



SOUTH AFRICAN HERITAGE RESOURCES AGENCY

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**TERMS OF REFERENCE FOR THE CONSTRUCTION AND ERECTION OF
THE NKOSI NCAPAYI MEMORIAL IN WILLOWVALE, EASTERN CAPE.**



26 JUNE 2023

TERMS OF REFERENCE

BGG/NCM/26/06/2023

THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA) INVITES SUITABLY QUALIFIED AND EXPERIENCED SERVICE PROVIDERS FOR THE CONSTRUCTION AND ERECTION OF THE NKOSI NCAPHAYI MEMORIAL IN WILLOWVALE, EASTERN CAPE.

1 PURPOSE

To invite suitably qualified and experienced service providers to submit proposals for consideration to undertake work of construction and erection of the Nkosi Ncaphayi Memorial, Willowvale, Eastern Cape Province.

2 BACKGROUND

2.1 The South African Heritage Resources Agency (SAHRA) is an agency of the Department of Arts and Culture and is the national administrative body responsible for the management and protection of South Africa's cultural heritage resources.

2.2 In terms of the National Heritage Resources Act, 25, (1999) (NHRA), SAHRA is enjoined with the responsibility of identifying and conserving graves of Victims of conflict who are defined as certain persons who died in any area now included in the Republic as a direct result of any war or conflict..." Nkosi Ncaphayi fought in the Ninth War of Dispossession and was killed in the Battle of Gwadane. However, the burial site of INkosi uNcaphayi remains unknown. Thus, the construction of the memorial will engrain in the public consciousness his indelible contribution to the struggle against the colonial rule. This is done through the erection, refurbishment and rehabilitation of memorials associated with these graves as part of preserving the national estate. The construction, refurbishment or rehabilitation of such memorials is considered according to the provisions of Section 44 of the NHRA as sites of cultural significance and national memory.

2.3 It is within this context that SAHRA wishes to appoint a competent service provider who will undertake the work of constructing a memorial for INkosi uNcaphayi in the Eastern Cape Province.



3. SCOPE OF SERVICES

1. The service provider must construct a three-tiered memorial from mampara clay bricks. Thereafter, the service provider must plaster the entire memorial.
2. The entire memorial must be clad with castle stone cladding except the areas where the inscription plaques will be installed.
3. The base of the memorial must be 1000mm long by 1000mm wide. A plinth must which forms the first tier must be 1000mm high.
4. The second tier which will sit on the plinth must be 1500mm high, 850mm wide and 850mm in length.
5. The third tier must be a pin triangular shape measuring 1000mm high, 700mm wide and 700mm in length.
6. The service provider must source 3 inscription panels of polished black Rustenburg granite measuring 30mm in thickness, 750mm in height and 500mm in width.
7. A total of 200 words for the inscription of both panels will be supplied by SAHRA. A font of 15 Ariel Nova must be used.
8. The total height of the memorial must 3500mm.
9. The service provider must construct a semi-circular platform from mampara bricks measuring 250mm high at the front of the memorial.
10. The service provider must procure 5 polished rectangular black Rustenburg granite pillars measuring 750mm above ground. The pillars must be installed in a semi-circular shape at the front of the memorial at equal spacings. (*see addendum to the TOR*).
11. Each pillar must be inscribed with one word making it a total of 5 words. These will be supplied by SAHRA. A font of 20 Ariel Nova must be used.
12. The service provider must source 124x176 x 50 Desert Sand Cobble Rock that will pave the semi-circular shaped space from the base of the memorial to the pillars.
13. The rest of the area must be paved with charcoal coloured 60mm interlock pavers.
14. The total size of the paved area must be 225 square meters, i.e 15mx15m around the memorial.
15. A plastic must be placed underneath the paving to prevent weeds from growing back on the paved area.
16. Border edges of precast concrete kerbs must be used to trim the entire border of the paving edges.
17. The service provider must procure services of a structural engineer and the costing thereof must be included in your Offer.

18. All costs of necessary certificates from the structural engineer and related professionals must be included in your Offer.
19. A Warranty Certificate of the memorial must be provided immediately upon completion.
20. The service provider is responsible for the safe keeping of his goods and must appoint at his/her own costs suitable and qualified security to the site/s during the period of the contract (from date of Site Handover until Practical Completion).
21. The service provider must clean up the site and remove all rubble and all other construction associated waste generated during construction.
22. The service provider must contract people from the local community and keep a record of those employed. That list must include copies of SA ID documents and contact numbers.
23. The service provider must submit to SAHRA a Completion Report.
24. To ensure proper pricing and measurements are submitted at the time of Tender, it is compulsory for the service provider to attend the site briefing session. This will afford each interested service provider the opportunity to be fully aware of and to understand what is expected of them in the procurement processes and in the execution of the proposed contract.
25. The project completion is estimated to take no longer 2 months from date of site handover.
26. Site briefing for bidders is compulsory.

4. TERMS AND CONDITIONS OF TENDERING

- a) All costs and expenses incurred by the potential service providers relating to their project proposal will be borne by each respective service provider. SAHRA is not liable to pay such costs and expenses or to reimburse or compensate service providers in the process under any circumstances, including the rejection of any proposal or the cancellation of this project.
- b) SAHRA reserves the right to request new or additional information regarding each bidder and any individual or other persons associated with its proposal.
- c) SAHRA may require responsive bidders to present and discuss their proposals in person.



- d) SAHRA reserves the right not to make any appointment from the proposals submitted.
- e) Bidders shall not issue any press release or other public announcement pertaining to details of their project proposal without the prior written approval of SAHRA.
- f) Bidders are required to declare any conflict of interest they may have in the transaction for which the bid is submitted or any potential conflict of interest. It is important that bidders declare their conflict of interest through completion of relevant attached forms.
- g) SAHRA reserves the right not to consider further any bid where such a conflict of interest exists or where such potential conflict of interest may arise.
- h) Any and all project proposals shall become the property of SAHRA and shall not be returned.
- i) The bid offers and proposals should be valid and open for acceptance by SAHRA for a period of 120 days from the date of submission.
- j) Bidders are advised that submission of a proposal gives rise to no contractual obligations on the part of SAHRA.
- k) SAHRA reserves the right not to award the bid to the bidder that scores the highest points.
- l) Disputes that may arise between SAHRA and a bidder must be settled by means of mutual consultation, mediation (with or without legal representation) or, when unsuccessful, in a South African court of law.
- m) In addition to adherence to the specific terms and conditions of proposals, provided in this document, the bidder shall be bound by the provisions of the General Conditions of Contract attached hereto, an original signed copy of which must be submitted together with all other bid documentation.





- n) All returnable bid documents must be completed in full and submitted together with the bidder's proposal. Should the returnable documents not be completed, the bid will not be considered any further.
- o) The successful bidder will be subject to supplier clearance process as prescribed by the National Treasury. This process includes, verification of supplier and its shareholders/directors/members' status on the list of defaulters and restricted suppliers.
- p) The proposal must include a company profile/ organization profile, comprising a description of the organization of the bidder, its primary business activity, clients experience, management etc, including at least three references for companies, to whom the service provider has supplied the same service.
- q) After the successful service provider has received the purchase order, they must be able to deliver in full compliance with South African approved standards and in compliance to the specifications provided.

5. RETURNABLE DOCUMENTS

- a. SBD 1 Invitation to BID
- b. SBD 2 Tax Clearance Requirements
- c. SBD 3 Pricing Schedule
- d. SBD 4 Declaration of Interests form.
- e. SBD 6.1 Preference points claim form (valid BBBEE certificate must be submitted together with this completed document).
- f. SBD 7.2 Contract Form (Rendering Services).
- g. General Conditions of Contract
- h. SBD 8 Declaration of Bidder's Past Supply Chain Management Practices.
- i. SBD 9 Certificate of Independent Bid Determination.

Service providers must be registered with the CIDB. Service providers with a 2 GB may qualify to submit bids. A valid CIDB Certificate must be attached to the Offer submitted



NB: Failure to submit completed returnable forms as mentioned above may automatically disqualify your quotation. Please ensure that you submit CSD Registration Report.

7. ANTICIPATED TIME SCHEDULE AND PROCESS

Request for Tenders Issued	CIDB	21 July 2023
Compulsory Site Briefing	Gwadane Battlefield (Departing from Mbashe Local Municipality - Idutywa	31 July 2023 @ 11:00am
Closing date & Opening of BIDs	SAHRA Head Office	7 August 2023 @11:00am

8. EVALUATION CRITERIA

- a) All proposal offers received shall be evaluated based on the following phase out approach:
- **Phase One:** Compliance to the terms of reference and conditions of the tender. Failure to meet any of the conditions of the tender will automatically disqualify your tender on this phase.
 - **Phase two:** Preference points on specific goals as follows.

Preference Point System	Points
Price	80
Special Goals	20
Black owned company	8
Women	4
Youth	5
Disability	3
TOTAL	100

9. Price (Vat included)

80 Points for price will be awarded with reference to the total fixed proposal amount inclusive of VAT. The service provider with the lowest price shall score the maximum 80 points.



10. SUBMISSION OF TENDERS

Tenders must be submitted in a sealed envelope, marked as confidential and for the attention of

Supply Chain Management

Project Name: Construction And Erection Of The Nkosi Ncaphayi Memorial In Willowvale, Eastern Cape

Project Number: BGG/NCM/26/06/2023

Compulsory Site Briefing Session:

Date: 31 July 2023

Time: 11:00am

Location: Gwadane Battlefield (Departing from Mbashe Local Municipality – Idutywa)

BIDS must be placed in the Tender Box located at:

**SAHRA's Head Office
111 Harrington Street,
Cape Town**

SAHRA takes no responsibility for mailed tender documents. It is the onus of the service provider to ensure that the document is placed in the Tender Box before closing date and time.

11. CLOSING DATE AND TIME: 4 August 2023 AT 11H00 NO LATE TENDERS WILL BE ACCEPTED.

12. For technical information, please send your written enquiry to:

Mr N. Madida
BGG Manager
South African Heritage Resources Agency
Suncardia Mall
Cnr Steve Biko & Stanza Bopape
Pretoria
0001
Tel: 012 320 8490

Email: nmadida@sahra.org.za

For Supply Chain information, please send your written enquiries to:

Ms M. Tantsi
Supply Chain Management
South African Heritage Resources Agency
111 Harrington Street
Cape Town
8000
Tel: 021 462 4502

Email: mtantsi@sahra.org.za



ADDENDUM TO THE TOR

1. DESIGN OF THE MEMORIAL



Fig. 2 The overall design of the memorial.



Fig. 1 Another look at an artist impression of the finished memorial.

