<td>(5)</td>
</tr>
</tbody>
</table>
4. Track record, history and experience relevant to the proposed operation (Annexures 8 and 9)
   4.1 References (9.8)
   4.2 Proposer History (9.9)

5. Safety, Health and Environmental Requirements
   5.1. Waste Management Plan (9.11)
   5.2. Risk Management Plan (9.12)

<table>
<thead>
<tr>
<th>Objective goals</th>
<th>Targeted score</th>
<th>Bidders score</th>
</tr>
</thead>
<tbody>
<tr>
<td>a Categories of persons historically disadvantaged by unfair discrimination on the basis of race. 100% black ownership (Points will be allocated based on the percentage of ownership per goal. Information will be verified on CSD. CSD must be attached as proof)</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>b Categories of persons historically disadvantaged by unfair discrimination on the basis of gender. 100% female ownership (Points will be allocated based on the percentage of ownership per goal. Information will be verified on CSD. CSD must be attached as proof)</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td><strong>Total Points</strong></td>
<td><strong>20</strong></td>
<td></td>
</tr>
</tbody>
</table>

NB: Bids that fail to score a minimum of 70 out of 100 points for functionality will not be eligible for further consideration.

The second stage will evaluate the price and specific goals of those bids that meet the minimum threshold for functionality. In accordance with the Preferential Procurement Regulations, 2022 pertaining to the Preferential Procurement Policy Framework Act (No. 5 of 2000), a maximum of 20 points will be awarded based on the identified specific goals (see below table).

However, as price is not relevant to this Proposal, the second stage of evaluation of bids will focus solely on specific goals points.

11. EXCLUSIVITY
The successful Operator is not guaranteed of any business from the client that may be arising from time to time pertaining to similar or other services. The Operator will be entitled to compete on an equitable basis for any such business on a Quotation or Proposal basis. The Operator will be required to sign a new contract with the Client for the service or business.

12. Closing date for quotations
The closing date for submission of responses is **19th July 2024 at 11:00 AM**. Submissions should be e-mailed to S.SCM-Quotations@sanbi.org.za with a copy to Ms. Mogapi at C.mogapi@sanbi.org.za.

N.B: Compulsory Briefing Session
A compulsory site briefing session will take place on site on **16th July 2024 from 10:30** at the Lowveld National Botanical Garden Offices (Tea Garden, Lowveld National Botanical Garden, Riverside, Mbombela, Mpumalanga)
Service providers are encouraged to arrange a site visit and can make the necessary arrangements with the garden curator Mr Carona Mathipa on 013 752 5531 or email C.Mathipa@sanbi.org.za.
ANNEXURE 1: PROPOSED CONCEPT
ANNEXURE 2: OPERATING HOURS
ANNEXURE 3: PRODUCT DETAILS & PRICING MENU
ANNEXURE 4: STAFF UNIFORM
ANNEXURE 5: STAFF TRAINING POLICY & PROGRAMMES
ANNEXURE 6: CAPITAL INVESTMENT
ANNEXURE 7: PROJECTED NET SALES REVENUE FOR FIVE [5] 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 3:
Name of reference: .................................................................................................................. 
Contact person: ....................................................................................................................... 
Telephone numbers: .................................................................................................................. 
Length of contract/trading period: ............................................................................................
<table>
<thead>
<tr>
<th><strong>ANNEXURE 9: PROPOSER’S HISTORY &amp; GENERAL INFORMATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Full legal company name</strong></td>
</tr>
<tr>
<td><strong>Registered office physical address</strong></td>
</tr>
<tr>
<td><strong>Postal address</strong></td>
</tr>
<tr>
<td><strong>Telephone number</strong></td>
</tr>
<tr>
<td><strong>Contact name</strong></td>
</tr>
<tr>
<td><strong>Is the company the provider of the proposed service?</strong></td>
</tr>
<tr>
<td>If not, please supply the name and address of the other provider.</td>
</tr>
<tr>
<td><strong>How long in years has this company been operating in this business?</strong></td>
</tr>
<tr>
<td><strong>Please indicate the proposed team structure that will be dedicated to the proposed service and provide CVs of key personnel involved.</strong></td>
</tr>
<tr>
<td><strong>Please provide a copy of the last two years’ consolidated income statements and cash flow statements and balance sheets.</strong></td>
</tr>
</tbody>
</table>