

COMMONWEALTH WAR GRAVES MEMORIAL CAPE TOWN COMPANY GARDENS ARCHITECTURAL COMPETITION CONDITIONS

1. Terms and definitions

Competition Administrator: a person who functions as an impartial intermediary between the Promoter, Brief Author, Jury, Participants and Technical Advisors

Competition Brief: document that establishes the participant's obligations in participating in a design competition and the promoter's undertakings in administering a design competition and evaluating submissions

Adjudication panel: a group of Professionals who are independent of Participants in the competition who collectively decide on the outcome of the competition based on the response to the competition brief and criteria

Participant: a person who following a call for an expression of interest is admitted to the competition

Promoter: Commonwealth War Graves Commission which is initiating a design competition on its own behalf

Brief Author: Person, independent from the Client/ Promoter and the Competition Administrator, responsible for writing the competition brief and criteria

Technical Consultant: a person who may be appointed by the promoter to advise the jury or the competition administrator on any technical matter relating to the competition

Broad Based Black Economic Empowerment: As per the definition in The Broad-Based Black Economic Empowerment Act (No. 53 of 2003) as amended by B-BBEE Act 46 of 2013 (The Act)

2. Admission to the Competition

- i. Individual Participants or Participating Teams are to have a Professional Architect or Senior Architectural Technologist registered with the South African Council for Architectural Professionals (SACAP). Up to date registration will be verified by the Competition Administrator.
- ii. Participants are to be a minimum Broad Based Black Economic Empowerment (BBBEE) Level 4.
- iii. Participants may joint venture, partner, or sub-contract to ensure they achieve the necessary BBBEE level.
- iv. A certified BBBEE Certificate or a legally acceptable affidavit, as per the Act, is to be submitted for acceptance into the competition.
- v. Formal Joint Ventures and Partnerships will require a joint BBBEE certificate by an accredited rating company.
- vi. Informal collaborations or sub contracting may submit under the Registered Professional's BBBEE certificate or the Registered professional's entity BBBEE certificate. The contractual obligations shall however remain under the name of the Registered Professional or their entity they represent. The entire collaborative team will be publicized.

Participants are to register on the competition website by 12:00pm on 2 June 2022 to be admitted to the competition.

3. Prizes

There are no honoraria or monetary prizes for this competition.

There will be only one winner for the competition and no runners-up will be announced.

The top ten entrants will be exhibited.

The intention of the competition is for the winning Design Team/Architect to be appointed.

4. Submissions

The competition is a Single Stage Competition and will only have one design submission which will include physical posters and a model as well as online PDF submission on the competition website.

The submissions are to comply with the requirements stipulated in the Competition Brief.

Submissions, documents, and other communication shall be in English

Late submissions will not be accepted and shall be discarded. Participants will be notified if their entries were late or disqualified.

The Promoter will not compensate participants for any costs incurred in the preparation and delivery of a submission.

The Promoter will not take out any insurance for the submission documents and model.

5. Anonymity

The names of the participants admitted to the competition shall be kept confidential until such time that the names of prize winners are announced.

All submissions are to only be marked with the unique competition ID number randomly assigned by the competition website. No submission document or model or communication with the administrator shall bear the name, logo or signature of the participant that will reveal the identity of the participant. Failure to do so will result in disqualification.

Participants shall not contact the promoter, members of the jury or other participants. They shall be eliminated from the competition if they do so. They may only communicate with the competition administrator through the competition website.

The Competition Administrator shall not under any circumstances divulge the identity of the participants to members of the Jury.

Participants shall not advertise or publish their submissions on any platform including social media until the announcement of the winners is made.

6. Confidentiality

The Promoter, Members of the Jury, Technical Advisers and the Competition Administrator shall keep events or actions taken before, during and after the adjudication confidential.

7. Communication with the Competition Administrator

All communication with the Competition Administrator will be through the competition website.

8. Clarifications

Clarifications on the brief may be requested up to 12:00pm on 8 July 2022

Answers will be provided all registered Competition Participants by 15 July 2022

9. Role of the Competition Administrator

The Competition Administrator shall be responsible for:

- a) registering all submissions.
- b) answering all queries and questions raised online from Participants and answering such questions through the Competition Website.
- c) confirming that submissions and the actions of the Participants are in accordance with the submission requirements.
- d) briefing the Jurors with assistance by the Author of the Brief
- e) issuing and displaying the submissions to the Jury.
- f) arranging for the attendance of any Technical Advisors if required by the Jury; and
- g) planning and making arrangements for the exhibition; and
- h) ensuring that the competition results are uploaded on the Competition Website within 30 days of the announcement of the competition winner.

The Competition Administrator shall upon receipt of submissions:

- a) confirm compliance with the requirements of the Terms and Conditions and disqualify any submission which is in breach of such requirements.
- b) exclude any drawings, photographs, models or other documents not conforming to the terms of the Competition Brief from a Participant's entry.
- c) review each submission and prepare a brief report which highlights any failure in a submission to address requirements of the brief or to provide information that is required and deviations from competition requirements.
- d) submit the report referred to in c) together with the associated submissions to the jury.

The Competition Administrator shall assist the Jury and be present during adjudication but shall not participate in any discussion relating to the merits of any submission or express an opinion during the deliberations of the Jury relating to the award of prizes, or the ranking of submissions.

10. Role of the Adjudication panel

The adjudication panel shall:

- a) comprise the persons identified on the Competition Website.
- e) The promoter will select the Chairperson on the panel.
- b) note the contents of the brief and scoring criteria provided by the Competition Administrator when evaluating a submission.
- c) examine the submissions on the basis of the evaluation criteria indicated in the Competition Brief
- d) Adjudicate the submissions with an accepted numeric evaluation system as per the Evaluation Criteria as stipulated in the Competition Brief. Thereafter they will endeavour to adopt decisions on each individual submission by consensus and where consensus is not achieved, take decisions based on a majority vote.
- e) record its preliminary scoring or ranking of submissions in a report which summarises the jury's discussions and decision-making process made according to the merits of each submission, together with its remarks, observations and any points, if any, which may need clarification should the submission be implemented.

- j) prepare a final report and award the first prize

All members of the Jury shall sign the final report which contains the list of awards before they disperse.

The Chairperson of the Jury may:

- a) invite the Author of the Brief to answer any questions or to clarify issues and shall record complete minutes of any such communications with the Promoter.
- b) invite Technical Consultants to advise the Members of the Jury on specific matters.

The Promoter, Brief Author, Competition Administrator and Technical Consultants shall not in any way participate in the judging of submissions.

11. Announcement of Competition Winners

The promoter shall notify all participants of the public exhibition and of the results of the competition through the website.

12. Public exhibition

A selection of entries selected by the Jury, shall be exhibited for at least two weeks. Such exhibition shall be open to the public without charge.

13. Return of submissions to participants

The Competition Administrator will not return submissions to the Participant. The Participants may arrange with the Competition Administrator to collect the entries from CiFA within a time-period to be determined.

14. Copyright

Commonwealth War Graves Commission reserves the rights to use any of the participating projects for exhibitions and publications, digital or paper catalogues and dossiers.

Commonwealth War Graves Commission will publish all materials given appropriate attributes to the authors. Commonwealth War Graves Commission reserves the right to modify the proposals and text in order to better adapt them to any publication format, without changing the essence of the proposal itself. The participant is responsible for using copyright-free images. Commonwealth War graves is not responsible for the use of protected images by the participants.

15. Fees, Contract and Service to be Provided

The winning Participant or Entrant will be asked to enter into a contract with CGWC using the FIDIC (International Federation of Consulting Engineers) model services agreement Client/ Consultant. The CGWC reserves the right to request the winning entity to Joint Venture or partner should the winning entity not have sufficient capacity or experience. This will only be done through mutual agreement.

The winning Design will be expected to provide a full service as per the BOARD NOTICE 172 OF 2021, South African Council for the Architectural Profession, Guideline Professional Fees in terms of Section 34 (2) of the Architectural Profession Act, Act 44 of 2000.

The winning Participant will be required, as part of their Standard Service, to provide or assist in the following services to take the proposal through the remaining approvals processes:

- a. Prepare the final design with the CWGC and the City of Cape Town Recreation and Parks Directorate (the managers of the Company's Garden) who will simultaneously be preparing the management and maintenance agreement.

- b. Approval from Heritage Western Cape (HWC) for a Section 27 Permit in terms of the National Heritage Resources Act (approval to work in a Provincial Heritage Site – the Company's Garden): this will be led by the appointed heritage practitioner. The architectural team will be required to provide final designs for approval. These will be assessed for heritage impacts in terms of the heritage informants provided in the Stage 1 Heritage Statement (and which have also been incorporated into the Design Brief), and then circulated for comment (30 days) to relevant Interested and Affected Parties. The architectural team may be required to attend an Open House meeting in this regard. This commenting process may necessitate further design review. The S27 Heritage submission will then be finalised for HWC consideration by the heritage practitioner: the architectural team will need to make themselves available for a meeting with HWC to respond to any queries. Should HWC require further design revisions to respond to heritage considerations, the architectural team will be required to undergo a final design review and be available for a second meeting.
- c. Approval from the City of Cape Town (CCT) for Consent to work in a Heritage Protection Overlay Zone in terms of the Municipal Planning Bylaw. This will be submitted simultaneously with the submission of building plans for approval.
- d. Submission to CCT for approval in terms of the National Building Regulations.

The Commonwealth War Graves Commission (CWGC) reserves the right to make any changes to the Competition conditions (dates, requirements, etc.). Participants will be notified via email of any changes to the Conditions, Dates or Competition Brief.

The CWGC is funding the project but is not responsible for the projects' construction. If for any reason they cannot build it, the CWGC will not be responsible of the fact.

The CWGC is not responsible for any research done by Participants in the area.

The breach of the any terms defined in this document and the Competition Brief may result in the immediate disqualification of the participant.

16. Competition Programme

5 May 2022	Registration opens
2 June 2022	Registration closes
9 June 2022	Contestants notified of their successful registration and brief is uploaded
8 July 2022	Queries on the brief close
15 July 2022	Queries answered
12 August 2022	Submission of the entries online and physically at CiFA offices:
31 August 2022	Announcement