

**PART A
 INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (South African National Biodiversity Institute)

BID NUMBER:	SANBI: G498/2023	CLOSING DATE:	08 February 2024	CLOSING TIME:	11:00am
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DESCRIPTION	THE APPOINTMENT OF AN OPERATOR TO OPERATE THE KIRSTENBOSCH TEA ROOM-RESTAURANT AT KIRSTENBOSCH NATIONAL BOTANICAL GARDEN, RHODES DRIVE, NEWLANDS, CAPE TOWN, FOR A PERIOD OF FIVE YEARS.
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BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:

Biodiversity Centre
 Pretoria National Botanical Garden,
 2 Cussonia Avenue,
 Brummeria Pretoria

A compulsory briefing session will be conducted at the time and date given as follows:
Date: 17 January 2024
Time: 11:00am
Venue: Kirstenbosch Tea Room-Restaurant at Kirstenbosch National Botanical Garden, Gate 2

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON		CONTACT PERSON	
TELEPHONE NUMBER		TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	sanbi.tenders@sanbi.org.za	E-MAIL ADDRESS	s.struys@sanbi.org.za

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					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA

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B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
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[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]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

**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 WWW.SARS.GOV.ZA.
- 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:

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number: SANBI: G498/2023
Closing Time 11:00	Closing date: 8 February 2024

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY
** (ALL APPLICABLE TAXES INCLUDED)			

-
- Required by:
 - At:
 - Brand and model
 - Country of origin
 - Does the offer comply with the specification(s)?
*YES/NO
 - If not to specification, indicate deviation(s)
 - Period required for delivery
 - *Delivery: Firm/not firm**
 - Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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**** “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**

***Delete if not applicable**

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

3 DECLARATION

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.

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.

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:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps} = \mathbf{80} \left(\mathbf{1} - \frac{\mathbf{Pt} - \mathbf{Pmin}}{\mathbf{Pmin}} \right) & \mathbf{or} & \mathbf{Ps} = \mathbf{90} \left(\mathbf{1} - \frac{\mathbf{Pt} - \mathbf{Pmin}}{\mathbf{Pmin}} \right) \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = 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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps} = \mathbf{80} \left(\mathbf{1} + \frac{\mathbf{Pt} - \mathbf{Pmax}}{\mathbf{Pmax}} \right) & \mathbf{or} & \mathbf{Ps} = \mathbf{90} \left(\mathbf{1} + \frac{\mathbf{Pt} - \mathbf{Pmax}}{\mathbf{Pmax}} \right) \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
 Pt = Price of tender under consideration
 Pmax = 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.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Categories of persons historically disadvantaged by unfair discrimination on the basis of race. Information will be verified on the CSD report. Points will be allocated based on the percentage of ownership per goal. Black Ownership = 10 Points		(10)		
Categories of persons historically disadvantaged by unfair discrimination on the basis of gender.		(5)		

Information will be verified on the CSD report. Points will be allocated based on the percentage of ownership per goal. Female Ownership = 5 Points				
Categories of persons historically disadvantaged by unfair discrimination on the basis of disability. Information will be verified on the CSD report. Points will be allocated based on the percentage of ownership per goal. Disability Ownership = 5 Points		(5)		
Total		20		

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 KIRSTENBOSCH
TEA ROOM/RESTAURANT AT KIRSTENBOSCH NATIONAL BOTANICAL
GARDEN, RHODES DRIVE, NEWLANDS, CAPE TOWN, FOR A PERIOD OF FIVE
YEARS**

The South African National Biodiversity Institute (SANBI)

Private Bag X101

Silverton

0184

Document Number: One (1) of two (2)

Proposal No: SANBI: G498/2023

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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 tender submission.

BACKGROUND

This document (Document 1) gives a general overview of the process to be followed in appointing a suitable Operator to operate the Kirstenbosch Tea Room/Restaurant at the Garden Centre (Gate 2) at Kirstenbosch National Botanical Garden, particularly regarding the requirements to be submitted in responding to a call for proposals in respect of the Kirstenbosch Tea Room/Restaurant situated in Kirstenbosch 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 and Background Information (Document 2)

1.3 Proposals shall be prepared and submitted in accordance with both documents. The South African National Biodiversity Institute (SANBI) shall not incur any obligation or liability towards the successful Proposer until a 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 Bidders.

1.6 All SCM queries and communications in relation to this RFP should be directed to sanbi.tenders@sanbi.org.za, at the **29th of January 2024**.

Operational or technical queries can be directed to Sarah Struys (Events and Tourism Manager: Kirstenbosch National Botanical Garden) on Tel.: 021 799 8775 or s.struys@sanbi.org.za, at the **29th of January 2024**.

1.7 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.

1.8 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.

1.9 Requirements

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

- Duly completed and signed SBD forms (1,4 ,6.1)
- A copy of the Company Central Supplier Database (CSD) registration report
- Proof of Public Liability
- Letter of Good Standing from the office of the Compensation Commissioner as required by the Compensation for Occupational Injuries and Diseases Act (COIDA). The letter should be issued by the Department of Labour
- Compulsory briefing session attendance certificate

1.9.2 Each Proposal document must include the following documentation for evaluation purposes:

(If this information is not provided, the proposal will not be disqualified)

- Copy of the latest Audited Financial Statement
- Fully completed forms of the Proposal (Annexures A to N)

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 should 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 Bidder 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 Bidders 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 Kirstenbosch Tea Room/Restaurant venue 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 (see 4.3 below), are to be arranged with Kirstenbosch National Botanical Garden management by contacting Sarah Struys (Events and Tourism Manager: Kirstenbosch National Botanical Garden) on Tel.: 021 799 8775 [or s.struys@sanbi.org.za](mailto:s.struys@sanbi.org.za)

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.

4.3 **A compulsory site inspection session will take place on site on 17 January 2024 from 11:00 at the Kirstenbosch Tea Room/Restaurant, Kirstenbosch National Botanical Garden, Rhodes Drive, Newlands at the Garden Centre entrance Gate 2.**

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 if notification of such withdrawal or modification is received by SANBI in writing prior to the RFP closing date.

5.2 Once submitted, Proposals shall be fully binding upon the Proposer and shall be valid for a period of 90 days (three 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 Proposers' 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 A to N)

9.1 Proposed Concept

Kirstenbosch NBG is looking for a Tea Room/Restaurant model that provides food and beverages that appeal to locals and tourists alike.

Proposers are to describe their Tea Room/Restaurant model, and explain why they believe it will be suitable to Kirstenbosch NBG in **Annexure A**. This must also include 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 (**Annexure B**)

Proposers are to indicate intended operating hours, considering the normal operating hours of the Garden:

08:00 - 18:00 from 1 April to 30 September

08:00 - 19:00 from 1 October to 31 March

9.3 Product Details & Pricing menu

Since the 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 C** including selling prices. Photographs of menu items and presentation can be submitted. Please note that selling prices submitted with the Forms of Proposal are to remain valid for a period of six 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 uniforms in **Annexure D**. The choice of uniform must take into account the Garden environment as well as the theme of the Tea Room/Restaurant.

9.5 Staff Training Policy & Programmes

In **Annexure E**, 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 and where possible training must be accredited.

9.6 Capital Investment

In **Annexure F**, Proposers are to indicate how much they will be initially investing in the Tea Room/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 G**).

In accordance with SANBI's lease agreement for the operation of this particular tea room/restaurant, Proposers must take note that the minimum monthly rental payable will be R100 000,00 or 10% of percentage of monthly turnover, whichever is higher. The minimum monthly rental will increase annually by CPI.

A deposit equivalent to three months minimum rental payment will be payable by the successful Proposer.

No sub-rental of the premises or business will be allowed without consultation with SANBI.

9.8 References & General information

Each Proposer is required to submit details of at least three contactable relevant business references in **Annexure H**.

9.9 Proposer's History

Each Proposer is to submit details of its history and relevant experience in **Annexure I**, including bank history, bank classification code, and financial statements.

9.10 Company profile

Each Proposer is to submit the company's profile in **Annexure J**.

9.11 Environmental Policy

Each Proposer is to submit a description of the business consideration for the environment, and how this is put into practice in **Annexure K**.

9.12 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 L**. (See Section 2.20 in Document 2)

9.13 Risk Management plan

Each Proposer is to submit a Risk Management Plan in relation to hazardous activities in **Annexure M**. (See Section 2.20 in Document 2).

9.14 Marketing Capability

Although the Tea Room/Restaurant is intended as a service to Kirstenbosch visitors, marketing done by the Tea Room/Restaurant itself can bring additional visitors to Kirstenbosch and create awareness about the Tea Room/Restaurant amongst visitors. Each Proposer is to submit a brief marketing plan for the proposed Tea Room/Restaurant in **Annexure N**.

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.

FUNCTIONALITY CRITERIA	POINTS
1. Proposed concept of operation needs to be aligned with the philosophy of the Garden (Annexures A and E)	30
1.1 Proposed Tea Room/Restaurant model (9.1)	(13)
1.2 Visual/pictorial presentation of the interior (9.1)	(12)
1.3 Staff uniforms (9.4)	(5)
2. Proposed selection of products, menu, equipment and added value for money (Annexures C, F and G)	30
2.1 Product details and pricing menu (9.3)	(13)
2.2 Projected sales (9.7)	(12)
2.3 Capital investment and relevant resources suitable to operate the Tea Room/Restaurant during the contract period (9.6)	(5)
3. Track record, history, and experience relevant to the proposed operation (Annexures E, H, I and N)	28
3.1 Current company profile	(4)
3.2 Documentation that demonstrates past experience (9.10)	(4)
3.3 Staff training policy and programmes (9.5)	(4)
3.4 Three references (9.8) Two points awarded per relevant positive reference	(6)
3.5 Evidence of financial management (9.9)	
- Sound financial statements in good standing	(4)
- bank classification code	(4)
3.6 Marketing capability (9.13)	(2)
4. Safety, Health, and Environmental Requirements	12
4.1 Company's considerations for the environment	(4)
4.2 Waste Management Plan (9.11)	(4)
4.2 Risk Management Plan (9.12)	(4)
TOTAL	100

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.

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

12. EXCLUSIVITY

The successful Operator must be mindful that there are other hospitality Operators conducting business on the premises and is therefore not guaranteed of any business from the client (SANBI) 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.

The closing date for submissions is 08 February 2024 at 11h00.

1. Compulsory briefing session

A compulsory briefing session will be conducted at the date, time, and venue indicated below:

Date: 17 January 2024

Time: 11:00

Venue: Kirstenbosch Tea Room-Restaurant at Kirstenbosch National Botanical Garden, Gate 2

Bidders may direct technical and bidding procedure inquiries to the email addresses below. All responses will be communicated via this tender's advertisement webpage on the SANBI website at: www.sanbi.org

- For bidding procedure enquires: sanbi.tenders@sanbi.org.za
- For technical enquires s.struys@sanbi.org.za

SANBI will not respond to any questions or requests for clarification received after 29 January 2024.

ANNEXURE A: PROPOSED CONCEPT

ANNEXURE B: OPERATING HOURS

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Call our Fraud Hotline 0800 160 999 (toll-free) anytime**

ANNEXURE D: STAFF UNIFORM

ANNEXURE E: STAFF TRAINING POLICY & PROGRAMMES

ANNEXURE F: CAPITAL INVESTMENT

**ANNEXURE G: PROJECTED NET SALES REVENUE FOR THREE [3]
YEARS**

ANNEXURE H: 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:

Letter attached:

Reference 2:

Name of reference:

Contact person:

Telephone numbers:

Length of contract/trading period:

Letter attached:

Reference 3:

Name of reference:

Contact person:

Telephone numbers:

Length of contract/trading period:

Letter attached:

ANNEXURE I: PROPOSER'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. NB: Any changes in key personnel must, in terms of the lease, be communicated and agreed to with the Lessor, with the understanding that replacements are to be of the same qualification and experience.	
Please provide a copy of the last four years' consolidated income statements, and cash flow statements and balance sheets.	
Please provide your company's bank classification code	

ANNEXURE J: COMPANY PROFILE

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ANNEXURE L: WASTE MANAGEMENT PLAN

ANNEXURE M: RISK MANAGEMENT PLAN

ANNEXURE N: MARKETING CAPABILITY

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