



*in the footprints* ●●●

NELSON MANDELA MUSEUM

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Department of Arts and Culture

## REQUEST FOR PROPOSAL: RFP NMM 2019-02

### 1. PURPOSE

The Nelson Mandela Museum (NMM) invites proposals from accredited service providers that are registered in the Central Supplier Database (CSD). The museum seeks the services of a suitably qualified, professional, experienced and competent service providers to render **Company Secretarial Services** to the **Council and Sub-Committees** for a period of one year (twelve months).

### 2. BACKGROUND

The museum is an agency of the Department of Arts and Culture. Its mandate is to preserve the legacy of Nelson Mandela. Operating in two sites (Nelson Mandela Youth and Heritage Centre in Qunu and Bhunga), the museum has a twelve-member Council, with five sub-committees. As per the requirements of the Annual Performance Plan, sub-committees and Council are required to sit at least four times a year to dispense their duties.

Services of an independent Council secretary are required to ensure that the Council is effectively and professionally served. The Council Secretary directly reports to the CEO.

### 3. SCOPE OF THE SERVICE REQUIRED

The scope of work to be undertaken by the Service Provider upon appointment will include the following items;

- To be accountable to the NMM's Council for the fulfilment its functions.
- To apprise the Council Members in terms of any laws relevant to or affecting public entities that the NMM must comply with.
- Ensure that the Council and Council committee charters and terms of reference are kept up to date

- Should ensure that the proceedings of the Council and committee meetings are properly recorded and that minutes of the meetings are circulated to Council Members in a timely manner after the approval of the Chairperson of the Council or relevant Council committee
- Compilation of council packs in preparation for all meetings
- Prepare agenda before meeting proceedings
- Prepare and circulate the meeting packs to all invited members before meetings
- Record minutes during meetings and compile action list items
- Ensure that Council resolutions are accurately recorded
- Develop a resolutions register
- Advise Council members in new industry developments
- Render any other statutory services as may be requested by Council members and the Chief Executive Officer of the institution.
- To provide legal opinions to the Council upon request;
- To provide compliance services to the Council and act as a compliance officer;
- To provide legal services to the Council, this includes amongst others, ensure representation of Council in CCMA, tribunals, labour court, High Court, Labour Appeal Court, Supreme Court of Appeal and Constitutional Court;
- To provide council with the litigation register of all cases of the NMM.

#### **4. TERMS AND CONDITIONS**

- All costs and expenses incurred by the potential service providers relating to their project proposal will be borne by each respective service provider. NMM 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.
- NMM reserves the right to request new or additional information regarding each bidder and any individual or other persons associated with its proposal.
- NMM may require responsive bidders to present and discuss their proposals in person.
- NMM reserves the right not to make any appointment from the proposals submitted.
- Bidders shall not issue any press release or other public announcement pertaining to details of their project proposal without the prior written approval of NMM.

- 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.
- NMM 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.
- Any and all project proposals shall become the property of NMM and shall not be returned.
- The bid offers and proposals should be valid and open for acceptance by NMM for a period of 120 days from the date of submission.
- NMM reserves the right not to award the bid to the bidder that scores the highest points. Disputes that may arise between NMM 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.
- 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.
- 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.
- 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.
- 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.
- 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**

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

**NB: Failure to submit completed returnable forms as mentioned above may disqualify your quotation.**

## 6. EVALUATION CRITERIA

- **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:** The bid will be evaluated and adjudicated using the 80/20 system (80 for Price and 20 for BBEE). Functionality will be scored at a maximum of 100 points whereby the bidder must obtain a **minimum of 70 points** to qualify for the financial evaluation according to the criteria captured in the table below:

**Value: 1=Poor; 2=Average; 3=Good; 4=Very good; 5=Excellent**

Criteria	Weight	Value	Actual Score
<p><b>Experience and track record in rendering similar services as evidenced by reference letters</b> (must be in client letterhead, signed, service rendered, value of the contract, term of engagement and contacts) included in the response to this bid</p> <p>Each letter would count if it's for a minimum of 1 year</p>	30	<p><b>5 – More than five projects</b></p> <p><b>3- Between three and five projects</b></p> <p><b>1- Less than three projects</b></p>	
<p><b>Qualifications</b> (Team member's certificates)</p> <p><b>Minimum Undergraduate Law degree/ Secretarial qualification, Business Management degree or equivalent.</b></p>	20	<p><b>Key Staff member:</b></p> <p><b>5- P/graduate degree/diploma</b></p> <p><b>4- Degree</b></p> <p><b>3- Diploma</b></p>	
<p><b>Project plan and methodology</b></p> <p>A detailed proposed project plan in executing the assignment. (not more than five pages)</p>	20	<p><b>5- Excellent</b></p> <p><b>3- Good</b></p> <p><b>2- Average</b></p> <p><b>1- Poor</b></p>	

Registration of Key staff members with a recognized professional body, the Institute of Chartered Secretaries and Administrators (ICSA), Law Society of South Africa (LSSA), etc. Evidence must be provided	20	5- Relevant Certification 0- No Certification	
Local Supplier (Proof of address)	10	5- OR Tambo region 3- Other regions within EC 2- Other regions outside EC Province 1- Outside SA	
<b>Total</b>	<b>100</b>		<b>(So)</b>

## 7. SUBMISSION OF TENDERS

**Closing date for the submission of priced proposals is Friday, 22<sup>nd</sup> March at 12H00 by emailing your submission at [supplychain@nelsonmandelamuseum.org.za](mailto:supplychain@nelsonmandelamuseum.org.za) Under subject matter: RFP NMM 2019-02**

## 8. ENQUIRIES

All communications and enquiries/requests for clarification relating to this proposal should be directed to the contact person:

<b>FOR BID ADMINISTRATION &amp; SERVICE PROVIDER SPECIFICATIONS</b>
Mr A. Tshiki
Tel: 047 501 9504

Email: <a href="mailto:adadume@nelsonmandelamuseum.org.za">adadume@nelsonmandelamuseum.org.za</a>
SUPPLY CHAIN SPECIALIST
<i>Technical Enquiries:</i>
Mr M. Msongelwa
Tel: 047 501 9507
Email: <a href="mailto:mandisi@nelsonmandelamuseum.org.za">mandisi@nelsonmandelamuseum.org.za</a>
CHIEF FINANCIAL OFFICER

**The NMM and its Council reserve the right to amend, modify or withdraw this tender at any time, without prior notice and without liability to compensate and/or reimburse any party.**



**Mr B. Tyhulu**  
**Chief Executive Officer**