



Request for proposals issued by South African National Parks
in respect of the Segway People's Transporter in the
Tsitsikamma StormRiver Section of the Garden Route
Highlands National Park(GRNP)



REQUEST FOR PROPOSALS (RFP)

IMPORTANT NOTICE

This Request for Proposals (RFP), incorporating all its attachments, has been produced by South African National Parks, in connection with the Segway Transporter in the StormRiver Section of the Garden Route National Park.

No representation or warranty, express or implied, is made, or responsibility of any kind is or will be accepted, by South African National Parks, with respect to the accuracy and completeness of the RFP, and any liability in connection with the use by any interested party of the information contained in this RFP is hereby disclaimed.

The RFP is provided to the recipient to assist in making its own appraisal of the PPP opportunities presented herein and in deciding whether to submit a proposal in connection with the opportunities. However, this RFP is not intended to serve as the basis for an investment decision on the opportunity, and each recipient is expected to make such independent investigation and to obtain such independent advice, as he or she may deem necessary for such a decision.

South African National Parks may amend or replace any information contained in this RFP at any time, without giving any prior notice or providing any reason.

October 2023

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General Information

1. INTRODUCTION

1.1 This Request for Proposals ("**RFP**") is issued by South African National Parks ("**SANParks**") in accordance with the guidelines for Public Private Partnerships ("**PPPs**") contained in National Treasury's Tourism PPP Toolkit and compliance with Treasury Regulation 16 issued in terms of the Public Finance Management Act 1999.

1.2 SANParks, as part of its Strategic Plan for Commercialisation, identified the tourism PPP opportunity for the Segway Transporter, through a public-private partnership agreement.

1.2.1 If the selected private party intends on subcontracting, dilution of rentals is not permitted and will affect the material breach of the PPP agreement resulting in termination, should the selected private party choose to subcontract the commercial opportunities. Thus, full disclosure will be required for financial reporting purposes i.e. the percentage of gross revenue payable by the subcontractor to the private party must not be less than the percentage of gross revenue payable (variable PPP fee) by the private party to SANParks.

1.2.2 It is intended that by SANParks entering into the PPP with a Private Party, SANParks may be able to generate additional revenue through PPP fees paid to SANParks by the Private Party, while enabling SANParks to focus on its core activity of conservation. It is intended that the Private Party in compliance with strict environmental standards maintained by SANParks will develop the project.

1.3 **Value-for-Money Objectives**

The value-for-money objectives for the project are aligned with SANParks' strategic objectives included in the Strategic Plan for Commercialisation. Setting these objectives at the inception phase is vital as they provide the benchmarks for the feasibility and procurement phases. During the management of the PPP agreement, they are used to measure the success of the project.

The Value-for-Money Objectives for the project are:

- Tourism promotion;

- Job creation, and;
- Revenue generation for SANParks;
- Infrastructure upgrades;
- Loss minimisation or savings on existing operations; and
- Biodiversity protection and conservation.

2. GENERAL RULES OF THE TENDER

- 2.1 This RFP supersedes all other SANParks communication to Bidders about this PPP opportunity and the rules and conduct of the bid.
- 2.2 No verbal discussion with any staff or advisor of SANParks can change, add to or clarify any of the terms and conditions contained in this RFP. Bidders should only rely on written changes, additions, or clarifications from the duly authorised Project Officer of SANParks, circulated to each Bidder. E-mail communications from SANParks to Bidders will count as written communication.
- 2.3 SANParks reserves the right to modify the timetable in Article 5 or otherwise amend, supplement or clarify the RFP at any time. SANParks may cancel the bid at any time without prior notice and may disqualify any Bidder as provided for in this RFP. SANParks shall not incur any liability whatsoever in exercising any rights in this Article 2.3 or otherwise granted in this RFP or available under the laws of the Republic of South Africa.
- 2.4 The bid will be conducted in accordance with and shall be governed by the laws of the Republic of South Africa and this RFP.
- 2.5 Bids and all correspondence and documents relating to Bids shall be in the English language.
- 2.6 The submission of a Bid by a Bidder implies full knowledge and acceptance of, and submission to, all the terms and conditions set out in this RFP, the PPP Agreement, and under the applicable laws of the Republic of South Africa.
- 2.7 Bidders shall be responsible for any and all costs, expenses, and losses incurred by them in the preparation and submission of Bids or otherwise in connection with the Tender. SANParks will not compensate Bidders for any such costs, expenses, or losses, regardless of the outcome of the Tender.

- 2.8 The draft PPP Agreements will be included in the Tender Documents of SANParks website and will be ready for distribution in 22 – 27 October 2023. SANParks reserves the right to modify or otherwise amend, supplement or clarify the PPP Agreements at any time. SANParks shall not incur any liability whatsoever in exercising any rights in this Article or otherwise granted in this RFP, PPP Agreements, or available under the laws of the Republic of South Africa.

3. IDENTITY OF BIDDERS

- 3.1 A Bidder may be a single company or an incorporated / unincorporated joint venture or a trust. The Bidder must meet the operational and financial criteria as contained in this document.
- 3.2 Public institutions are specifically excluded from submitting proposals or bidding for the tender.
- 3.3 Each submission must set out, in detail, the structure that will be adopted for the entity. The shareholders should be clearly identified, and their roles and responsibilities listed. The submission should list the equity, ownership, and directorships held by shareholders. SANParks requires that Interested Parties create a newly formed special purpose vehicle (“**SPV**”) for bidding purposes. Individuals may not constitute an SPV – only legal entities. The sole purpose of the SPV will be to undertake the PPP Project. Where any parties are not shareholders but will be integrally involved in the operation of the SPV, such parties should also be listed. It will be expected that the SPV is legally constituted prior to the Signature Date of the PPP Agreement.
- 3.4 Interested Parties will also be required to provide information on ownership of the entities of which the Interested Parties are comprised, together with organograms reflecting the ownership proportions.
- 3.5 As the project might require a substantial amount of capital investment, Interested Parties must demonstrate their ability to raise debt and equity and to provide security to SANParks’ satisfaction.
- 3.6 When preparing submissions on the identity of the Bidders, Interested Parties are required to structure their submissions following the format:
- 3.6.1 submit to SANParks the information set out in Section 1A in relation to the

Qualification Criteria;

- 3.6.2 submit to SANParks the information set out in Section 1B in relation to the company, unincorporated joint venture or trust and its shareholders, partners of beneficiaries; and
- 3.6.3 certify to SANParks that the information contained therein is true, accurate, and complete in all respects.
- 3.7 SANParks reserves the right to request, at any time, additional information or documentation from Bidders.
- 3.8 Where a Bidder is made up of a number of parties, shareholders in one SPV may not in any way be shareholders of other SPV's bidding for the same PPP Opportunity in the tender process.

Information on the opportunity

4. A DESCRIPTION OF THE SEGWAY TRANSPORTER

4.1 The PPP opportunity entails the following;

- 4.1.1 Exclusive rights to develop and operate the Segway Transporter activity in the Tsitsikamma section of the Garden Route National Park
- 4.1.2 The Private Party will offer guided tours in the famous Tsitsikamma Forest on top of Segway People Transporters (PT).
 - 4.1.2.1 The Segway PT is a two wheeled, self-balancing, battery powered bike (vehicle).
 - 4.1.2.2 This mover is relatively safe and noise free, often referred to the “Green Transporters” because of it’s minimal impact and zero emission to the environment.
- 4.1.3 The opportunity may be complemented by other Segway related activities to enhance returns to investments. Bidders are encouraged to include proposals of complementary products in Section 3 of the RFP and shall be subjected to SANParks’ approval.
- 4.1.4 In this opportunity 5% free equity will be contributed directly to the Community

trust (as nominated by SANParks Social Economic Transformation Department).

Tender process Information

5. TIMETABLE

EVENT	DATE
Public Advertisements	22 October 2023
Provide Information Memorandum, RFP and PPP Agreement to Interested Parties	22 – 27 October 2023
Registration for Bidders' Conference and Site Visit	Open 23 Oct – Close 30 Oct 2023
Due Diligence Site Visits and Bidders Conference <ul style="list-style-type: none"> • Kayak-Lilo & Segway • Bidders Conference & Black Water Tubing 	1 November 2023 2 November 2023
Answer and Questions	On-going via e-mail
Tender Submission	1 December 2023

- 5.1 The Tender shall take place in accordance with the timetable set out in this Article 5. SANParks reserves the right to modify the timetable at any time. SANParks shall not incur any liability whatsoever in exercising any rights in this Article 5 or otherwise granted in this RFP or available under the laws of the Republic of South Africa.

6. BIDDERS REQUIRED QUALIFICATION CRITERIA

In order to participate in the bidding process, bidders are required to meet the qualification criteria as outlined in Section 1A – Qualification. If not met, the bid will not be considered.

7. SITE VISIT AND DUE DILIGENCE

7.1 SANParks has given all bidders the information which gives details as to the heritage and environmental conditions of the site.

7.2 The site visit and due diligence process are being organised for the Bidders with the following objectives:

7.2.1 to provide all Bidders the opportunity to ascertain all information they need to present informed and competitive bids for the sites they are qualified to bid for, including physical facilities; and

7.2.2 to ensure that such access to information is equal for all Bidders.

7.3 The proposed date for the site visit will be on 2 November 2023 at 9h00 held at Tsitsikamma StormRiver Vikillage of the Garden Route National Park. Specific arrangements for the site visits will be communicated to Bidders prior to site visit registration. Note that COVID-19 protocols will be followed at the site visit and bidders are to register beforehand.

7.4 The site visit is highly recommended, as this will inform Bidders of challenges and opportunities that may or may not have an impact on the feasibility studies conducted by Bidders and will further serve to ensure the accuracy of viabilities conducted for the opportunity.

7.5 Please note that traveling and accommodation costs for this visit will be for the Bidder's account.

7.6 All interested Bidders are required to register by the day before for the site visit by sending their Names, Company, Contact telephone, fax number, and e-mail to:

Banele Malie

E-mail: banele.malie@sanparks.org

7.7 These site visits will form part of the due diligence process and should be attended by the Bidders or a duly authorised representative.

- 7.8 The programmes will be distributed to interested Bidders upon registration.
- 7.9 Each Bidder shall be solely responsible for its own due diligence investigation of the investment opportunity, the proposed PPP Agreement terms, and all matters relating to this RFP. Neither SANParks nor any of their respective officers, employees, agents, or advisers makes any representation or warranty, express or implied, concerning any matter affecting the PPP opportunity, except for the representations and warranties of SANParks that will be set out in the PPP Agreement.
- 7.10 No verbal agreement or conversation with, nor any verbal clarification from, any officer or employee of SANParks or any of their advisers shall affect or modify any of the terms and conditions contained in this RFP. Only written amendments, supplements, or clarifications to this RFP from duly authorised Project Officer of SANParks, circulated to each Bidder, should be relied upon as authorised. For the purposes of this Article 7.10, communications sent from a duly authorised staff of SANParks to Bidders via electronic mail shall be deemed as communications in writing.
- 7.11 **Contact for Due Diligence-related Matters**
- The principal contact in SANParks for all matters relating to the Due Diligence process will be by email only to ensure transparency and will be to :

Banele Malie

E-mail: banele.malie@sanparks.org

Tel: [012 426 5355](tel:0124265355)

8. BID SUBMISSIONS

- 8.1 Bids must be submitted to:

The Groenkloof Business Project Manager

Banele Malie

South African National Parks

643 Leyds Street,

Muckleneuk,

Pretoria.

- 8.2 Bid Submissions should be made by the latest 11h00 on the 1 December 2023 (the “**Bid Date**”).
- 8.3 Submissions delivered after 11h00 on the Bid Submission Date shall be regarded as invalid and returned to the Bidder, unopened.

9. CONTENTS OF BID SUBMISSIONS

- 9.1 Bids and all related correspondence and documents must be in English.
- 9.2 The bid submission from each Bidder must contain all the information necessary for SANParks to evaluate the PPP fee offer, Bidder’s existing B-BBEE rating, and functionality capabilities of the Bidder. Bidders are required to submit two sealed envelopes for each of their bids that they submit in accordance with the directions below.
- 9.3 The **first envelope** shall be clearly marked “Functionality - original” on the outside and shall contain all the original non-financial and B-BBEE proposals of the Submission (“**Functionality**”). The contents of the Functionality Bid shall consist of:
- 9.3.1 The original of the Bidder Information, in the format given in Section 1A – Qualification;
- 9.3.2 The original of the Bidder Information, in the format given in Section 1B – Information on Bidders;
- 9.3.3 Original of the Financing and Capital plan, in the format given in Section 2 – Financing and Capital Plan;
- 9.3.4 Original of the Business and Operational plan, in the format given in Section 3 – Business and Operational Plan;
- 9.3.5 Original of the Development and Environmental Proposal, in the format given in Section 4;
- 9.3.6 Original of a completed Risk Matrix, in the format given in Section 5 – Risk Matrix;
- 9.3.7 Original of the B-BBEE proposal, in the format given in Section 6 – B-BBEE

Proposal;

9.3.8 Tax compliance:

9.3.8.1 Bidders must ensure compliance with their tax obligations.

9.3.8.2 Bidders are required to submit their unique personal identification number (PIN) issued by SARS to enable SANParks to view the taxpayer's profile and tax status.

9.3.8.3 Bidders must also submit a Tax Compliance Status (TCS) certificate together with the bid.

9.3.8.4 In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate TCS certificate / PIN. An original signed version of the final PPP Agreement including all the relevant sections of the Bid Submission to be included in the PPP Agreement, with each page initialled by the duly authorised representative;

9.3.9 An original Bid Bond from a reputable bank in a form substantially similar to that set out in Annexure 2 - Acceptable wording of bid and development bond; and

9.3.10 **VERY IMPORTANT:** An electronic copy containing all the Sections (clearly marked) of each of the bid submissions should be submitted on USB disk. The Sections should be in non-edited PDF form and will be used for evaluation purposes. Please note that the PPP fee offer should **NOT** be disclosed anywhere on the USB in electronic format.

9.4 The **second envelope** shall be clearly marked "Bidders Existing B-BBEE Rating and PPP Fee Offer" on the outside and will only be opened and evaluated if the minimum threshold for functionality is met. The contents of this Envelope shall be the current B-BBEE status of the Bidder (verified by a B-BBEE certificate), as well as the PPP Fee Offer in the format in Section 7 – PPP Fee Offer. Please note that SANParks reserves the right to disqualify any Bidder who does not submit a valid B-BBEE certificate or whose PPP fee offer is not in the specified format. Please note that PPP fee tranches are not allowed unless requested as part of the PPP Fee Offer Format.

9.5 Envelopes should be clearly marked as to whether they are Envelope 1 or 2 and must have the bid cover letter in the format provided in Annexure 1 – Bid Cover Sheets attached to the front of each Envelope.

9.6 All information provided in the bid must be valid for 150 business days from the Bid

Date.

- 9.7 Submitting a bid implies that the Bidder knows and understands all the terms and conditions set out in this RFP and under the applicable laws of the Republic of South Africa and that the Bidder accepts these terms and conditions.

10. HOW THE BIDS WILL BE OPENED

- 10.1 The Project Officer will separate Envelopes 1 and 2 of all the bids. The unopened Financial Envelopes will be locked away in the safekeeping of SANParks' legal advisors until they are opened following the evaluation of the bids.
- 10.2 The Functionality Envelopes will be opened by members of a bid evaluation committee representing SANParks in the presence of SANParks' Project Officer.
- 10.3 Functionality elements will be evaluated and scored according to the procedure set out in Articles 11 to 14 below.

11. BID EVALUATION METHODOLOGY (FOLLOWING QUALIFICATION)

- 11.1 The three main elements of the bid and the two-Envelope system
- 11.1.1 Bids will be evaluated on three main elements: Functionality, Bidder's existing B-BBEE rating, and the PPP Fee Offer.
- 11.1.2 Envelope 1 is for the functionality and is opened first. Bidders must score at least 70 % for functionality (Please note that functionality will contain a section that outlines the B-BBEE plans for the SPV and will be scored as part of functionality).
- 11.1.3 Envelope 2 contains the Bidder's existing B-BBEE rating (verified by a B-BBEE certificate), as well as the PPP Fee Offer, and will only be opened and evaluated if the minimum threshold in Article 11.1.2 is met.

12. HOW B-BBEE IS EVALUATED

- 12.1 B-BBEE will be evaluated in two ways:
- 12.1.1 In round one as part of Functionality in which the Private Party SPV will outline their plans through the Tourism B-BBEE scorecard with targets per sub section.

- 12.1.2 In round two (together with price) as per the PPPFA – only Bidders who passed the functionality threshold will be evaluated on their existing B-BBEE certificate.

13. SCORING FOR FUNCTIONALITY (ENVELOPE 1)

The functionality aspects of a bid will be scored out of 100 points. A Bidder must achieve 70% of the total functionality points in order to pass. Functionality is made up of the elements and weights as outlined in Table 1: Sub-functionality weightings.

13.1 Sub - functionality Weighting:

Elements	Financing and Capital Plan	Business and Operational Plan	Development, and Environmental Plan	Risk Matrix	B-BBEE Proposal
Weight	10%	35%	20%	15%	20%

Table 1: Sub-functionality weightings

13.2 Financing and Capital Plan (10%)

- 13.2.1 A Bidder is expected to provide financing information in line with the requirements set out in Section 2 – Financing and Capital Plan.

- 13.2.2 The purpose of the Financing and Capital Plan is to assess the ability of the Bidder to secure adequate finance to implement the project and determine the capital investment proposed for the project. It will indicate how much capital will be needed, where it will come from (own capital, grants, loans), and the expected amount and terms (interest rate, repayment period, security) of any proposed loans, whether the necessary financing has been secured and appropriate proof.

13.3 Business and Operational Plan (35%)

- 13.3.1 A Bidder is expected to provide a business and operational plan in line with the requirements set out in Section 3 – Business and Operational Plan.

- 13.3.2 The purpose of the evaluation of the business and operational plans is to ensure that the Bidder has fully developed all business aspects of the proposed

tourism project, and is proposing credible schemes which are based on generally accepted business principles applicable to tourism projects, and which are in line with SANParks' specifications given in this RFP.

13.4 Development, Environmental and Design Plan (20%)

13.4.1 SANParks shall review and evaluate the Development, Environmental and Design plans submitted by Bidders in accordance with the specifications and information given in Development, Environmental, and Design Proposal.

13.4.2 The purpose of the evaluation of Development, Environmental and Design proposals is to ensure that Bidders understand and have fully planned for the prevailing environmental issues that apply to the investment area as well as the Environmental Guidelines and have factored those issues into their plans.

13.5 Risk Matrix (15%)

13.5.1 A Bidder must indicate the extent to which the bid complies with the risk allocation of the risk matrix given in Section 5 – Risk Matrix.

13.6 B-BBEE Proposal (20%)

13.6.1 The Private Party SPV is expected to outline their B-BBEE plans through the Tourism B-BBEE scorecard with targets per sub section.

13.6.2 An accredited B-BBEE auditor will audit the targets set and the number of enterprises developed on an annual basis.

14. BIDDERS EXISTING B-BBEE RATING AND PPP FEE OFFER (ENVELOPE 2)

14.1 If the minimum threshold for functionality is met by the Bidders for each commercial opportunity, envelope 2 will be opened for that specific commercial opportunity.

14.1.1 The Preferential Procurement Policy Framework Act, 2000 (PPPFA) will apply with a 80/20 split between the PPP Fee Offer and the Bidder's existing B-BBEE rating respectively.

14.1.2 The PPP Fee Offer and the Bidder's existing B-BBEE rating are scored out of a total of 100 points.

14.1.3 The following table outlines the final score weightings for each commercial

opportunity offered in this RFP:

Table 2: PPPFA score split

PPP Fee Offer	Bidder's existing B-BBEE rating
80%	20%

14.2 Bidder's existing B-BBEE rating

14.2.1 Bidders are required to submit their existing B-BBEE rating (verified by a B-BBEE certificate), in line with the requirements of the B-BBEE Codes of Good Practice (or amended Tourism B-BBEE Sector code for tourism enterprises):

14.2.1.1 For Large Enterprises, a SANAS Accredited B-BBEE certificate must be provided;

14.2.1.2 For Qualifying Small Enterprises with less than 51% black ownership, a SANAS Accredited B-BBEE certificate must be provided;

14.2.1.3 For Qualifying Small Enterprises with at least 51% black ownership, a sworn affidavit must be provided;

14.2.1.4 For Exempted Micro-Enterprises, a sworn affidavit or CIPC EME certificate must be provided.

14.2.2 For Bidders that are bidding as an unincorporated joint venture, a Joint Venture B-BBEE certificate must be submitted for evaluation of the Bidder's existing B-BBEE rating.

14.2.3 The provisions of the Preferential Procurement Policy Framework Act, 2000 ("PPPFA") will apply for the calculation of the score out of 10 for the Bidder's existing B-BBEE rating, as per the following table:

Table 3: Score for Bidder's existing B-BBEE rating

B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	14

B-BBEE Status Level of Contributor	Number of Points
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

14.3 PPP Fee Offer

14.3.1 Under the PPP Agreement, the PPP fee income to SANParks shall be, as outlined in Section 7 – PPP Fee Offer, the higher of:

14.3.1.1 the Minimum PPP Fee is increased annually by CPI, or

14.3.1.2 the Variable PPP Fee is expressed as a flat percentage of the gross revenue of the operation.

14.3.2 Each PPP Fee Offer will be inspected by SANParks’ financial and legal advisors to verify that it has been submitted in the form corresponding to the requirements. A PPP Fee Offer that does not conform to the requirements may result in disqualification of the bid.

14.3.3 The points for the PPP Fee Offer are calculated using the prescribed price formula in the regulations to the PPPFA. The maximum points will be awarded to the qualified Bidder that makes the highest PPP Fee Offer and the remaining points being allocated pro rata to the remaining qualified Bidders. Bidders should be aware that a minimum PPP fee might be applied. If the minimum is not reached, the contract might not be awarded.

15. INCOMPLETE BIDS

15.1 The bid evaluation committee, in consultation with its financial and legal advisors, will check Envelope 1 of each bid to see whether all the documentation that this RFP requires has been submitted correctly.

- 15.2 If a bid is not complete or something in it is not clear, the bid evaluation committee may, but is not obliged to, ask Bidders for more information. Bidders will receive such requests for more information in writing. No substantial changes to the bid will be asked for or allowed, except if there is a clear mistake in the bid.
- 15.3 SANParks may, but is not obliged to, disqualify a bid that is not complete or requires clarification without a request for further information.
- 15.4 SANParks shall not be obliged to reimburse Bidders for any costs and/or damage they incurred during the preparation of Bid Submissions, in the event of cancellation, disqualification, suspension, modification, or delay of the Tender.

16. SELECTION OF PREFERRED BIDDER

- 16.1 The functionality score is only used to pre-qualify the Bidders and only Bidders who achieved the 75% for functionality are considered in the final stage where B-BBEE and the PPP fee offer will be the determining factor.
- 16.2 SANParks shall calculate the scores of each bid to calculate an overall bid score.
- 16.3 The following outlines how the overall score (for all qualified Bidders) will be determined:

$$a*(B-BBEE \text{ score}/100) + b*(PPP \text{ fee score}/100) = c$$

a is the weighting for B-BBEE as outlined in 14.1.3

b is the weighting for the PPP fee as outlined in 14.1.3

c is the Bidder's overall score

- 16.4 The Bidder that receives the highest overall bid score will be declared the preferred Bidder, and the Bidder that receives the second highest overall bid score will be declared the reserve Bidder.
- 16.5 The scores will be presented to the SANParks Bid Adjudication Committee (BAC).
- 16.6 Once ratified, the preferred Bidder will be announced.

17. SIGNATURE AND EFFECTIVENESS OF PPP AGREEMENT

- 17.1 The Private Party will be sent a letter of award to notify them that they are the

preferred bidder for the PPP opportunity. Subsequent to the receipt of this letter, the Private Party will have one month to clarify any outstanding issues regarding the PPP Agreement. Thereafter, SANParks will provide the Private Party with the final PPP Agreement, whereupon the Private Party will have two months from receipt of the final PPP Agreement to sign and submit it to SANParks to be countersigned. Failure to meet any of these timelines may result in cancellation of the award to the preferred bidder. In such a case, SANParks reserves the right to award the contract to the reserve bidder.

- 17.2 The PPP Agreement becomes legally binding and enforceable from the Signature Date. Only after completion of certain Compliance Events can operation commence.
- 17.3 There will be no PPP Fees payable before the Effective Date with Effective Date defined in the PPP Agreement.

18. BID BOND

- 18.1 At the time of submitting its Bid, each Bidder must submit a single Bid Bond (“**Bid Bond**”) payable to SANParks in the format prescribed in **ANNEXURE 2 - ACCEPTABLE WORDING OF BID AND DEVELOPMENT BOND**.
- 18.2 Bid Bonds should be, the amount of R22 000.00 (Twenty Two Thousand Rand); exclusive of VAT;
- 18.3 The posting of the Bid Bond is for the purpose of ensuring that all Bidders present valid and serious bids and that the Winning Bidder subsequently executes the PPP Agreement.
- 18.4 Bid Bonds must be valid until the Effective Date which shall not be later than 12 months from the signature date.
- 18.5 The Bid Bonds of all Bidders other than the Winning Bidder shall be returned to them following signature by SANParks of the PPP Agreement. Money paid into the SANParks’ account will be paid back to the Bidder after an original letter of the bank account was received from the Bidder.
- 18.6 Any of the following shall be grounds for the forfeiture of a Bidder’s Bid Bond:
 - 18.6.1 Any material misrepresentation made by the Bidder in its Bid Submission, or any other information and documentation submitted by it under this RFP;

- 18.6.2 The withdrawal or modification of its Bid during the period of validity;
- 18.6.3 Failure by the preferred Bidder to furnish the required Performance Bond under the PPP Agreement in accordance with the provisions of the PPP Agreement.
- 18.7 The Bid Bond shall be callable upon first demand by SANParks in the event that one or more of the circumstances described in Article 18.6 above has occurred. Forfeiture of the Bid Bond shall not preclude SANParks from pursuing any other remedies it may have against the Bidder under the laws of South Africa.

19. FURTHER INFORMATION

- 19.1 All enquiries and requests for further information in respect of the RFP must be in writing, and directed to SANParks at the following address:

SOUTH AFRICAN NATIONAL PARKS

Banele Malie

P O Box 787

Pretoria, 0001

643 Leyds Street

Muckleneuk, Pretoria

E-mail: banele.malie@sanparks.org

- 19.2 All responses to enquiries may be circulated to other Interested Parties. No other communication with SANParks in respect of the RFP will be permitted.

Bid Submission Sections

20. SECTION 1A – QUALIFICATION

20.1 In order to participate in the bidding process, Bidders are required to meet the following qualification criteria:

20.1.1 Capacity

20.1.1.1 Given that the project may entail risk to both the preferred Bidder and SANParks, interested parties must demonstrate financial strength of a minimum business turnover over of R 200 000.00 per annum.

20.1.1.2 The submitting company or SPV may be the following;

20.1.1.2.1 a single concessionaire that knows how to successfully run a business, with the required experience and business turnover stated above or;

20.1.1.2.2 a single concessionaire without the required experience but with the required turnover stated above, that has partnered with a technical partner with the required experience for this opportunity – such technical partner consisting of at least 5 members who possess 3 years industry practice and experience in this opportunity and 30% shareholdership of the SPV.

20.1.1.3 As the preferred Bidder must be an SPV, it must demonstrate financial strength with reference to the asset value of its shareholders in proportion to their shareholding. The interested party must also demonstrate, to SANParks' satisfaction, that its shareholders are solvent. Audited financial statements or independently reviewed financial statements, along with a letter confirming that the asset value exceeds the stipulated amount and that the shareholders are solvent, must be provided if demanded by SANParks in order to illustrate any assertion made by an interested party in this regard.

20.1.1.4 In this opportunity, the Private Party must undertake to contribute 5% free equity directly to the Community Trust (as nominated by SANParks Social Economic Transformation Department and;

20.1.2 Financial Requirements

20.1.2.1 The Submitting Company shall submit the following economic and financial documentation:

- 20.1.2.1.1 audited or independently reviewed financial statements corresponding to the last two (2) years;
- 20.1.2.2 If the qualification criteria are being met by reference to any other companies, whether current or intended Shareholders or partners, then these companies must submit the same information.
- 20.1.2.3 If the financial criteria are being met by companies that are privately held, and do not produce audited statements or independently reviewed financial statements, or by private individuals, then these companies or individuals must produce a statement of assets, with confirmation of ownership, certified by a qualified auditor.
- 20.1.3 Confirmation of funding within 120 days from the date on which the e-mail with this letter notifying you of such was sent by SANParks.
- 20.1.4 **Tourism and Segway Tourism Experience**
- 20.1.4.1 The project is likely to require interested parties with substantial experience and expertise in the tourism market. Interested parties are therefore required to provide examples of projects conducted by the interested parties. If the interested party is an unincorporated SPV or new company incorporated for purposes of the PPP Opportunity, then it can meet this criterion with reference to the qualifications of any one of its parent shareholder, if the shareholder holds at least 30% of the total equity in the proposed SPV or company that will undertake this PPP opportunity. Therefore interested parties are required to have either;
- 20.1.4.1.1 The operator must have been in the Segway Tourism industry for at least three (3) years
NB: Operating Entity will submit company details as an entity that has operated the water based adventure opportunity. Where member's experience is used for this purpose, Curriculum Vitae of at least 5 members must be submitted.
- 20.1.4.1.2 Number of functional operations: There should be at least one (1) functional operation currently operated or members forming the SPV must at least show proof of 3 year personal experience in the operations/employment of this opportunity.

21. SECTION 1B – INFORMATION ON BIDDERS

Bidders must provide the following information labelled as “**Information on (Bidder Name)**”;

21.1 Special purpose vehicle constitutional information

The successful Bidder must form a specific company, or special purpose vehicle (“**SPV**”), for the purposes of this PPP opportunity prior to the signature date of the PPP Agreement. The following must be specified for the bidding company and its partners (if relevant), as well as the SPV or specific company, if already formed. Where the SPV or specific company has not yet been formed, at minimum the intended shareholding and Directors/Partners/Trustees and their responsibilities must be demonstrated:

- 21.1.1 The name, address, telephone, and fax numbers of Bidder, and the trading name of the Bidder if different from the registered name.
- 21.1.2 Directors/Partners/Trustees and their responsibilities.
- 21.1.3 Place of registration.
- 21.1.4 Registration number.
- 21.1.5 Memorandum and Articles of Association (or equivalent constitutive documents).
- 21.1.6 Shareholders Agreement/Partnership or Joint Venture Agreement/Trust Deed.
- 21.1.7 Direct shareholder(s) joint venture, partner or beneficiary and percentage shareholding or other beneficial interest or participation held by each; if there is more than one class or share or funding the percentages held by each.
- 21.2 A letter confirming that the Bidder and each of its members has irrevocably waived any right it may have to seek and obtain a writ of injunction or prohibition or restraining order against SANParks to prevent or restrain the Tender or any proceedings related to it. However, such waiver shall be without prejudice to the right of a disqualified or losing Bidder to question the lawfulness of their disqualification or the rejection of its Bid by appropriate administrative or judicial processes not involving the issuance of a writ or injunction or prohibition or restraining order.

- 21.3 Important for Bidders to note that the requirements for Tax compliance: a signed PPP Agreement, and proof of Bid Bond are mandatory as part of the bid submission.
- 21.4 Confirmation of funding within 120 days from the date on which the e-mail with this letter notifying you of such was sent by SANParks.

22. SECTION 2 – FINANCING AND CAPITAL PLAN (Weighting 20%)

22.1 The Bidder should provide the following information:

22.1.1 Indicate how much capital will be needed, where it will come from (own capital, grants, loans), and the expected amount and terms (interest rate, repayment period, security) of any proposed loans. Specify whether the necessary financing has been secured, and provide appropriate proof; (Weighting 20%)

22.1.2 A recent auditor’s report confirming that all the members of the Bidder are solvent and liquid; if a member of the Bidder does not produce audited financial statements, it must produce a notarised statement of assets; (Weighting 10%)

22.1.3 If a member of the bidder does not produce audited financial statements, it must produce a notarised statement of assets; and (Weighting 10%)

22.1.4 Confirmation of funding within 120 days from the date on which the e-mail with this letter notifying you of such was sent by SANParks;and (Weighting 10%)

22.1.5 A cash flow forecast (net of VAT) for the proposed term (number of years) of the PPP agreement. This may be in a spreadsheet format of the Bidder’s choice, but must at least present the following: (Weighting 40%)

	Start-up R'000	Year 1 R'000	Year 2 R'000	Year 3 R'000	Year 4 R'000	Year 5 R'000	Year 6 R'000	Year 7 R'000
Cash inflows								
Owners' capital								
Loans received								
Grants received								
Cash from sales and other operating revenue								
Cash from other sources								
Total cash inflow (A)								
Cash outflows								
Project costs and start-up expenses								
Salaries, wages, and staff costs								

	Start-up R'000	Year 1 R'000	Year 2 R'000	Year 3 R'000	Year 4 R'000	Year 5 R'000	Year 6 R'000	Year 7 R'000
All other operating costs and expenses								
Loan repayments								
Infrastructure upgrades/Building additions/ internal décor etc.								
Replacement of equipment and vehicles								
Total cash outflow (B)								
Net cash flow [A – B] before PPP fees and tax								

**Adapt for proposed term*

22.1.6 Based on the cash-flow forecast, indicate the viability of the model with particular reference to the areas below;(Weighting 10%)

22.1.6.1 Nett Present Value (NPV)

22.1.6.2 Internal Rate of Return (IRR)

22.1.6.3 Assumptions should be noted for the cash flow forecast, including:

22.1.6.4 Occupancy rates

22.1.6.5 Tariffs

22.1.6.6 Sources of revenue

22.1.6.7 Inflation rate

23. SECTION 3 – BUSINESS AND OPERATIONAL PLAN (Weighting 30%)

In this PPP opportunity, Business, Operational and Design plan comprises of 40% of the Functionality score; the following outlines the evaluation criteria that will be used;

23.1 Background of the Bidding Company – weighting (20%)

23.1.1 Rationale – (weighting 25%)

23.1.1.1 Overview of the bidding company and partners (sub-weighting 25%)

23.1.1.2 *Existing Operations* (includes # of operations, # of years and knowledge of existing complementary products) (sub-weighting 25%)

23.1.1.3 *Current Operation Standards (SoPs) – which outlines operations and procedure manuals* (sub-weighting 25%)

23.1.1.4 Memberships and registrations(list of awards, accolades, ratings etc) (sub-weighting 25%)

23.1.2 Qualifications and Experience-**weighting (25%)** (establish the qualifications)

23.1.2.1 Lead Guide Transporter (sub-weighting 100%)

23.1.3 Presentation of Health and Safety Initiatives-**weighting (25%)** to include but not limited to

23.1.3.1 Safety Helmets(sub-weighting 20%)

23.1.3.2 First Aid Certificate and Kits(sub-weighting 20%)

23.1.3.3 Be in possession of licenses and registrations with SAMSA(sub-weighting 20%)

23.1.3.4 Competent employees with skipper licenses added advantage(sub-weighting 20%)

23.1.4 Management /employees (weighting 25%)

23.1.4.1 Proposed company structure with specific reference to the expertise required for the relevant PPP Opportunity(sub-weighting 25%)

23.1.4.2 Number of personnel working in the adventure activity and their qualifications(sub-weighting 25%)

23.1.4.3 Curriculum vitae of shareholders, directors, management and staff(sub-weighting 25%)

23.1.4.4 Where skills and experience are lacking, outline the strategy to source these skills(sub-weighting 25%)

23.2 Operational Vision, Plan and Service Standards (Weighting 30%)

23.2.1 Product / activities – (sub-weighting 25%)

23.2.2 Detailed description of the overall concept / product envisioned for the opportunity (sub-weighting 25 %)

23.2.3 Detailed description of the activities to be offered and how these will be managed. Additional subject to approval by SANParks(sub-weighting 25%)

23.2.4 Other initiatives that will be implemented to ensure success of the opportunity. (sub-weighting 25%)

23.2.5 Undertaking to develop standard operation procedure (submitted draft an added advantage) – (sub-weighting 25%)

23.3 Infrastructure Development – (Sketch Drawings) weighting (5%)

23.3.1 Parking and Waiting areas(sub-weighting 50%)

23.3.2 Storage, change rooms and ablutions (sub-weighting 50%)

23.4 Local Community Involvement – present how this can be achieved (35% weighting)

23.4.1 Job creation – (sub-weighting 25%)

23.4.2 Enterprenuerial and Transformation opportunities –(sub-weighting 25%)

23.4.3 Shareholdership with experienced community members (minimum 30% upwards. **IMPORTANT TO NOTE:** Preference awarded to a higher % share) – (sub-weighting 50%)

23.5 Marketing Plans (weighting 5%)

23.5.1 Overview of the Target Market – (sub-weighting 50%)

23.5.2 Marketing initiatives to be followed to attract clients– (sub-weighting 50%)

23.6 Maintenance Schedule (weighting 5 %)

23.6.1 Submission of Maintenance of infrastructure and Equipment schedules (sub-weighting 100%)

23.7 Human Resource Management (weighting 5%)

23.7.1 Planned training programmes for the staff– (sub-weighting 50%)

23.7.2 Proposed organisational and staffing structures – (sub-weighting 50%)

24. SECTION 4 – DEVELOPMENT, ENVIRONMENTAL, AND DESIGN PROPOSAL (Weighting 20%)

In all Bid Packages, the Environmental Plan comprises of 10 % of the Functionality score;

24.1 Environmental responsibility

SANParks is bound by a number of statutes with relevance to environmental on management of Parks, including (without limitation) the Constitution of the Republic of South Africa 1996, the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) (NEMPAA); the National Water Act 36 of 1998; the Water Services Act, 108 of 1997; the National Environmental Management Act, 107 of 1998 (NEMA); the National Veld and Forest Act, 101 of 1998; the Hazardous Substances Act, 15 of 1973; and the National Heritage Resources Act.

Authorisation of any development in a Protected Area is governed by the NEMA and the NEMPAA, and regulations. Any changes to infrastructure or operations require written approval from SANParks and are subject to the prescribed policies and procedures.

The process for set-up and operation of the TNP water based activities will be undertaken as per SANParks internal policies and procedures, and authorisations given by the Department of Environmental, Forestry and Fisheries where relevant. The Private Party will be required to undertake to comply with the guidelines and also to propose on the management of the environment during the operations of the activities.

24.2 Guidelines Based on SANParks Internal Requirements

24.2.1 In terms of the National Environmental Management Act (Act No. 107 of 1998, as amended) and the 2014 Environmental Impact Regulations (GN R982, R983, R984 and R985 of 04 December 2014) as amended a Basic Assessment Report (Listing Notices 1 and 3) or a Scoping and EIA process (Listing Notice 2) is required if a listed activity is triggered. The NEMA EIA Regulations, 2014 and listing notices, were subsequently amended on 07 April 2017 (refer to GN R324, R325, R327 of 07 April 2017) and is being referred to as NEMA EIA Regulations, 2014, as amended.

A Basic Assessment Report is not triggered as no new infrastructure is anticipated for the water-based activities. However, maintenance on the existing footprint may be required during the concession period.

SANParks requires to comply with that the national environmental management principles in Chapter 2 of NEMA are implemented, including the following sustainable development considerations:

- (i) that the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied;
- (ii) that pollution and degradation of the environment are avoided, or, where they cannot be altogether avoided, are minimised and remedied;
- (iii) that the disturbance of landscapes and sites that constitute the nation's cultural heritage is avoided, or where it cannot be altogether avoided, is minimised and remedied;
- (iv) that waste is avoided, or where it cannot be altogether avoided, minimised and reused or recycled where possible and otherwise disposed of in a responsible manner;
- (v) that the use and exploitation of non-renewable natural resources is responsible and equitable, and takes into account the consequences of the depletion of the resource;
- (vi) that the development, use and exploitation of renewable resources and the ecosystems of which they are part do not exceed the level beyond which their integrity is jeopardised;
- (vii) that a risk-averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions; and;
- (viii) that negative impacts on the environment and on people's environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimised and remedied.

24.2.2 In addition, Section 28 of the National Environmental Management Amendment Act: Duty of Care (NEMAA, Act 62 of 2008) principles should be implemented. "Every person who causes, has caused, or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by

law or cannot be reasonably avoided or stopped, to minimise and rectify such pollution or degradation of the environment"

24.3 **Precautionary Principle**

24.3.1 The Private Party must acknowledge that, ecological and natural resource processes are not always clearly understood, nor are the interactions among such processes. SANParks recognises that issues may arise suddenly, or circumstances change, due to limitations in current knowledge. SANParks has endeavoured to identify these limitations wherever possible and to design the concession/Bidder management process in a way that minimises the environmental risk to the national assets under its control. However, situations may arise where changes that have not been anticipated may cause SANParks to require adaptations to the management of the area.

24.4 **Environmental Impact**

24.4.1 Describe the anticipated environmental impact that will result during the development and operations of the activities .

24.4.2 Describe preliminary mitigation measures that demonstrate the types of initiatives/processes that could be implemented to ensure the minimal environmental impact on the site.

24.4.3 The Private Party undertakes to bring to the attention of SANParks any matter, which may, in its view, have a detrimental impact on the Environment within the Segway Transporter and the Protected Area

24.5 **Code of Conduct**

24.5.1 The Private Party undertakes to induct all staff employed on the SANParks Code of Conduct.

24.5.2 The Private Party confirms that the Code of Conduct is understood and will be complied with.

24.6 **Environmental Responsibility**

24.6.1 The Bidder acknowledges that SANParks has an active role to play in Responsible Tourism and expects the same from Private Parties that operate in

National Parks. SANParks subscribes to the minimum standard of Responsible Tourism (SANS 1162) (**Annexure 2**) and expects the same from Private Parties that operate commercial outlets in National Parks.

24.6.2 Undertaking from the Bidder to conduct, manage and carry out the Project at all times in an environmentally responsible way by adopting appropriate operating methods and practices for conducting such a Project in a proclaimed National Park.

24.6.3 The Bidder undertakes to take all reasonable steps in conducting the Project to prevent and limit the occurrence of any environmental or health hazards and to ensure the health and safety of the Private Parties and the public.

24.6.4 Bidders must include an Environmental Management Method Statements (EMMS) to ensure the tourism offering can be achieved in an environmentally sustainable manner. The objective of the EMMS is to provide details regarding the scope of the project in a step-by-step description in accordance to the guidelines outlined below;

24.6.4.1 **Section 1 – Administrative details**

24.6.4.1.1 Project name

24.6.4.1.2 Details of the Project Manager of the Project

24.6.4.1.3 Details of the individual that prepared the EMMS

24.6.4.2 **Section 2- Project Details**

24.6.4.2.1 Project Objective

24.6.4.2.2 The location of the proposed activity (receiving environment)

24.6.4.1.3 A photographic record of the current situation

24.6.4.1.4 Activities to be undertaken

24.6.4.1.5 Work hours and project team (number of people involved)

24.6.4.1.5 Technical specifications (if relevant)

24.6.4.1.6 Site Development Plan (if relevant)

24.6.4.1.7 Time of the project

24.7 **Regulatory Provisions**

- 24.7.1 The Bidder undertakes to adhere to the Regulatory Provisions and the Environmental Specifications.
- 24.7.2 The Bidder undertakes to comply with its statutory duties in terms of the Environmental Laws and to take reasonable measures to prevent pollution or degradation from occurring, continuing or recurring or, in so far as such harm to the Environment is authorised by SANParks, to minimise and rectify such pollution or degradation of the Environment.
- 24.7.3 The Bidder undertakes to comply at all times with the provisions of the Environmental Guidelines.
- 24.7.4 The Bidder acknowledges that the terms and conditions set forth in the Environmental Guidelines are subject to amendment.
- 24.7.5 The Bidder undertakes to comply with amended Environmental Guidelines.

24.8 **Solid Waste Management**

- 24.8.1 The Bidder undertakes to manage all waste that is generated in such a way that direct and indirect impacts are kept to a minimum.
- 24.8.2 The Bidder undertakes to achieve Solid Waste Management Best Practices which implies the following:
 - 24.8.2.1 Manage solid waste from source to disposal (use of green bags for recycling waste and black bags for non-recycled waste as per national parks' Waste management system);
 - 24.8.2.2 Strive to eliminate non-recyclable or hazardous packaging or containers at the procurement phase;
- 24.8.3 The Bidder undertakes to include the following policies in waste management:
 - 24.8.3.1 Green Procurement Policy: This policy defines the procedures that the Bidder will implement to ensure that all produce, containers, and packaging comes from suppliers that under-write environmental principles and that waste be recyclable as far as possible;
 - 24.8.3.2 Hazardous Waste Policy: The Hazardous Waste Policy defines procedures that the Bidder will implement to manage any hazardous waste, to ensure that it is firstly minimised, but also that it is stored and discarded safely and legally.

24.8.4 The Bidder will follow the following guidelines to minimise the effect of the solid waste on the ecosystem:

24.8.4.1 Minimise solid waste production at all sources, by striving for the minimisation of all waste.

24.8.4.2 Maximise the recycling of solid waste. Glass, tin, paper, and cardboard must be sorted on-site for recycling, while actual recycling will take place off-site at the approved camp waste disposal site.

24.8.4.3 All waste must be removed to the respective approved camp waste disposal site and incinerator for disposal and recycling. The dumping and disposal of waste other than at the approved waste site are strictly prohibited and failure to comply may result in termination.

24.8.4.4 Waste storage areas must remain visually hidden from visitors and problematic animals in the Park .

24.8.4.5 Packaging and containers given to visitors must be environmentally friendly, biodegradable, and recyclable.

24.8.4.6 The distribution of plastic bags and polystyrene to visitors is strictly prohibited and only brown paper bags are allowed to be given for the purpose of carrying items purchased.

24.8.4.7 Ensure that all areas are kept free of litter by promoting an ethic amongst guests and staff alike and soliciting the co-operation of all staff to pick up litter wherever they find it.

24.9 **Chemical Substances**

24.9.1 The Bidder (including staff of the Bidder) undertakes to not use any of the chemicals that are banned from use in TNP (as determined by any Environmental Manager in National Parks);

24.9.2 The Bidder acknowledges that all chemicals listed as “Prohibited” (**Annexure 4**) may not be brought into or used in the TMNP.

24.9.3 The Bidder undertakes to ensure safe storage and disposal of preferred chemicals (**Annexure 5**) and their containers;

24.9.4 The Bidder undertakes to have a specific disposal system for toxic or other waste regarded as being dangerous under supervision of the Technical Services Department;

24.9.5 The Bidder undertakes to only use environmentally friendly and biodegradable detergents and cleaning agents

24.10 Pest Control

24.10.1 The Bidder undertakes to comply with the integrated pest management plan as provided by SANParks;

24.10.2 Where and if required the Bidder undertakes to control bats as outlined in the SANParks Bat Management Plan;

24.10.3 The Bidder undertakes to make use of preferred pest control chemicals as outlined in the SANParks Pest Control Report.

24.11 Health and Safety

Demonstrate how to undertake and comply with the following

24.11.1 Safety Equipment (comply with EN ISO 12402-5)

24.11.2 Safety Helmets

24.11.3 First Aid Certificate and Kits

24.11.4 Be in possession of licenses and registrations with SAMSA

24.11.5 Competent employees with skipper licenses added advantage

24.12 Monitoring and Compliance

24.12.1 The Bidder agrees to cooperate with SANParks in compiling a monitoring checklist that encompasses all environmental conditions. The checklist would be used for auditing purposes and would be conducted at agreed intervals; and

24.12.2 The Bidder agrees that SANParks will monitor, evaluate and score the operations (based on the line items in the checklist) and that a score of less than 85% for three (3) consecutive audits would imply a material breach of contract.

24.12.3 The Bidder acknowledges and agrees that failure to comply with any of the environmental standards and requirements will result in a fine / penalties being issued to the Bidder.

25. SECTION 5 – RISK MATRIX (Weighting 10%)

25.1 In this opportunity the Risk Matrix (outlining risk share between the Private Party and SANParks) comprises of 10% of the Functionality score ;

Type of risk	General description of risk	Project-specific risk	Mitigation measures	Allocation of risk (institution/ private party/ shared)
Financing	Required capital for capex and opex may not be raised / secured; loans repayments might be difficult; tax obligations may not have been fully taken into account or may change; fluctuating inflation, interest rates, oil prices and currency fluctuations may affect assumptions			
Supporting infrastructure	Supporting infrastructure may be inadequate to sustain the enterprise			
Planning, design and construction	Planning consents may not be acquired or granted; the design may not be fit for the purpose; construction may not be completed on time and in budget or might be higher than anticipated			
Availability risk	The possibility that the service provided by the Private Party does not meet the output specifications			
Cost over-run risk	The possibility that during the design the actual project costs will exceed projected costs			
Exchange rate risk	The possibility that exchange rate fluctuations will impact on the affordability of the project			
Utilities	Utilities may not be fully available or may cause delays, or utilities are too expensive			
Environment and heritage	Liability for losses caused by environmental or heritage damage or delays			
Visitation	Drop in visitation due to			

Type of risk	General description of risk	Project-specific risk	Mitigation measures	Allocation of risk (institution/ private party/ shared)
	behaviour of problems animals such as baboons and monkeys			
Maintenance	The costs of maintenance to required standards may vary from projections or maintenance may not be carried out			
Operations	Any factors (other than force majeure) that may impact on operations.			
Market, demand, volume	The demand for the product may be less than projected.			
Political	Unforeseeable conduct by any government institution may adversely affect the project, or the government may expropriate private party assets			
Force majeure	Unexpected events beyond either party's control			
Insurance risks	Loss of income caused by extreme events such as drought, fire or flooding			
Insurance risks	Public liability in the event of claims by clients related to for instance hygiene deficiencies or attack by primates			
Insolvency risk	The possibility of insolvency of a Private Party			
Interest rate risk	The possibility of interest rate fluctuations affecting the availability and cost of funding			
Maintenance risk	The possibility that the cost of maintenance exceeds the projected maintenance costs			
Resource or input risk	The possibility of a failure or shortage in the supply of resources			
Tax rate change risk	The possibility that changes in applicable tax laws decrease the anticipated return on investment			
Third Party claims	The risk of injury whilst doing a Segway Transporter or Segway Transporter related activity			

26. SECTION 6 – B-BBEE PROPOSAL (Weighting 20%)

Bidders should provide the following information, with supporting evidence wherever possible. Requirements for supporting evidence are described in Section 26.3.5.

26.1 SANParks will evaluate the Bidder's B-BBEE Proposal and will assess scores according to the methodology and weightings based on the *Amended Tourism B-BBEE Sector Code, 2015 Targets*.

26.1.1 Bidders that anticipate that the SPV will qualify as a Large Enterprise (SPV total annual revenue of R45 million or above), as defined by the *Amended Tourism B-BBEE Sector Code*, must complete the Large Enterprise Scorecard.

Or;

26.1.2 Bidders that anticipate that the SPV will qualify as a Qualifying Small Enterprise ("QSE") (SPV total annual revenue of less than R45 million or above R5 million), as defined by the *Amended Tourism B-BBEE Sector Code*, must complete the QSE Scorecard.

Or;

26.1.3 Bidders that anticipate that the SPV will qualify as an Exempted Micro Enterprise ("EME") (SPV total annual revenue of R5 million or below), as defined by the *Amended Tourism B-BBEE Sector Code*, are not required to complete the B-BBEE scorecard. As part of the bid, the Bidder must confirm that the anticipated total annual revenue of the SPV will be R5 million or below, as well as confirm the percentage black ownership in the SPV. The following wording should be used by the Bidder:

"[Name of Bidder] hereby confirms that the total annual revenue anticipated for this PPP opportunity is R5 million or below, and will submit a sworn affidavit or certificate issued by the Companies and Intellectual Property Commission on an annual basis to confirm the total annual revenue of the SPV. In the case of total annual revenue exceeding R5 million, [Name of Bidder] will timeously notify SANParks and acknowledges that SANParks may require the SPV to complete the relevant B-BBEE Scorecard and meet the minimum threshold required by SANParks.

The SPV commits to [percentage]% black ownership, which will be

maintained as a minimum throughout the duration of the PPP Agreement.”

In terms of the B-BBEE Proposal, Bidders that anticipate that the SPV will qualify as an EME, will score as follows:

Black Ownership	B-BBEE Level	B-BBEE Proposal Score
100% Black Owned	Level One	100%
At least 51% Black Owned	Level Two	95%
Less than 51% Black Owned	Level Four	80%

Where the SPV’s annual revenue exceeds or falls short of the thresholds for a Large Enterprise, QSE or EME, SANParks may require the Private Party to submit a revised B-BBEE Proposal. In this case, a maximum transitional period of one year will be allowed for the SPV to achieve the new targets.

26.2 Commitments and Scoring

For Bidders anticipating that the SPV will qualify as a QSE or Large Enterprise, the relevant scorecard must be completed. The Bidder must make commitments in the ‘bid offered’ column and insert scores in the far right-hand column of the relevant B-BBEE scorecard below. If the percentage committed to by the Bidder is less than the target, then the score must be weighted accordingly; for example if the target is 1% and the maximum points to be scored are 5, and the Bidder’s commitment is 0.5%, then only 2.5 points will be scored. If the percentage committed to by the Bidder is equal or more than the target, the full points will be scored. These commitments will become binding in the PPP Agreement. SANParks will confirm the scoring on the basis of supporting information provided, and may use an accredited B-BBEE rating agency for this purpose.

26.3 B-BBEE Scorecard Definitions and Measurements

26.3.1 All B-BBEE definitions used are consistent with those used in the *Amended Tourism B-BBEE Sector Code, 2015*.

26.3.2 All measurements of scores are calculated consistently with those used in the *Amended Tourism B-BBEE Sector Code, 2015*

26.3.3 Large Enterprise Scorecard

Element	Element Weighting	Indicator	Measurement Category & Criteria	Weighting Points	Compliance Targets	Bid Offered	Score	
Ownership	27	Voting Rights	Exercisable Voting Rights in the entity in the hands of Black People	4	30%			
			Exercisable Voting Rights in the entity in the hands of Black Women	2	15%			
		Economic Interest	Economic Interest in the entity to which Black People are entitled	4	30%			
			Economic Interest in the entity to which Black Women are entitled	2	15%			
			Economic Interest of any of the following Black Natural Persons in the measured entity.					
			Black Designated Groups;					
			Black Participants in Employee Share Ownership Programmes;	3	3%			
			Black People in Broad-Based Ownership Schemes;					
			Black Participants in Co-operatives.					
		Black New Entrants	4	10%				
Realisation Points	Net Value	8	As per Codes					
<i>Score out of 27</i>								
Management Control	19 (+2 Bonus)	Board Participation	Exercisable Voting Rights of Black Board Members as a percentage of all Board Members	2	50%			
			Exercisable Voting Rights of Black Female Board Members as a percentage of all Board Members	1	30%			
			Black Executive Directors as a percentage of all Executive Directors	2	50%			
			Black Female Executive Directors as a percentage of all Executive Directors	1	30%			
		Other Executive Management	Black Executive Management as a percentage of all Other Executive Management	2	60%			
			Black Female Executive Management as a percentage of all Other Executive Management	1	30%			

Element	Element Weighting	Indicator	Measurement Category & Criteria	Weighting Points	Compliance Targets	Bid Offered	Score		
		Senior Management	Black Employees in Senior Management as a percentage of all Senior Management <i>Targets for Black People must be split according to the Economically Active Population</i>	2	60%				
			Black Female Employees in Senior Management as a percentage of all Senior Management <i>Targets for Black People must be split according to the Economically Active Population</i>	1	30%				
		Middle Management	Black Employees in Middle Management as a percentage of all Middle Management <i>Targets for Black People must be split according to the Economically Active Population</i>	2	75%				
			Black Female Employees in Middle Management as a percentage of all Middle Management <i>Targets for Black People must be split according to the Economically Active Population</i>	1	38%				
		Junior Management	Black Employees in Junior Management as a percentage of all Junior Management <i>Targets for Black People must be split according to the Economically Active Population</i>	1	80%				
			Black Female Employees in Junior Management as a percentage of all Junior Management <i>Targets for Black People must be split according to the Economically Active Population</i>	1	40%				
		Employees with disabilities	Black Employees with Disabilities as a percentage of all Employees	2	2%				
		Bonus Points	Number of Black Employees with Disabilities over and above the 2% target for Black Employees with Disabilities, as a percentage of all Employees	2	1% (over and above 2% target above)				
		<i>Score out of 19 (+2 bonus)</i>							
		Skills Development	20 (+5 Bonus)	Skills Development	Skills Development Expenditure on Learning	5	6%		

Element	Element Weighting	Indicator	Measurement Category & Criteria	Weighting Points	Compliance Targets	Bid Offered	Score
		Expenditure on any programme specified in the Learning Programme Matrix for Black People as a percentage of the Leivable Amount	Programmes specified in the Learning Programme Matrix for Black People in any of the following three tourism sub-sectors as a percentage of Leivable Amount: - Accommodation; - Hospitality and related services; - Travel and related services. <i>Targets for Black People must be split according to the Economically Active Population</i>				
			Skills Development Expenditure on Learning Programmes specified in the Learning Programme Matrix for Black People with Disabilities in any of the above three tourism sub-sectors as a percentage of Leivable Amount	3	0.3%		
		Learnerships, Apprenticeships, and Internships	Number of Black Employees participating in Learnerships, Apprenticeships and Internships paid for by the measured entity as a percentage of total Employees <i>Targets for Black People must be split according to the Economically Active Population</i>	8	3.5%		
			Number of Black Unemployed Learners participating in Learnerships, Apprenticeships and Internships paid for by the measured entity as a percentage of number of total Employees <i>Targets for Black People must be split according to the Economically Active Population</i>	4	3%		
		Bonus Points	Number of Black People absorbed by the measured and/ or industry entity at the end of the Learnerships/ internship or Apprenticeship programme	5	100%		
<i>Score out of 20 (+5 bonus)</i>							
Enterprise and Supplier Development	40 (+ 2 Bonus)	Preferential Procurement	B-BBEE Procurement Spend from all Empowering Suppliers based on the B-BBEE Procurement Recognition Levels as a percentage of Total	5	80%		

Element	Element Weighting	Indicator	Measurement Category & Criteria	Weighting Points	Compliance Targets	Bid Offered	Score
			Measured Procurement Spend				
			B-BBEE Procurement Spend from all Empowering Suppliers that are Qualifying Small Enterprises based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend	3	15%		
			B-BBEE Procurement Spend from all Exempted Micro Enterprises based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend	4	15%		
			B-BBEE Procurement Spend from Empowering Suppliers that are at least 51% Black Owned based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend	9	40%		
			B-BBEE Procurement Spend from Empowering Suppliers that are 30% Black Women Owned based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend	4	12%		
		Supplier Development	Annual value of all qualifying Supplier Development contributions made by the measured entity as a percentage of the target	10	3% of NPAT		
		Enterprise Development	Annual value of all qualifying Enterprise Development contributions and Sector Specific Contributions made by the measured entity as a percentage of the target	5	0.5% of NPAT		
		Bonus Points	Bonus point for graduation of one or more qualifying Enterprise Development beneficiaries to graduate to the Supplier Development level	1	Yes		
			Bonus point for creating one or more jobs directly as a result of qualifying Supplier Development	1	Yes		

Element	Element Weighting	Indicator	Measurement Category & Criteria	Weighting Points	Compliance Targets	Bid Offered	Score
			and Enterprise Development contributions by the measured entity				
<i>Score out of 40 (+2 bonus)</i>							
Socio-economic Development	5 (+3 Bonus)	Socio-economic Development	Annual value of all Qualifying Socio-Economic Development contributions by the measured entity as a percentage of the target	5	1% of NPAT		
		Bonus Points	Status as TOMSA levy collector	3	Yes		
	<i>Score out of 5 (+3 bonus)</i>						
Total Points	111 (+12 Bonus)			111 (+12 Bonus)	Score out of 111		

26.3.4 Qualifying Small Enterprise Scorecard

Element	Element Weighting	Indicator	Measurement Category & Criteria	Weighting Points	Compliance Targets	Bid Offered	Score
Ownership	26	Voting Rights	Exercisable Voting Rights in the entity in the hands of Black People	5	30%		
			Exercisable Voting Rights in the entity in the hands of Black Women	2	15%		
		Economic Interest	Economic Interest in the entity to which Black People are entitled	5	30%		
			Economic Interest in the entity to which Black Women are entitled	3	15%		
			Economic Interest of Black New Entrants or Black Designated Groups	3	3%		
		Realisation Points	Net Value	8	As per Codes		
		<i>Score out of 26</i>					
Management Control	15 (+2 Bonus)	Executive Management	Black representation at Executive Management	5	60%		
			Black Female representation at Executive Management	2	30%		
		Senior, Middle and Junior Management	Black representation at Senior, Middle and Junior Management	6	60%		
			Black Female representation at Senior, Middle and Junior Management	2	30%		
		Bonus Points	Number of Black Employees with Disabilities as a percentage of all Employees	2	1%		
		<i>Score out of 15 (+2 bonus)</i>					
Skills Development	25 (+5 Bonus)	Skills Development Expenditure on any programme specified in the Learning Programme Matrix for Black People as a percentage of the Leivable Amount	Skills Development Expenditure on Learning Programmes specified in the Learning Programme Matrix for Black People in any of the following three tourism sub-sectors as a percentage of Leivable Amount: - Accommodation; - Hospitality and related services; - Travel and related services.	10	3%		
			Skills Development Expenditure on Learning Programmes specified in the Learning Programme Matrix for Black Females in any of the above three tourism sub-sectors as a percentage of Leivable Amount.	9	1.5%		

Element	Element Weighting	Indicator	Measurement Category & Criteria	Weighting Points	Compliance Targets	Bid Offered	Score
		Learnerships, Apprenticeships, and Internships	Number of Black People participating in Learnerships, Apprenticeships and Internships specified in the Learning Matrix paid for by the measured entity as a percentage of total Employees	6	2.5%		
		Bonus Points	Number of Black People absorbed by the measured and/ or industry entity at the end of the Learnerships/ internship or Apprenticeship programme	5	100%		
<i>Score out of 25 (+5 bonus)</i>							
Enterprise and Supplier Development	30	Preferential Procurement	B-BBEE Procurement Spend from all Empowering Suppliers based on the B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend	8	60%		
			B-BBEE Procurement Spend from Empowering Suppliers that are at least 51% Black Owned based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend	10	30%		
		Supplier Development	Annual value of all qualifying Supplier Development contributions made by the measured entity as a percentage of the target	7	2% of NPAT		
		Enterprise Development	Annual value of all qualifying Enterprise Development contributions made by the measured entity as a percentage of the target	5	1% of NPAT		
<i>Score out of 30</i>							
Socio-economic Development	5 (+3 Bonus)	Socio-economic Development	Annual value of all Qualifying Socio-Economic Development contributions by the measured entity as a percentage of the target	5	1% of NPAT		
		Bonus Points	Status as TOMSA levy collector	3	Yes		
<i>Score out of 5</i>							
Total Points	101 (+10 Bonus)			101 (+10 Bonus)	Score out of 101		

26.3.5 Supporting information

Bidders are responsible for providing information to support their commitments, which includes the following (failure to provide supporting evidence may result in the bidder being penalised during evaluation):

26.3.5.1 Large Enterprises

All supporting information relates to the SPV that will be formed for the PPP Opportunity.

1. Ownership	Input
1.1 Voting Rights	
a) Percentage of voting rights in the hands of:	
i. Black People	
ii. Black Women	
1.2 Economic Interest	
a) Percentage economic interest in the hands of:	
i. Black People	
ii. Black Women	
b) B-BBEE certificates of all shareholders (for EMEs and for QSEs (with black ownership above 51%), as per the Tourism Sector Code, a sworn affidavit or certificate issued by Companies and Intellectual Property Commission (CIPC) will suffice)	
1.3 Realisation Points	
a) Net value:	
If Equity held by Black Participants is unencumbered (debt free) and meets the minimum targets, or if 30% or more of the shares held by Black Participants are unencumbered, full points will be scored. A statement to confirm this is required for evaluation purposes. OR	
If shares held by Black Participants are encumbered, the following should be provided to verify the anticipated Net Value at the end of Year 1:	
i. Anticipated value at the end of Year 1 of the Equity held by Black Participants in the SPV (where multiple participants, specify for each Black Participant)	
ii. Anticipated value of Acquisition Debts of Black Participants in the SPV at end of Year 1 (where multiple participants, specify for each Black Participant). Where Black Ownership of a shareholder in the SPV is encumbered, this should be accounted for in this amount	
iii. Anticipated value of the SPV at end of Year 1	
2. Management Control	Input
2.1 Economically Active Population being applied for calculations (National / Provincial) – if Provincial, please specify province for evaluation purposes (North West and KZN do not apply as SANParks does not operate in these provinces)	

2.2 Board Participation									
a) Total anticipated number of Board Members									
b) Anticipated number of voting rights in the hands of the following Board Members:									
i. Black People									
ii. Black Women									
c) Total anticipated number of Executive Directors									
d) Anticipated number of:									
i. Black Executive Directors									
ii. Black Female Executive Directors									
2.3 Other Executive Management									
a) Total anticipated number of Other Executive Management									
b) Anticipated number of:									
i. Black Executive Managers									
ii. Black Female Executive Managers									
2.4 Management (Senior, Middle and Junior)									
Level of Management	Number of Proposed Employees per Group								
	African Male	African Female	Coloured Male	Coloured Female	Indian Male	Indian Female	White / Foreign Male	White / Foreign Female	Total
Senior Management									
Middle Management									
Junior Management									
TOTAL									
2.5 Employees with disabilities									
a) Total anticipated number of employees anticipated to be on payroll									
b) Anticipated number of Black Employees with disabilities									
3. Skills Development									Input
3.1 Skills Development Expenditure									
a) Anticipated Leivable Amount (total payroll amount)									
b) Anticipated Skills Development expenditure									
c) Anticipated Skills Development expenditure on Black People:									
Skills Development Expenditure (Rands)	African Male	African Female	Coloured Male	Coloured Female	Indian Male	Indian Female	White / Foreign Male	White / Foreign Female	Total

d) Anticipated Skills Development expenditure on Black People with Disabilities									
Note: Provide an overview on the Skills Development Plan referring to the investment in skills development initiatives through both external training providers and the quantifiable costs of accredited internal training programmes.									
3.2 Learnerships, Apprenticeships and Internships									
a) Total anticipated number of employees anticipated to be on payroll									
b) Participation in Learnerships, Apprenticeships and Internships paid for by the SPV:									
Anticipated Number of Learnerships, Apprenticeships and Internships	African Male	African Female	Coloured Male	Coloured Female	Indian Male	Indian Female	White Male	White Female	Total
Employees									
Unemployed Learners									
c) Anticipated percentage of Black People to be absorbed at the end of the Learnership, Internship or Apprenticeship									
4. Enterprise and Supplier Development									Input
4.1 Preferential Procurement									
a) Anticipated Total Measured Procurement Spend in Rands									
b) Anticipated value of B-BBEE procurement spend (in Rands) with:									
i. Empowering Suppliers									
ii. Empowering Suppliers that are Qualifying Small Enterprises									
iii. Exempted Micro Enterprises									
iv. Empowering Suppliers that are at least 51% Black Owned									
v. Empowering Suppliers that are 30% Black Women Owned									
Note: Where possible, provide details for Black Enterprises or Black People targeted for subcontracting and procurement.									
4.2 Supplier Development									
a) Anticipated Net Profit After Tax (NPAT) in Rands									
b) Anticipated value of Supplier Development contributions in Rands									
Note: Where possible, provide planned qualifying Supplier Development contributions / activities.									
4.3 Enterprise Development									
a) Anticipated value of Enterprise Development contributions in Rands									
Note: Where possible, provide planned qualifying Enterprise Development contributions / activities.									
b) Bonus point anticipated for graduation of one or more qualifying Enterprise Development beneficiaries to graduate to the Supplier									

Development level	
c) Bonus point anticipated for creating one or more jobs directly as a result of qualifying Supplier Development and Enterprise Development contributions by the measured entity	
5. Socio-economic Development	Input
5.1 Socio-economic Development contributions	
a) Anticipated value of Socio-economic Development contributions	
Note: Where possible, provide planned qualifying Socio-economic Development contributions / activities.	
5.2 Status as a TOMSA levy collector	
a) If “Yes”, the TOMSA levy contributor certificate must be provided, or if the SPV intends to become a TOMSA levy collector, a commitment must be given, which will be binding if the Bidder is successful	

26.3.5.2 Qualifying Small Enterprises

All supporting information relates to the SPV that will be formed for the PPP opportunity.

1. Ownership	Input
1.1 Voting Rights	
a) Percentage of voting rights in the hands of:	
i. Black People	
ii. Black Women	
1.2 Economic Interest	
a) Percentage economic interest in the hands of:	
i. Black People	
ii. Black Women	
b) B-BBEE certificates of all shareholders (for EMEs and for QSEs (with black ownership above 51%), as per the Tourism Sector Code, a sworn affidavit or certificate issued by Companies and Intellectual Property Commission (CIPC) will suffice)	
1.3 Realisation Points	
a) Net value:	
If Equity held by Black Participants is unencumbered (debt free) and meets the minimum targets, or if 30% or more of the shares held by Black Participants are unencumbered, full points will be scored. A statement to confirm this is required for evaluation purposes. OR	
If shares held by Black Participants are encumbered, the following should be provided to verify the anticipated Net Value at the end of Year 1:	
i. Anticipated value at the end of Year 1 of the Equity held by Black Participants in the SPV (where multiple participants, specify for each	

Black Participant)	
ii. Anticipated value of Acquisition Debts of Black Participants in the SPV at end of Year 1 (where multiple participants, specify for each Black Participant). Where Black Ownership of a shareholder in the SPV is encumbered, this should be accounted for in this amount	
iii. Anticipated value of the SPV at end of Year 1	
2. Management Control	Input
2.1 Executive Management	
a) Total anticipated number of Executive Management	
b) Anticipated number of:	
i. Black Executive Managers	
ii. Black Female Executive Managers	
2.2 Management (Senior, Middle and Junior)	
a) Total anticipated number of Senior, Middle and Junior Management	
b) Anticipated number of:	
i. Black Employees in Senior, Middle and Junior Management	
ii. Black Female Employees in Senior, Middle and Junior Management	
2.3 Employees with disabilities	
a) Total anticipated number of employees anticipated to be on payroll	
b) Anticipated number of Black Employees with disabilities	
3. Skills Development	Input
3.1 Skills Development Expenditure	
a) Anticipated Leviable Amount (total payroll amount)	
b) Anticipated Skills Development expenditure	
c) Anticipated Skills Development expenditure on Black People	
d) Anticipated Skills Development expenditure on Black Females	
Note: Provide an overview on the Skills Development Plan referring to the investment in skills development initiatives through both external training providers and the quantifiable costs of accredited internal training programmes.	
3.2 Learnerships, Apprenticeships and Internships	
a) Total anticipated number of employees anticipated to be on payroll	
b) Anticipated number of Black People that will participate in Learnerships, Apprenticeships and Internships paid for by the SPV	
c) Anticipated percentage of Black People to be absorbed at the end of the Learnership, Internship or Apprenticeship	

4. Enterprise and Supplier Development	Input
4.1 Preferential Procurement	
a) Anticipated Total Measured Procurement Spend in Rands	
b) Anticipated value of B-BBEE procurement spend (in Rands) with:	
i. Empowering Suppliers	
ii. Empowering Suppliers that are at least 51% Black Owned	
Note: Where possible, provide details for Black Enterprises or Black People targeted for subcontracting and procurement.	
4.2 Supplier Development	
a) Anticipated Net Profit After Tax (NPAT) in Rands	
b) Anticipated value of Supplier Development contributions in Rands	
Note: Where possible, provide planned qualifying Supplier Development contributions / activities:	
4.3 Enterprise Development	
a) Anticipated value of Enterprise Development contributions in Rands	
Note: Where possible, provide planned qualifying Enterprise Development contributions / activities.	
5. Socio-economic Development	Input
5.1 Socio-economic Development contributions	
a) Anticipated value of Socio-economic Development contributions	
Note: Where possible, provide planned qualifying Socio-economic Development contributions / activities.	
5.2 Status as a TOMSA levy collector	
a) If “Yes”, the TOMSA levy contributor certificate must be provided, or if the SPV intends to become a TOMSA levy collector, a commitment must be given, which will be binding if the Bidder is successful	

26.3.6 Milestones and Targets Going Forward

26.3.6.1 The B-BBEE Milestones and Targets for the duration of the PPP Term shall be determined by the restructured editions of the *Tourism Charter and Scorecard* as gazetted from time to time.

26.3.6.2 The milestones and targets of the *Tourism B-BBEE Charter and Scorecard* could thus be amended from time to time and the provisions of this Section and PPP Agreement would be modified accordingly. The Private Party would receive notification of such amendments and be provided a maximum transitional period of one year for the SPV to address the

amendments.

26.3.7 External B-BBEE Verification

26.3.7.1 Following signature of the PPP Agreement:

26.3.7.1.1 *for SPVs qualifying as Large Enterprises and QSEs (as per SANParks' B-BBEE requirements), the Private Party shall appoint a reputable external verification agency to determine the SPV/s B-BBEE status, as per the B-BBEE Proposal. A copy of such an independent verification certificate shall be provided to SANParks within 15 (fifteen days) after the end of each Financial Year of the SPV. The B-BBEE Verification Certificate will categorise the SPV/s according to their contribution to B-BBEE, as per the requirements of the B-BBEE Proposal.*

26.3.7.1.2 *For SPVs qualifying as EMEs (as per SANParks' B-BBEE requirements), the Private Party shall submit a sworn affidavit or certificate issued by the Companies and Intellectual Property Commission (CIPC) on an annual basis to confirm that the SPV's total annual revenue is within the EME threshold, as per the B-BBEE Proposal, and confirm the SPV's level of Black Ownership. A copy of such affidavit or CIPC certificate shall be provided to SANParks within 15 (fifteen days) after the end of each Financial Year of the SPV.*

26.3.7.2 SANParks reserves the right to monitor and audit the Private Party's B-BBEE status. The Private Party shall co-operate in any monitoring or audit activity and provide SANParks with all information, documents, records and the like to enable SANParks to conduct such audits, or any other monitoring activities.

26.3.7.3 In the event of default by the SPV/s to comply with this provisions and the default is not remedied before the expiry of the period referred to in the notice by SANParks, SANParks will have the right to terminate the PPP Agreement with immediate effect by written notice to the SPV/s.

27. SECTION 7 – PPP FEE OFFER

(WITHIN ENVELOPE 2: BIDDERS EXISTING B-BBEE RATING AND PPP FEE OFFER)

27.1 Important note to Bidders

27.1.1 Information on the PPP Fee Offer must be contained in Envelope 2 (Bidders existing B-BBEE rating and PPP Fee Offer) and is not to be submitted in Envelope 1 (with the functionality and B-BBEE proposals).

27.1.2 Bidders must stipulate in writing their commitment that there will be no dilution of rentals and that they will provide full disclosure of their audited or independently reviewed financial reporting on all commercial operations with this PPP opportunity **(failure to commit to this undertaking will result in disqualification)**.

27.1.3 Bidders must present the PPP Fee Offer in the form of a letter on the Bidder's letterhead as follows, inserting the Bidder's name and the percentage of gross revenue for the variable PPP bid as indicated:

27.2 Form of Letter

To: South African National Parks

[Name of Bidder] hereby commits to pay to SANParks the higher of:

(a) the minimum PPP fee and

(b) the Variable PPP Fee expressed as a percentage of aggregate gross revenue as defined in the PPP agreement for the relevant project year.

The minimum PPP fee which will be adjusted annually by CPI is as follows:

MINIMUM PPP FEE	
Per Month (Excl VAT)	Per Annum (Excl VAT)
R 7 000.00	R 89 000.00

The Variable PPP Fee bid by [name of Bidder] is _____ [percentage] % of gross revenue. [Name of Bidder] hereby warrants that the committed minimum PPP fee and the Variable PPP Fee shall be included in the PPP agreement if accepted by SANParks.

For indicative purposes only, our projection of fees payable to SANParks is:

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7*
Gross revenue (net of VAT)							
Percentage of gross revenue due as Variable PPP Fee (same for each year)							
PPP fee due Minimum PPP fee or Variable PPP Fee, whichever is greater							

*Adjust for PPP term

The person signing below is a duly authorised representative of the Bidder with full power and authority to submit this financial offer and commit the Bidder to its terms.

Signed: _____

Name: _____

Title: _____

28. SECTION 8 – PPP AGREEMENT

The PPP Agreement does not form part of the RFP but will be available on the SANParks website: www.sanparks.org.

Annexures

29. ANNEXURE 1 – BID COVER SHEETS

Cover sheets that include the following information must be attached to each Envelope:

Bid for the commercial use of the Tsitsikamma StormRiver Section of the Garden Route National Park Segway Transporter through a PPP agreement.

ENVELOPE 1: FUNCTIONALITY

Name of Bidder:

Postal address:

Street address:

Telephone:

Cell phone:

Fax:

Contact person:

Email address:

Signature of Bidder:

Date:

Capacity under which bid is signed:

The signature of this document means that the Bidder accepts the terms and conditions of this bid. Failure by the Bidder to sign this form may disqualify the bid.

Bid for the commercial use of the Tsitsikamma StormRiver Section of the Garden Route National Park Segway Transporter through a PPP agreement.

ENVELOPE 2: BIDDERS EXISTING B-BBEE RATING AND PPP FEE OFFER

Name of Bidder:

Postal address:

Street address:

Telephone:

Cell phone:

Fax:

Contact person:

Email address:

Signature of Bidder:

Date:

Capacity under which bid is signed:

The signature of this document means that the Bidder accepts the terms and conditions of this bid. Failure by the Bidder to sign this form may disqualify the bid.

30. ANNEXURE 2 - ACCEPTABLE WORDING OF BID AND DEVELOPMENT BOND

To: South African National Parks

[Name of Bidder] (“the Bidder”) is to submit to SANParks a bid to enter into a PPP agreement with SANParks for the purpose of the set-up, operation, and management of the Tsitsikamma StormRiver Section of the Garden Route National ParkNational Park in the ;

And you require the Bidder to include in the bid a bid bond for the Segway Transporter PPP, the amount of R 22,000.00 (Twenty Two Thousand Rand) exclusive of VAT;

And we have agreed to give you such a bid bond.

We hereby irrevocably and unconditionally undertake to pay you, upon your first written demand and without objection or argument, for the amount of R 22,000.00 (Twenty Two Thousand Rand) exclusive of VAT; upon any or all of the following occurrences:

- any material misrepresentation made by the Bidder in its bid submission or any other information and documentation submitted by it under the request for qualifications or the request for proposals;
- the withdrawal or modification of its bid during the period of bid validity;
- failure by the preferred Bidder to furnish the required performance bond under the PPP agreement in accordance with the provisions of the PPP agreement.

This bid bond shall be valid until operation commences which should not be more than 12 months after the signature date.

This bid bond shall be governed by the laws of the Republic of South Africa.

SIGNATURE AND SEAL

Name of bank_____

Address_____

Date_____

Please note: The Bid and Development Bond will be replaced by a Performance Bond once operation commences to the amount equal to, the amount of R 89,000.00 (Eighty Nine Thousand Rand); exclusive of VAT, and will be increased yearly on 1 April with CPI.

31. ANNEXURE A – TSITSIKAMMA STORMRIVER SECTION OF THE GARDEN ROUTE NATIONAL PARK NATIONAL PARK MANAGEMENT PLAN AND CONSERVATION DEVELOPMENT FRAMEWORK