



The Market Theatre Foundation

Request for Proposals Cafeteria Operator for the MTF

MTF 02/02/2018

Closing Date: 20 February 2018

Closing Time: 12:00

Compulsory Briefing / Site Visit: 01 February 2018 @ 12:00

Briefing Address: 138 Lillian Ngoyi Street, Newtown

Tender Price: N/A

Tender must be delivered in Tender box situated at:
138 Lillian Ngoyi Street, Newtown

1. Request for Proposal**YOU ARE HEREBY INVITED TO BID FOR A CAFETERIA AND STUDENT CANTEEN OPERATOR
FOR THE MARKET THEATRE FOUNDATION**RFP NUMBER: **MTF 02/02/2018**CLOSING DATE: **20 February 2018** CLOSING TIME: **12h00****DESCRIPTION: CAFETERIA OPERATOR**

The Market Theatre Foundation (MTF) invites suitably qualified entities, agencies and/or individuals who are able to provide a solution for the Market Theatre Foundation to submit their 'Expression of Interest' to operate a CAFETERIA.

The MTF is looking for a company to provide an affordable and appropriate Cafeteria for staff, students and the public (MTF audience). The successful operator will be entering into a 3-year lease contract with the MTF.

Expression of interest should include the following:

- Description of the organization / individual's background, aims and objectives, contact details, and general outline of the current activities
- General information regarding expertise in operating restaurants / cafeteria

Profile details:

- The prospective operator's standing and ability to network with the role players in the industry
- The experience in the industry, operation and achievements in similar projects
- The knowledge of the industry practices, related legislation and the relevant regulations, roles, etc.

For detailed Terms of Reference, please visit the following link: www.markettheatre.co.za or request via email from vickeyp@markettheatre.co.za

A briefing session will be held on **Thursday, 01 February 2018 at 12h00** at the Market Square 138 Lillian Ngoyi (previously Bree) Street, corner Miriam Makeba Street, Newtown.

A written Expression of Interest must be submitted in a sealed envelope clearly marked "Expression of Interest: Cafeteria Operator". The sealed envelope must be delivered by deadline of **12 noon on Tuesday, 20 February 2018.**

Envelopes must be delivered to the **Tender Box, 138 Lillian Ngoyi street (previously known as Bree Street), corner Miriam Makeba Street, Newtown.**

For further information, contact Vickey Pienaar: vickeyp@markettheatre.co.za

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SECTION 2: BID INFORMATION

2.1 Purpose of this document

This Request for Proposal document seeks to elicit proposals from café and restaurant operators and other experienced parties who might be interested in taking up an opportunity to invest in the operation of a cafeteria at the Market Square for the Market Theatre Foundation (herein after as MTF).

This document provides the following information, upon which respondents are required to base their submissions:

- Background information on the MTF;
- Information on potential demand for a Cafeteria at the facilities;
- Context information on the proposed Cafeteria;
- A list of required information to form part of submissions.

2.2 Need for Cafeteria Operator

The activities of the MTF are focused on the following:

1. The new Market Square building includes the administration offices, one theatre (Ramolao Makhene Theatre), rehearsal rooms, auditorium, galleries, Market Theatre Laboratory and Market Photo Workshop training schools, courtyard and amphitheatre. The Market Square building is 5800 sqm.
2. Requests for catering services from the MTF or companies utilizing the MTF facilities, from time to time.
3. The Operator will be required to supply a service that primarily maximizes the popularity and usage of the cafeteria by:
 - Developing a concept which has some specialty as a draw-card;
 - Creating a pleasant eating ambiance in which visitors can relax and enjoy good service, good quality food and drink under hygienic conditions and feel that they are getting value for money;
 - Enhancing the appeal of the restaurant, both to patrons and the public;
 - Offering cafeteria menu that reflect modern eating habits and innovative cuisine.
 - The Cafeteria operator must do a market analyses of the surrounding shops to determine their price and menu to be competitive and attract customers.

2.3 Facilities

The facility includes the following:

2.3.1 Market Square cafeteria:

- Café measuring 15sqm
- Kitchen measuring 11,7sqm

It must be noted that the operator will not have exclusive use of the spaces outside of the café and kitchen and must cater for staff, students and theatre patrons.

2.4 Visitor numbers

The table below provides a 3-year record of the estimated number of patrons attending shows, the number of visitors to exhibition openings and the number of students for the Market Photo Workshop (MPW) and Market Theatre Laboratory (Lab).

Facility	2014/15	2015/16	2016/17
Market Photo Workshop (students)	130	134	134
Market Photo Workshop (visitors to exhibitions)	2 613	1042	1077
Market Theatre Laboratory (students)	32	92 (32 Mon to Friday, 60 on Saturday)	189 (57 Mon to Friday, 132 on Saturday)
Market Theatre Laboratory Ramolao Makhene theatre (audiences)	3 918	4000	1419

Sporadically open during the evenings.

Description	Staff Compliment
Permanent staff	56
Trainers and students	+/- 50
Artists	10 daily (Figure can change at any time based on productions the MTF produce)
Audiences	Varies

In addition to the above, the MTF hosts a series of industry discussions, workshops etc. and the cafeteria will serve these additional activities.

2.5 Facilities in the Market Precinct

The Market Precinct includes the recently opened Newtown Junction Mall (www.newtownjunction.co.za). Eateries at the Junction include Wimpy, KFC, Capello's, Chicken Licken, Debonairs, Deli Delicious, Galitos, Bubble Boost, Fishaways, News Café, Philly Cheesesteak, Subway, Steers and Potato Shed to name a few.

2.6 The project

The respondent must provide an outline of the type and standard of the cafeteria it proposes and the proposed extent and nature of the proposed menu and proposed prices.

2.6.1 Operating hours

The activities related to the spaces under consideration in this Request for Proposals document have the following operating hours:

- Market Theatre Lab – classes from 09h00 to 16h00 Monday to Saturday.
- Market Photo Workshop – classes from 09h00 to 17h00 Monday to Saturday.
- Ramolao Makhene Theatre - sporadically open during the evenings.
- Administration offices – 08:00 to 17:00.

2.6.2 Equipment and furniture

The MTF owns a large fridge and pie warmer that may be used in the cafeteria. Any additional equipment will need to be supplied by the Operator.

Capital investment in refurbishment and operational equipment etc. will be at the cost of the Operator.

The operator will be required to install an extractor fan to eliminate an oil smell in the foyer area.

2.6.3 Menu and service charge

Service charge

The Operator will pay a rental of R 5 000.00 towards the services provided by the landlord (MTF) which include:

- electricity costs;
- water costs;
- security.

Security staff for the building is provided for 24 hours. Additional service levies may be needed to extend operating hours beyond the current hours.

Menu

The Operator should consider adding the following to its menu:

- Freshly ground coffee, cappuccino, tea (rooibos / ceylon);
- Juices, smoothies and soft drinks;
- Sandwiches (including gluten free);
- Wraps;
- Meal of the day (daily, weekly, monthly pricing options) including a protein, starch, salad / vegetables);
- Readymade salads;
- Deep fried chips;
- Muffins;
- Snacks (crisps, chocolates, peanuts, etc.).

2.7 Venue name

The Operator may propose a name in consultation with the MTF. New names for the venues should ideally reflect some aspect of South Africa's arts and culture industry. Branded restaurant operators may use their existing brand names.

2.8 Selection

The MTF will evaluate using the bid evaluation committee for the submitted bids. The shortlisted bids will have to do a short presentation of their experience in the food business and prepare some taste samples of their proposed menu for approximately 6 people.

2.8.1 Essential

- Proven track record in the food and beverage industry.
- Capacity of operator to sustain a high quality of product and service.
- Capacity of the operator to involve persons from previously disadvantaged backgrounds in the management and ownership of the operation.
- Financial viability of proposals and sustainability of the business model proposed.
- Valid trade license from City of Johannesburg for existing operations.

2.8.2 Desirable

The operator to provide event catering in addition to running a restaurant/ cafeteria.

2.8.3 Financing

- The respondent must provide a financing plan that shows the intended gearing, source and mix of finance.
- Two (2) years financial statements.

2.9 Terms of trading

The Operator will be offered an initial 3-year contract commencing on 1st April 2018. The contract will be open for renewal 3 years after the date of commencement, for a further 3- year period, by mutual agreement and dependent on performance during the initial 3-year period. Thereafter the MTF has the right to re-tender the contract should it be considered appropriate.

In return for this opportunity the Operator will:

- Retain all income generated;
- Provide the necessary equipment to operate the facilities as indicated in this document (see Section 3.3 and 3.4).

2.10 Specific details to be included in the submission

- Locations of current operations and/or complete history of operational experience.
- Statement of legal entity structure of the applicant.
- Income statement and balance sheet for the past two years for the entity applying for the lease.
- The names of the directors/owners of the entity.
- The operator's BEE certificate.
- Menu and pricing.
- Comment on current opening hours and your needs to see them extended or otherwise.
- A capital investment strategy and plans for refurbishment, if any.

- Outline of plans for specific branding.
- Marketing plans. Your experience at event catering.

The above information and any other supporting documentation you would want to be taken into consideration should be delivered to The Market Theatre Foundation, 138 Lillian Ngoyi street, Newtown, no later than 12h00 on Tuesday, 20 February 2018.

2.11 Conditions governing selection and submission

- Submissions are to be submitted to the MTF in accordance with the instructions provided in the RFP (Section 2.10 of this document or as placed in the press).
- No extensions of time will be granted, and all late submissions will not be considered.
- All submissions must be hand delivered to the MTF Admin Offices and placed in the tender box prior to closing date and time. No posted, e-mailed or faxed submissions will be considered. **An original, valid Tax Clearance Certificate must be submitted as well.**
- Proof of CSD registration that the company is tax compliant on the closing date.
- The MTF may exclude any submission that does not comply fully with submission requirements.

SECTION 3: SPECIFICATIONS

3.1 Design requirements

The Cafeteria opportunity is located at the Market Square and the proposed design must incorporate a link between the inside and outside environment.

3.2 Use of catering facilities

The Operator will not be able to use the facilities for any purpose other than those indicated in this document, without prior written consent from the MTF. Similarly, the MTF will not be able to use any of the Operator's facilities without its prior written consent.

3.3 Equipment

The Operator will be expected to add whatever equipment, furniture and fittings necessary for it to maximize revenue opportunities and provide a high standard catering / cafeteria service.

All proposed changes must first be presented to and approved by the Lessor, once the Operator has been chosen.

3.4 Cutlery, crockery and glassware

The Operator will be responsible for providing all crockery, cutlery, glassware, etc. An idea of the type and style to be used is to be included in the response to this RFP. The Operator will be responsible for maintaining stock levels.

3.5 Maintenance

- The Operator will be responsible for the day-to-day maintenance of its facilities, all surfaces and equipment whether the equipment has been supplied by the Operator or the MTF. This equipment is to be serviced, maintained and/or replaced by the Operator, at its own expense, in order to provide a continuous catering service.

- Equipment purchased by the MTF will remain the property of the MTF and is to be returned in the condition it was originally handed over with fair wear and tear taken into consideration. Should the MTF consider it necessary, independent equipment specialists may be called on to inspect and repair or replace any equipment supplied by the MTF and the cost thereof will be refunded to the MTF by the Operator.
- The MTF will be responsible for all structural maintenance to the building unless any repairs are required because of Operator negligence or guest vandalization.
- The MTF will arrange, at its own cost, for an electrical Certificate of Compliance for the venue prior to the Operator taking occupancy of the sites. The Operator, in turn, is expected to provide to the MTF, at its own cost, a revised electrical Certificate of Compliance for each venue, three months prior to the completion of each 3-year contract term.
- In addition, the lease agreement will specify the shared maintenance responsibilities.

3.6 Cleaning

- The Operator will be responsible for the cleaning of all facilities under its control and any facilities used for catering purposes including outside seating areas and staff toilets. These facilities are to be cleaned not only to a high visual standard but to a standard that ensures that all surfaces, counters, equipment, fridges, freezers, racking, etc. stand the test of swabbing by inspection carried out on an ad hoc basis.
- The Operator will be required to use high quality cleaning materials and chemicals (particularly sanitizers) purchased from well-established and reputable chemical companies.
- The Operator will be responsible for organising (at its own cost) and maintaining records of:
 - deep cleaning of kitchen equipment and ducting;
 - steam cleaning of kitchen floors, walls, stores, fridges, freezers and equipment; and
 - deep cleaning of staff facilities.
- Deep cleaning of kitchen equipment and ducting is to take place monthly and steam cleaning weekly, or as agreed with the MTF. Deep cleaning of staff facilities is to be conducted quarterly.
- The Operator is to make sure that no littering of the surrounding areas occurs from its premises.

3.7 Functionality

The functionality evaluation will be conducted in 2 phases.

Phase 1

Criteria	Weighting
Locality of head office <ul style="list-style-type: none"> • Johannesburg – 10 • Within 100km radius - 6 • Within 150 km radius – 4 	10
Company experience in the restaurant, cafeteria and catering business. <ul style="list-style-type: none"> • 20 Yrs or more – 30 • 15 – 20 Yrs - 20 • 10 – 15 Yrs - 15 • 5 - 10 Yrs – 10 • Below 5 Yrs – 5 	30
Methodology and approach	20
Menu and pricing	10

Financial stability <ul style="list-style-type: none"> • Unqualified audit - 5 • Liquidity ratio > 1 – 5 • Current ratio > 1 – 5 • Reserves and capital > R3 mil - 5 	20
References provided	10

The functionality threshold is 75 points. Any bidder who does not submit the information required to evaluate, will be at risk of not being awarded points to meet the threshold as stipulated and could be disqualified as a result.

- **Locality:** Please provide the functionality team with where the head office is based
- **Company Experience:** Please provide the functionality team with the number of years' experience in the restaurant, cafeteria and catering business.
- **References:** Please provide the functionality team with a minimum of 3 references in providing restaurant, cafeteria and catering business to
- **Methodology and approach:** The shortlisted companies / individuals will have to provide detailed methodology and approach plan on how they will manage and run the cafeteria.
- **Menu and Pricing:** Please provide the functionality team with a proposed menu with pricing which will be scored on affordability and variety.
- **Financial Stability:** Please provide the evaluation team with audited financial statements for the past 3 years (2015, 2016 and 2017)

Phase 2

- Companies whom scores 75 and more point for phase 1 will be invited to do a presentation of their experience and their approach and methodology as well as their proposed menu.
- Companies will have to prepare a sample testing of the proposed menu as per the submitted document, Sample catering for 6 people.

Kindly note that companies will be scored for presentation, and quality and will form part of the evaluation.

SECTION 4 – MANAGEMENT AND STAFFING

4.1 Administration

The Operator is to nominate a representative who will be primarily responsible for liaison, co-ordination and communication with the MTF. Frequency of formal meetings will be agreed at the commencement of the Operator's contract.

4.2 Standards monitoring

The MTF may inspect, either directly or through appointed food service consultants, the catering facilities on a three-monthly basis (or as required) to ensure that the specifications set down in this document are being adhered to. The Operator will be required to contribute to these costs – the amount to be agreed with the MTF in advance of any visits. The inspections may include but not be limited to:

- Standards and speed of service (see Section 4.2.1);
- Cleanliness, hygiene and general housekeeping (as per Sections 4.8);
- Food quality - as per information supplied in the Forms of Tender and assessed on degree of cooking, general appearance and presentation as well as compliance with menu description; and
- Product temperatures (see Section 4.6).

In the event of contract anomalies and "Mystery Dining" reports indicating results below pre-determined and agreed standards, the Operator will be given a written warning and two weeks to take the necessary action (or as agreed between both parties). Should the Operator fail to reach levels of acceptability after a second assessment carried out within one month of the previous visit, a second warning will be issued, and a further 2 weeks given (or otherwise agreed by both parties) to rectify the problem. If after a third assessment, standards are still below levels of acceptability, the Operator may be served notice in terms of the contract.

4.2.1 Standards of service

The Operator's staff will be assessed on but not limited to:

- how they greet and thank customers;
- friendliness and general attitude;
- efficiency;
- food handling techniques;
- evidence of teamwork;
- correct uniforms;
- cleanliness of uniforms;
- personal hygiene (as laid down in the Health Act and general food-handling best practices);
- menu and ingredient knowledge;
- speed of service.

4.3 Insurance

The Operator will be responsible for his/her own insurance and on request will provide the MTF proof of insurance against:

- UIF, WCA;
- employer's liability;
- public liability relating to the service being offered and during any shop-fitting, and;
- any loss or damage to cash, its own equipment, stock and property;
- The MTF will be responsible for insurance against its own public liability and any loss or damage to its equipment by fire or theft.

4.4 Complaints, comments and compliments

All complaints, comments or compliments regarding the catering must be forwarded to the MTF. In circumstances of legitimate complaints concerning the standards of food service, the guest should be offered either a refund or the opportunity of another meal with the compliments of the Operator.

4.5 Management reporting

The MTF requires the following monthly reports from the Operator:

- daily number of transactions/customers;
- average spend for the restaurant;
- number, size and average spend of any functions; and;
- daily net sales revenue for the restaurant.

Other reports may be requested from time to time. At the end of each financial year, the Operator will be required to present the MTF with audited accounts.

4.6 Purchasing and stock

The Operator will be expected to monitor the standard of goods received. In particular, the MTF requires the Operator to:

- check temperatures of chilled and frozen foods (chilled food must be no higher than 4°C and frozen food not higher than -18°C);
- inspect for damaged goods and packaging; and;
- check the hygiene of containers, baskets and other receptacles used in the delivery process.

4.7 Staffing

- The Operator will be entirely responsible for the employment and conditions of service of its own employees and will only employ such persons who are in good health and have a high standard of personal hygiene. Any members of staff who report to duty suffering from any illness likely to put colleagues and customers at risk, should report to their supervisor who will discharge them from duty until such a time as they are fit to resume normal duties.
- The Operator's staff and management are to be smart in appearance at all times. The provision of uniforms is the responsibility of the Operator, although the style, fabric and design must be approved in consultation with the MTF. Any changes to uniforms thereafter are to be approved by the MTF.
- All staff members (including temporary employees) in contact with the public are to wear name badges.
- The Operator's staff must behave in a quiet, courteous and professional manner at all times and should not consume food and drink whilst serving visitors. The consumption of alcoholic drinks and smoking of harmful substances is not permitted during working hours. Should staff wish to smoke tobacco, they are to do so outside the MTF building and out of sight of customers.
- The Operator's staff members are to be adequately trained in the tasks they are expected to perform. If necessary, the MTF will request to see training certificates, proof of training courses and qualifications from time to time during the term of the contract.
- The Operator will be expected to provide refresher courses on a regular basis particularly with regard to food safety and hygiene and customer service.
- It will be the Operator's responsibility to ensure that all labour legislation is complied with, including the Employment Equity, Skills Development, Labour Relations and Basic Conditions of Employment Acts. The Operator will be expected to familiarise itself with the MTF's relationship with the State and its employment equity philosophy. The Operator must not do anything that causes industrial unrest within the MTF staff.

4.8 Health, Safety and Hygiene

- The Operator's responsibilities will be:
 - ensuring that all catering and related areas as well as production methods comply with food handling and safety regulations, by-laws and Hazard Analysis Critical Control Point (HACCP) legislation;
 - ensuring that any off-site preparation facilities and production methods comply with all local food handling regulations and by-laws; and;
 - carrying out thorough and on-going training of catering staff in all aspects of health, safety and hygiene.
- The Operator may be subject to monthly health and safety as well as food safety and hygiene audits. Independent food safety auditors will carry out the latter. The Operator will be provided with a copy of

- any reports and will be expected to contribute towards the cost of the hygiene audits.
- The Operator will be responsible for preventing pest infestation and for appointing and paying a pest control company to undertake regular inspections. Records of visits as well as the inspection results are to be kept and will be inspected by the MTF on an ad hoc basis.

4.9 Storage

Due to space limitations, the MTF cannot provide on-site storage facilities and the operator will be required to arrange off-site facilities.

4.10 Inconsistencies

If there are any inconsistencies in these documents or in explanations given to Tenderers including inconsistencies between this documentation and the signed lease, then the lease will apply.

4.11 Termination of Agreement

Should standards of service, food hygiene and safety, quality of produce, continuity of operation and other operational aspects lapse and continue to do so after written warning from the MTF, it will have the authority to issue a termination of contract in terms of the lease.

4.12 Disputes

If any dispute or difference of opinion arises between the MTF and the Operator in connection with the contract or the carrying out of duties under the contract, agreement is to be reached by amicable discussions. Failing such agreement, the dispute shall be referred to an independent person of good repute and standing agreed by both parties. If the parties are still not able to agree the arbitration clauses in the lease will apply.

SECTION 5: PROPOSAL REQUIREMENTS

5.1 Compliance with conditions

Operators are required to comply with all terms and conditions set out in this RFP.

5.2 Lodgement process

Responses to this RFP must be made in printed form. Responses must be delivered in a sealed envelope accompanied by a covering letter on the letterhead of the Operator's organisation, duly signed by an authorised representative of the Operator's organisation.

5.3 Confidentiality of responses and security of intellectual property

Responses shall be received and held in confidence. Security procedures apply for all materials received in response to this RFP.

5.4 RFP submission

The following information is pertinent to the RFP Submission

Closing Date	20 February 2018
Closing Time	12:00

RFP submissions are to be labelled as follows:

RFP Number	MTF 02/02/2018
Description	RFP: CAFETERIA OPERATOR MARKET THEATRE FOUNDATION

Responses must be received at the following addresses.

Physical Address	The Market Theatre Foundation 138 Lillian Ngoyi Street (previously aka Bree street), corner Miriam Makeba Street, Newtown Place bid documents in the tender box at the Security at reception between 8:00 and 17:00 on weekdays
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- No responses will be accepted after the closing date and time.
- Responses may not be delivered by facsimile or email.

5.5 Ownership of documents

All documents forming the response to this RFP shall become the property of the MTF. Intellectual property contained in the response shall remain vested with the Operator.

5.6 Contacts for further information

Operators wishing to clarify items within this RFP should contact the MTF representative mentioned below. Where the information is not of a confidential nature, MTF reserves the right to distribute copies of all communications to all recipients of the RFP. Queries should be directed to MTF's SCM Assistant indicated below:

Mr Vickey Pienaar

+27 11 832 1641 ext. 208

vickeyp@markettheatre.co.za

5.7 Addenda to response

Information not specifically required for the RFP but deemed by the Operator to be of value to the evaluation shall be included as an addendum to the Response. Addenda should not include advertising brochures or similar material.

Where there is referencing to published manuals, the relevant extracts from the manuals and those alone, shall be placed in the addenda.

5.8 Rights reserved

At its own discretion, the MTF reserves the right:

- to extend the time for lodgement of responses;
- to accept a response in part or in total;
- not to accept any Bid resulting from responses to this RFP, in part or in total;
- to, at its own discretion, vary any of the requirements of the services to be delivered during the course of negotiations with the preferred Operator;
- terminate the evaluation of responses;
- to invite new responses;
- to determine whether or not a response will be considered in the event of a material change in an Operator;
- to negotiate with the closest conforming Operator in the event that no one response satisfies all critical requirements;
- to request sample testing from short listed bidders.

5.9 Inquiries to be made prior to closing date

No inquiries, whether in writing or otherwise, shall be made by Operators following the closing date for responses to the RFP. Breach of this condition may prejudice consideration of the Operator's response.

An Operator shall not solicit support from, or in any form canvass any:

- employee or agent of the MTF;
- committee of the MTF;
- any consultant or contractor currently engaged by the MTF.

with respect to any matter pertaining to this RFP (unless specifically authorised by the MTF to do so). Breach of this condition may prejudice consideration of the Operator's Response.

ANNEXURE 6.1



Application for a Tax Clearance Certificate

Purpose

Select the applicable option Tenders Good standing

If "Good standing", please state the purpose of this application

Particulars of applicant

Name/Legal name
(Initials & Surname
or registered name)

Trading name
(if applicable)

ID/Passport no

Company/Close Corp.
registered no

Income Tax ref no

PAYE ref no 7

VAT registration no 4

SDL ref no L

Customs code

UIF ref no U

Telephone no

Fax
no

E-mail address

Physical address

Postal address

Particulars of representative (Public Officer/Trustee/Partner)

Surname

First names

ID/Passport no

Income Tax ref no

Telephone no

Fax
no

E-mail address

Physical address

Particulars of tender (If applicable)

Tender number

Estimated Tender amount R

Expected duration of the tender year(s)

Particulars of the 3 largest contracts previously awarded

Date started	Date finalised	Principal	Contact person	Telephone number	Amount
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Audit

Are you currently aware of any Audit investigation against you/the company? YES NO
If "YES" provide details

Appointment of representative/agent (Power of Attorney)

I the undersigned confirm that I require a Tax Clearance Certificate in respect of Tenders or Goodstanding.

I hereby authorise and instruct SARS the applicable Tax Clearance Certificate on my/our behalf. to apply to and receive from

Signature of representative/agent Date
Name of representative/agent

Declaration

I declare that the information furnished in this application as well as any supporting documents is true and correct in every respect.

Signature of applicant/Public Officer Date
Name of applicant/Public Officer

Notes:

1. It is a serious offence to make a false declaration.
2. Section 75 of the Income Tax Act, 1962, states: Any person who
(a) fails or neglects to furnish, file or submit any return or document as and when required by or under this Act; or
(b) without just cause shown by him, refuses or neglects to-
(i) furnish, produce or make available any information, documents or things;
(ii) reply to or answer truly and fully, any questions put to him ...
As and when required in terms of this Act ... shall be guilty of an offence ...
3. SARS will, under no circumstances, issue a Tax Clearance Certificate unless this form is completed in full.
4. Your Tax Clearance Certificate will only be issued on presentation of your South African Identity Document or Passport (Foreigners only) as applicable.

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

- 1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- 3 The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
- 4 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
- 6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

ANNEXURE 6.2

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a **price quotation**, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder/supplier is employed by the state; and/or
- the legal person on whose behalf the bidding/quote document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid/quote.

2.1 Full Name of bidder/supplier or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or

business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? YES / NO

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:
Name of state institution at which you or the person connected to the bidder is employed :
Position occupied in the state institution:

Any other particulars:
.....
.....
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

2.7.2.1 If yes, did you attached proof of such authority to the bid document? YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES / NO

2.8.1 If so, furnish particulars:
.....
.....
.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with YES / NO

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID/QUOTE OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder/supplier