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Riviera



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## **TERMS OF REFERENCE**

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**APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE THE FOLLOWING SERVICES:**

**PARTICIPATORY BASED PLANNING SUPPORT FOR ONE (1) INFORMAL SETTLEMENT**

**RAY NKONYENI LOCAL MUNICIPALITY**

**KWAZULU NATAL PROVINCE**

**HDA/KZN/2021/015**

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**PROPOSALS TO BE SUBMITTED BY**

**NOT LATER THAN**

**12H00, 25 AUGUST 2021**

# TERMS OF REFERENCE

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## 1. INTRODUCTION AND BACKGROUND

The Housing Development Agency (HDA) is a national public development agency which promotes sustainable communities by making well located land for the development of human settlements. In addition, HDA Act also mandates the agency to provide informal settlement upgrading support through the National Upgrading Support Programme (NUSP) as well as Project Delivery Support Services to organs of state at local, provincial and national levels. The National Upgrading Support Programme (NUSP) is an instrument within the National Department of Human Settlements (NDHS) designed to provide technical and capacity building support to provinces and municipalities.

The HDA has entered into a Medium Term Operational Plan (MTOP) with the KwaZulu Natal Provincial Department of Human Settlements (KZN DHS), amongst others, the responsibility is to provide planning and support for the implementation of informal settlements upgrading programme. As part of this support the KZN DHS has requested the HDA to assist Ray Nkonyeni Local Municipality on the project packaging and development of sustainable integrated human settlements on various identified properties.

The HDA therefore intends to utilize the services of an experienced professional service provider that specializes in the field of strategy development, human settlements, policy, research, development planning as well as community facilitation to provide for:

Participatory Based Planning Support for One (1) informal settlement (upgrading plans / relocation).

## 2. OBJECTIVE OF PROJECT

The municipality has the important responsibility of ensuring that citizens reside in developable, formalised, safe and sustainable human settlements, and to the extent possible, within close proximity to employment opportunities that would improve the quality of life of all citizens.

## 3. SCOPE OF WORK

### 3.1 PARTICIPATORY BASED PLANNING SUPPORT FOR ONE (1) INFORMAL SETTLEMENT

The successful service provider is required to produce the following One (1) deliverables:

#### **Deliverable One: An Implementation Plan for the overall assignment**

The service provider will produce an implementation plan setting out how it will carry out the assignment. The implementation plan must detail the team and its capacity, approach and methodology, milestones / deliverables, and their estimated duration.

#### **Deliverable Two: Upgrading Plans for One informal settlement**

The service provider will produce upgrading plans for One (1) informal settlement prioritised by the MCM. These settlements are listed in Table 1 (***Annexure A***).

The settlement plans produced must align to NDHS upgrading targets, Cabinet Lekgotla and National Development Plan requirements, covering the following aspects:

- An accurate count of household's inhabitants in the settlement (**social facilitator / enumeration service provider**)
- Land Legal / Tenure assessment, including cadastral description of land
- Settlement Categorisation as per Categorisation guideline to be provided
- Basic geotechnical investigation (Desktop)
- Basic Environmental scoping assessment (Desktop)
- Engineering services assessment (Bulk Water, Sewer and Electrical availability)
- Basic layout, urban design and yield assessment in

Recommended approach to upgrading (including in-situ and densification, or relocation as a last resort if development is not possible). Plan, schedule and budget for introduction of services and other necessary support programmes

Please refer to **Annexure B** for more details on specific aspects of these plans.

In line with the Cabinet Lekgotla decision July 2011, plans should include arrangements for provision of secure tenure, engineering services, waste collection, social amenities, public open space, public transport, and electrification. The plans should pay attention to the phased nature of incremental upgrading, and should identify, where feasible in-situ, opportunities for re-blocking and adjustment of settlement layouts to ease the future installation of services and facilities. The settlement planning process will be conducted in a participatory manner, with close involvement of the communities directly affected.

Particular attention should be paid to ensuring that communities understand their development situation, participate in the generation of options and choices for development, and that information is provided in an accessible manner to improve decision-making.

### **Deliverable Three: Produce a Close-Out report**

At the end of the assignment, the service provider will produce a close-out report on outputs and outcomes of the listed activities. This will also highlight specific aspects and lessons to inform future NUSP operations.

## **3.2 MILESTONES, DURATION AND PAYMENT SCHEDULE**

The table below sets out the main contract activities and deliverables, along with a payment schedule.

### **Milestones, Timeframe and Payment Schedule**

<b>Milestone / Deliverable</b>	<b>Calendar weeks from contract inception</b>	<b>% Payment of Total Price (paid on approval)</b>
1. Assignment implementation plan	Week 1	20%
2: Upgrading plans for 3 informal settlements	Week 12	70%
3. Production of assignment Close-Out report	Week 14	10%
<b>Total estimated timeframe</b>	<b>4 Months</b>	<b>100%</b>

#### 4. REQUIRED SKILLS

The service provider must demonstrate the following characteristics as an indication of its capacity and readiness to implement the assignment:

- At least 5-10 years' experience in the field of human settlements development with emphasis on participatory planning processes to inform the resettlement plan, especially in the informal settlement upgrading context.
- Extensive experience in human settlements programme, social facilitation, relocation and strategy development.
- Project packaging involving – planning, scheduling and budgeting for the relocation and resettlement plan.
- Promotion of integration multi-sector intervention from other government departments.
- Knowledge of the South African legislative and regulatory environment relating to human settlements, informal settlement strategy and planning processes.
- Proven ability in effective written and oral communication.
- Proficiency in the use of standard word processing, web browsers, spread sheets and presentation software.
- Institutional capacity to successfully carry out an assignment of this nature.

#### 5. EVALUATION PROCESS

In order to facilitate a transparent selection process that allows equal opportunity to all bidders, the HDA has a policy for the appointment of service providers that will be adhered to. Proposals will be evaluated in terms of the prevailing supply chain management policy applicable to the HDA and it should be noted that:

- The benchmark of minimum **70** points out of 100 points on **technical capability** will be the cut off to qualify for further evaluation
- Those that qualify will be assessed using the **80:20** formulas for Price and B-BBEE as per the PPPFA.

**Table 1 – Functionality**

CRITERIA	SUB-CRITERIA	WEIGHTING/POINTS
Lead Company profile (Attach Organogram)	Company profile (s) to be submitted (in case of a joint Venture, all companies must submit separate profiles) indicating the Lead Company. (Profiles to be appropriate to tender subject matter).	5
CVs of team members proposed to do the work	Company must demonstrate availability of resources to undertake the required exercise.  CVs and Qualifications - Project Manager: Town& Planner (Registered with SACPLAN) = <b>25 points</b>	45

	<ul style="list-style-type: none"> <li>- Junior Town Planner relevant qualifications = <b>10 points</b></li> <li>- GIS specialist with 5 years' experience = <b>10 points</b></li> </ul> <p>All CVs to clearly state relevant experience in related projects with contactable reference</p>	
Work Related Experience	<p>Related work of the lead company and related experience in Human Settlements development to be assessed as follows;</p> <p>Attach reference letters or Appointment Letter on signed Company Letterhead</p> <ul style="list-style-type: none"> <li>- 0 project = 0 points</li> <li>- 5 project = 5 points</li> <li>- 10 projects = 10 points</li> <li>- 15 projects = 15 points</li> <li>- 20 projects = <b>20 points</b></li> </ul>	20
Approach, Methodology, Work Plan and Process	<p>Work programme and plan</p> <ul style="list-style-type: none"> <li>• Gant / project chart</li> <li>• Meeting deliverables and timeframes.</li> </ul>	15
	<p>Proposed methodology.</p> <ul style="list-style-type: none"> <li>• Outlining detailed description of content and characteristics of each of the work outputs/ deliverables of each task.</li> </ul>	15
<b>TOTAL</b>		<b>100</b>

The following criteria will be used for point's allocation for price and B-BBEE compliance on a 80/10-point system:

**Table 1 – Price and B-BBEE**

<b>CRITERIA</b>	<b>SU B-CRITERIA</b>	<b>WEIGHTING/ POINTS</b>
Price	Detailed budget breakdown	80
B-BBEE (Status Level Verification Certificate)	B-BBEE Level Contributor	20
<b>TOTAL</b>		<b>100</b>

## 6. REQUIREMENTS AND RETAINABLE DOCUMENTS

6.1.2. Kindly submit the following documents:

- **A signed Service Level Agreement.**
- CSD report.
- SBD Forms (SBD4, SBD6.1, SBD8 and SBD9) obtainable from HDA Website: [www.thehda.co.za/tenders](http://www.thehda.co.za/tenders) under compliance checklist.
- Price proposals on all work to be done.
- Valid and Original or Certified B-BBEE Status Level Verification Certificates issued by the following agencies SANAS, IRBA or CCA.

## 7. TERMS AND CONDITIONS

7.1. HDA undertakes to pay in full within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.

7.2. No payment will be made where there is an outstanding information/work by the service provider/s.

## 8. SUBMISSION OF PROPOSAL

8.1. Proposals should be submitted on or before the 25<sup>th</sup> of August 2021 by no later than **12h00** to:

**The Procurement Officer  
The Housing Development Agency  
Block A, Riviera Office Park  
6-10 Riviera Road, Killarney  
Johannesburg**

## 9. GENERAL

9.1 Further information regarding this tender can be sent via email to: [Nqobile.mkhwanazi@thehda.co.za](mailto:Nqobile.mkhwanazi@thehda.co.za) or Tel: 011 544-1000

9.2. It is important to note that the successful person will work under the supervision of a HDA representative, abide by HDA's Code of Conduct, and other organizational guidelines.

9.3. The selection of the qualifying proposal will be at the HDA's sole discretion. HDA does not bind itself to accept any particular bid/proposal, and the HDA reserves the right not to appoint the service provider.

# **ANNEXURE A**

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**Table:** One Informal Settlement

	<b>INFORMAL SETTLEMENT NAME</b>	<b>HOUSEHOLD NO</b>
1	Louisiana (Additional Clusters)	80
<b>TOTAL</b>		<b>80</b>

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# **ANNEXURE B**

## **BACKGROUND**

### **NATIONAL UPGRADING SUPPORT PROGRAMME (NUSP)**

The National Upgrading Support Programme (NUSP) is an initiative of the National Department of Human Settlements (NDHS), aimed at improving the practice of informal settlement upgrading in South Africa. The NUSP has four objectives:

- Promote incremental upgrading (where possible, in-situ) as a major complementary housing programme, in line with Part 3 of the National Housing Code
- Support the NDHS targets and National Development Plan directives on informal settlement upgrading;
- Improve government's programmatic approach to upgrading, strengthening coordination with other sectors and partners;
- Strengthen the capacity of government and professional practitioners to implement community-based incremental upgrading.

The NUSP has three broad activity streams:

- Provision of technical assistance to provinces and municipalities for the development and implementation of upgrading programmes and projects;
- Capacity building and training to practitioners and community members in the field of informal settlement upgrading;
- Knowledge services and information dissemination to the upgrading community of practice.

The NUSP works with all provinces and a target group of 62 municipalities, which account for around 75% of all informally settled households in the country. With over 1.2 million households living in informal settlements nationally (Census 2011 figures), upgrading is a large-scale challenge.

### **NATIONAL DEVELOPMENT IMPERATIVES**

#### **Cabinet Lekgotla (July 2011)**

The Cabinet Lekgotla in July 2011 directed that 45 metropolitan and local municipalities should produce informal settlement upgrading plans. These plans are required to cover issues including provision of security of tenure, water, sanitation, public transport, area lighting, electrification, waste management, public open spaces and recreational facilities.

#### **MINMEC September 2011**

The MINMEC meeting of September 2011 amplified the Cabinet Lekgotla decision by calling for provinces to establish implementation agreements with relevant municipalities to support the achievement of National Development Outcome 8 targets, including informal settlement upgrading. While Outcome 8 was formally concluded in April 2014, the practice of close working arrangements between the provincial and municipal departments of human settlements remains very important.

#### **National Development Plan Vision 2030**

The National Development Plan Vision 2030 calls for the enhancement of the existing national programme for informal settlement upgrading through the following actions:



- Expand the national programme on informal settlement upgrade and municipalities to introduce local level programmes;
- Develop legal instruments to regularise informal settlements (for example, the use of special zones in land-use management schemes) and to recognise rights of residence;
- Agree on minimum health and safety standards and then progressively upgrade these standards as 'regularised informal settlements' are brought into the mainstream urban fabric;
- Focus on developing community organisation to support participatory regularisation and upgrade programme;
- Ensure that funding arrangements and programmes channel resources into community facilities, public infrastructure and public spaces, and not just into housing.

Technical assistance provided through the NUSP will aim to align with and enhance these objectives.

### **UPGRADING PROGRAMMES AND SETTLEMENT-LEVEL PLANS**

Expansion of informal settlement upgrading will require the production of robust project plans to ensure effective implementation. Part 3 of the National Housing Code 2009 requires that these be developed through participatory planning processes with the affected communities.

The Cabinet Lekgotla (July 2011) further refined this by specifying that such plans provide for the provision of tenure, water, sanitation, public transport, area lighting, electrification, waste management, social services and amenities, (such as public open spaces and recreational facilities)

One of the NUSP's main activity streams is to support municipalities in developing robust project plans in line with the targets and direction contained in the Cabinet Lekgotla decision and the National Development Plan. This requires that plans and programmes are produced through participatory planning and in close collaboration with communities. In line with this mandate, the NUSP technical assistance will cover, inter alia, the following aspects:

- Assessment and categorisation of informal settlements and the production of rational priorities for intervention
- Development of policy, strategy and programme for upgrading the categorised informal settlements;
- Developing upgrading plans for informal settlements, including the design of sustainable livelihoods programmes;
- Assisting the municipality in developing an approach to community-based planning and participation.

The process of assessment, categorisation, strategy and programme development will:

- Include engagement with Ward Committees and participation of representative community-based organisations active in informal settlements in the municipality
- Comply with national delivery imperatives as required under NDHS targets, the Cabinet Lekgotla (July 2011) decisions, as well aligning with the National Development Plan.

### **FEATURES OF THE UPGRADING PLANS**

#### **Socio-economic data:**

For this particular exercise the service provider responsible for social facilitation and 100% enumeration of the informal settlements **will provide the statistical information / reports** to the successful service provider for incorporation and planning purposes

### **Participatory planning and organisation:**

The settlement planning process will be conducted in a participatory manner, with close involvement of the communities directly affected. Particular attention will be paid to ensuring that communities understand their development situation, participate in the generation of options and choices for development, and that information is provided in an accessible manner to improve decision-making.

The service provider is required to pay particular attention to the following aspects:

- Identification of relevant community stakeholder organisations within each community, and facilitation of their participation in the planning process;
- Activities to strengthen community representative committees. Such activities include advice on organisation, guidance on appropriate representative structures, and workshop sessions to develop community perspectives and development options.

### **Settlement growth and management plan:**

Each settlement plan should include a component that addresses future growth, development and management. Specific aspects of this component are:

- Level, type, frequency and operational costs of municipal services to be provided;
- Management processes and responsibilities (including maintenance of an occupation register);
- Lines of communication and communication requirements between the municipality and with the communities;
- Actions for managing occupation within and expansion of the settlement

### **Municipality - community partnership:**

The municipality - community partnership arrangement is anticipated to take the form of an action plan agreed between the relevant stakeholders for each settlement. Models exist as possible examples for this arrangement, for example Annexure A Chapter 13 National Housing Code 2004, or a memorandum of understanding between the relevant parties. The service provider will devise an arrangement suitable to the circumstances and acceptable to the stakeholders involved.