

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**

**The South African National Biodiversity Institute (SANBI)
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Silverton
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Document Number: One (1) of two (2)

Proposal No: **SANBI:Q7163/2021**

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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 Proposers are to submit one (1) hard copy of the proposal in an envelope and a memory stick with a PDF version of the document.

Proposal Number: **SANBI:Q7163/2021**

Closing date for submissions: **17 March 2021**

Time: 11:00

Proposals must be submitted in the Proposal Box located in the Biodiversity Building at the Pretoria National Botanical Garden, 2 Cussonia Avenue, Brummeria, Pretoria, during office hours (08:00 - 16:00).

1.5 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.

1.6 All SCM queries and communications in relation to this RFP should be directed to T.Lubisi@sanbi.org.za and scmquotations@sanbi.org.za , at the **latest by 05 March 2021 at 12:00.**

Operational or technical queries can be directed to Mr Avhatakali Mamatsharaga (Curator: Lowveld National Botanical Garden) on Tel.: (013) 752 5531 or a.mamatsharaga@sanbi.org.za , at the **latest 2 days before to the Proposal closing date.**

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:

- A current copy of the **Central Suppliers Database (CSD) registration report or registration number**
- A certified copy of **Liability Insurance Cover** for the company and the amount available per claim
- **UIF compliance** demonstrated by submission of one of the following:
 - A valid copy of the UIF Letter of Compliance issued by the Department of Labour, or
 - Labour uFiling Employer Statement of Account indicating UIF payments or accruals not older than 12 months, or
 - SARS eFiling Employer Statement of Account indicating UIF payments or accruals not older than 12 months, or
 - Valid proof of exemption for UIF.

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

- Copy of the latest Audited Financial Statement
- Completed forms of the Proposal (Annexures 1-13)
- An original or certified copy of a 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 Proposal not being awarded points in the second evaluation stage (see section 10)

1.9.3 Other documents to be submitted:

A valid 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. If the Proposer does not possess a COIDA certificate this will be required within 10 days of appointment. If the certificate cannot be presented within this period, the offer will be terminated.

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 fax or 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 (see 4.3 below), are to be arranged with the Lowveld National Botanical Garden management.
- 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 25 February 2021 from 9:00 at the Lowveld National Botanical Garden Offices** (Tea Garden, Lowveld National Botanical Garden, Riverside, Mbombela, Mpumalanga).

To comply with the COVID-19 pandemic social distancing guidelines and protocols, **only one representative per potential Operator will be allowed to attend the scheduled compulsory site inspection session. Bidders are advised that the compulsory briefing session will have four time slots, 9:00 – 10:00, 10:30 – 11:30 and 12:00 – 13:00, 14:00 – 15:00** with a limited number of attendees. Bidders who wish to attend any of the time slots are advised to make a booking with Mr Avhatakali Mamatsharaga at a.mamatsharaga@sanbi.org.za no later than 17h00 on the 24 February 2021. **Failure to make a booking by the deadline will lead to non-entry into the Garden.**

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 120 days (four 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 R4,000 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 R500 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 R500 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
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 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.

FUNCTIONALITY CRITERIA	POINTS
1. Proposed concept of operation needs to be aligned with the philosophy of the Garden (Annexures 1 and 4)	(15)
1.1 Proposed concept including visual/pictorial presentation of furniture (9.1)	(10)
1.2 Staff uniforms (9.4)	(5)

2. Proposed selection of products, menu, equipment and added value for money (Annexures 3, 6 and 7)	(30)
2.1 Product details and pricing menu (9.3)	(15)
2.2 Projected sales (9.7)	(5)
2.3 Capital investment and relevant resources suitable to operate the Restaurant during the contract period (9.6)	(10)
3. Capability of staff and company (part of Annexures 5, 9, 10 and 13)	(25)
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)	(10)
3.2 Marketing capability (provide 1 example of each of the marketing activities previously undertaken) (9.13)	(10)
3.3 Staff training policy and programmes (9.5)	(5)
4. Track record, history and experience relevant to the proposed operation (Annexures 8 and 9)	(10)
4.1 References (9.8)	(5)
4.2 Proposer History (9.9)	(5)
5. Safety, Health and Environmental Requirements	(20)
5.1. Waste Management Plan (9.11)	(10)
5.2. Risk Management Plan (9.12)	(10)
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 be evaluated in accordance with the Preferential Procurement Regulations, 2017, 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 Proposal, the second stage of evaluation of bids will focus solely on preference points as determined from the bidder's B-BBEE Status Level Certificate.

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.

ANNEXURE 1: PROPOSED CONCEPT

ANNEXURE 2: OPERATING HOURS

ANNEXURE 4: STAFF UNIFORM

ANNEXURE 5: STAFF TRAINING POLICY & PROGRAMMES

ANNEXURE 6: CAPITAL INVESTMENT

ANNEXURE 7: PROJECTED NET SALES 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 3:

Name of reference:

Contact person:

Telephone numbers:

Length of contract/trading period:

ANNEXURE 9: 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.	
Please provide a copy of the last two years' consolidated income statements and cash flow statements and balance sheets.	

ANNEXURE 10: COMPANY PROFILE

