

Terms of reference (ToRs) for the procurement of services below the EU threshold

Development Plan Middelburg Dam

**Project number/
cost centre:**

16.2178.8-001.00

0. List of abbreviations

AVB	General Terms and Conditions of Contract (local AVB) for supplying services and work 2017
NDM	Nkangala District Municipality
NHBRC	National Home Builders Registration Council
STLM	Steve Tshwete Local Municipality
ToRs	Terms of reference

1. Context

a. Brief information on the project

The Governance Support Programme (GSP II) is a partnership programme agreed to between the Governments of South Africa and Germany. It is a technical cooperation programme co-steered at national level in a partnership between the Department of Cooperative Governance (DCoG), the Department of Public Service and Administration (DPSA), the National Treasury (NT), the Department of Planning, Monitoring and Evaluation (DPME) and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), the latter responsible for the implementation of the development contributions on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ). The GSP II is co-financed by the United States Agency for International Development (USAID).

The programme provides technical, policy and process advice to support the South African government in remedying systemic shortcomings. The GSP II has the objective that public institutions and selected municipalities implement the Back2Basics principles for more transparent, accountable, effective and efficient delivery of public services on local level. The Back2Basics is a national programme implemented by the South African Government to improve service delivery to the citizens.

This ToR contributes to the GSP's II implementation mandate. The indicator is revenue enhancement for the municipality. By supporting the development of Middelburg Dam into a leisure and recreational facility, the local economy, especially the tourism industry can develop – creating jobs and income. This means that more citizens could become rate and taxpayers and therefore create revenue (income) for Steve Tshwete Local Municipality.

Steve Tshwete Local Municipality is interested in developing plans (precinct plan, environmental impact assessment and geotechnical investigation) to transform the Middelburg Dam into a leisure and recreational resort. After a study supported by GSP II on tourism, including a tourism strategy with implementation plan for the region, clear recommendations towards the development of the dam were made. A feasibility study on the development of the dam supported the objectives/outcome of the tourism study and confirmed the potential for the development of the dam. STLM approached GSP II to provide technical support.

Steve Tshwete Local Municipality (STLM) is one of six local municipalities within the Nkangala District Municipality (NDM). This local municipality has a geographical area of approximately 3 976km², which constitutes 24% of the total land in the NDM. It is situated in the centre of the Nkangala District Municipality. STLM is home to several large industries such as Columbus Steel and Eskom (power generation). The economic profile of the municipality is characterized by Eskom from a power generation perspective, local mines which play a strong role in sustaining the area, agriculture and a thriving commercial community including some tourist attractions including dams (Middelburg) and rivers.

The key drivers of the local economy are manufacturing, mining, finance, energy generation and agriculture. These industries generate many employment opportunities and including being located and thus creating opportunities in the more peri urban to rural parts of the municipality. The top economic sectors are the mining and metal and steel manufacturing industries.

STLM is home to one of the fastest urbanization rates in South Africa and that is characterized by a youthful population. From a service delivery perspective and in terms of socio-economic opportunities it needs to pay serious consideration to this rapid growth as infrastructure

investment will have to keep pace to ensure service delivery demands are met. STLM has a fairly stable and sound municipal administration. It is however battling to keep pace with the provision of services, is fighting increasing poverty and unemployment, has a limited revenue base and is very dependent on the mining sector.

In line with Section 10 of the Steve Tshwete By-law on Spatial Planning and Land Use Management, 2016, the municipality embarked on the process of development precinct plans for Middelburg CBD and Mhluzi areas as spatial transformation tools. Special attention in terms of development and potential for tourism was given to the area of Middelburg dam. The aim of developing these plans is to stimulate the local economy in these specific areas to halt the decline in economic activity, combat the rising unemployment rate which is particularly high amongst the youth and stimulate/revitalize the township economy. Furthermore, the plans aim, to diversify the economy, reducing dependency on mining and developing tourism as a strong sector for job creation and sustainable development.

Middelburg Dam is located 10km away from Middelburg Town and is connected to it by the R104 road. The dam is one of the potential tourism attraction sites identified in the recently concluded study on the hospitality industry in STLM. The dam has potential to contribute to the local economy through offering a range of tourism activities. STLM is located halfway on the N4 major highway, between the cities (Johannesburg and Pretoria) and the world-famous Kruger National Park.

The proposed tourism initiatives and the development of Middelburg Dam aim at revitalization and stimulating the local economy as part of the long-term plan vision 2040 that was supported by GSP II.

2. Tasks to be performed by the service provider

The total work package and tasks to be performed by the service provider consists of 3 elements: the **Middelburg Dam Precinct Development Plan**, **Environmental Impact Assessment** and **Geotechnical Investigation**. Please see detailed tasked per Annex.

The consultant is responsible for providing the following services:

- Developing Precinct Plans for the entire study area around Middelburg Dam according to detailed and specified ToRs (see annex 1)
- Conduct Environmental Impact Assessment according to specifications (see annex 2)
- Conduct Geotechnical Investigation according to standard procedures (see annex 3)

Submission requirements for the Precinct Plan Annex1:

- A consolidated and packaged Spatial Development Plan and Precinct Plans of Middelburg dam development document;
- A set of maps in GIS and PDF format including all shapefiles for the project;
- A final presentation in MS Word, MS PowerPoint and PDF format;
- Datasets must be handed over to the municipality's Department of Town Planning and Human Settlements;

Data Formats

On completion of a project, it is required that data captured be handed over to the Council. Data must be handed over in MUNSYS compatible format e.g. dwg or dxf. The Council's approved standard 11-digit code must be used as the unique property identifier. (see example below):

Erf: M0004210001

Farm: JS000287001

The data must be in a Transverse Mercator projection using LO29 as the central meridian. The Hartbeeshoek datum (WGS84) must be used. Data can be transferred via CD's or memory sticks. Electronic mail can also be used provided that files or zipped files do not exceed 4MB in size.

Data Quality Statement / Metadata

Datasets transferred to the Council must have detailed metadata attached or must be accompanied by a statement on the quality of the data. The Metadata or statement must be as comprehensive as possible and must include at least the following:

Basic project information including the name of the project, contact information of the Council project leader and the consulting firm;

Name of the files included and a brief description of the content of the files;

Description of the geographic extent;

A brief description on the origin of the data (source information) and the processes and transformations that the data has been subject to;

A description of the positional accuracy must include the scale of the source information, the scale at which the data was captured, the methods used to capture the data and the name of the capturing agency;

The currency of the data must be stated as a date and/or time (source date). If relevant, updating intervals must be stated. The date the data was captured must also be included;

A brief description of attributes included in the datasets as well as methods used to collect and capture the attribute data;

If third party data is used for projects, copyright statements must be included as well as the names of the custodians of the datasets.

Data Quality Statement / Metadata
Please note that the Steve Tshwete Local Municipality has the copyright on all new datasets created for council projects.

Maintenance of Data
If relevant, a maintenance agreement is completed and signed by the consultant or custodians of the datasets, stating the updating intervals of data. Inquiries regarding the data format or quality statements can be directed to:
Contact persons: Nondzuzo Masakasi
Tel: (013) 249 7089
e-mail: nondzuzom@stlm.gov.za

Submission requirements for the Environment Impact Assessment Annex2:

The bidders are hereby advised to obtain confirmation of all required specialist studies from the Department of Agriculture, Rural Development, Land and Environmental Affairs.

Bidders are advised to ensure that the fees include standard disbursements such as typing, drawings, reproduction, copying, binding of documents, telephonic/electronic and facsimile communications, courier, local travel and accommodation, etc.

Certain milestones, as laid out in the table below, are to be achieved by certain dates during the contract term, and at particular locations:

Milestone	Deadline/place/person responsible
Inception Meeting with STLM, town planning, spatial planning and LED including inception report	16 March 2021 (1 st payment 30%)
Status quo report (Analysis and synthesis of current situation): 1. Status quo report (including socio-economic, traffic, spatial and infrastructure reports) 2. Draft report and proposal with executive summary, Theoretical background and methodology towards the compilation of the plan, spatial vision and goal, policy framework.	18 June 2021
Development of Concept Plan depicting proposed land uses around Middelburg Precinct	31 May 2021
Geotechnical Investigation: Conduct geotechnical investigation and submit geotechnical report	3 June 2021

Drafting of Design Guidelines: Reflecting proposed neighbourhood portrait, design principles, development controls, and precinct movement framework.	5 July 2021
Drafting of Urban Management Plan: Detailing urban management solutions	27 July 2021
Draft Socio-Economic Plan: Detailing short to long term socio-economic interventions based on status-quo analysis	4 August 2021
Drafting of Implementation Plan: Detailing short to long term projects, funding strategy/ model.	12 August 2021
Environmental Impact Assessment: Conducting of Basic Environmental Impact Assessment: Submit Basic Assessment Report, obtain Environmental Authorisation	19 August 2021
Presentation of Digital 3D Model of the Precinct Plan	23 August 2021
Submission of final plans and drawings	31 August 2021 (Final payment 70%)

Period of assignment: From 16 March 2021 until 31 August 2021

3. Concept

In the bid, the bidder is required to show how the objectives defined in Chapter 2 are to be achieved, if applicable under consideration of further specific method-related requirements (technical-methodological concept). In addition, the bidder must describe the project management system for service provision.

Technical-methodological concept

Strategy: The bidder is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1). Following this, the bidder presents and justifies the strategy with which it intends to provide the services for which it is responsible (see Chapter 2).

The bidder is required to present the actors relevant for the services for which it is responsible and describe the **cooperation** with them.

The bidder is required to present and explain its approach to **steering** the measures with the project partners and its contribution to the results-based monitoring system.

The bidder is required to describe the key **processes** for the services for which it is responsible and create a schedule that describes how the services according to Chapter 2 are to be provided. In particular, the bidder is required to describe the necessary work steps

and, if applicable, take account of the milestones and contributions of other actors in accordance with Chapter 2.

Project management of the contractor

The bidder is required to explain its approach for coordination with the GIZ project.

- The contractor is responsible for selecting, preparing, training and steering the experts assigned to perform the advisory tasks.
- The contractor makes available equipment and supplies (consumables) and assumes the associated operating and administrative costs.
- The contractor manages costs and expenditures, accounting processes and invoicing in line with the requirements of GIZ.
The contractor reports regularly to GIZ in accordance with the local AVB of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH from 2017

The bidder is required to draw up a **personnel assignment plan** with explanatory notes that lists all the experts proposed in the bid; the plan includes information on assignment dates (duration and expert days) and locations of the individual members of the team complete with the allocation of work steps as set out in the schedule.

4. Personnel concept

The bidder is required to provide personnel who are suited to filling the positions described, on the basis of their CVs (see Chapter 6), the range of tasks involved and the required qualifications.

The below specified qualifications represent the requirements to reach the maximum number of points.

Team leader

Tasks of the team leader

- Overall responsibility for the advisory packages of the contractor (quality and deadlines)
- Coordinating and ensuring communication with GIZ, partners and others involved in the project
- Personnel management, in particular identifying the need for short-term assignments within the available budget, as well as planning and steering assignments and supporting short-term experts
- Regular reporting in accordance with deadlines

Qualifications of the team leader

- Education/training (2.1.1): University qualification in Urban Planner/ Urban Designer/ Urban Management specialist
- Language (2.1.2): Good business language skills in English
- General professional experience (2.1.3): 10 years of professional experience in the Urban development sector
- Specific professional experience (2.1.4): 5 years in in the preparation and implementation of management plans and strategies for the urban management of commercial and / or residential areas

- Leadership/management experience (2.1.5): 5 years of management/leadership experience as project team leader or manager in a company
- Regional experience (2.1.6): 5 years of experience in projects in South Africa

Expert 1

Tasks of expert 1

- production / delivery of socio-economic research on informality as well as on retail, commercial and residential property

Qualifications of expert 1

- Education/training (2.2.1): Economist / Economy
- Language (2.2.2): English
- General professional experience (2.2.3): 5 years of post-qualification experience with a minimum of degree in development economics or similar research degree, and preferably a provable track record in the production / delivery of socio-economic research on informality as well as on retail, commercial and residential property
- Leadership/management experience (2.2.5): 5 years
- Regional experience in South Africa (2.2.6): 10 years

Expert 2

Tasks of expert 2

- Provide input and draft plans of the civil engineering part of the precinct plan

Qualifications of expert 2

- Education/training (2.2.1): Civil Engineering
- Language (2.2.2): English
- General professional experience (2.2.3): 5 years of post-qualification experience in development of precinct and town plans
- Leadership/management experience (2.2.5): 5 years
- Regional experience in South Africa (2.2.6): 10 years

Expert 3

Tasks of expert 3

- Provide input and draft plans of the electrical engineering part of the precinct plan

Qualifications of expert 2

- Education/training (2.2.1): Electrical Engineering
- Language (2.2.2): English
- General professional experience (2.2.3): 5 years of post-qualification experience in development of precinct and town plans
- Leadership/management experience (2.2.5): 5 years
- Regional experience in South Africa (2.2.6): 10 years

Soft skills of team members

In addition to their specialist qualifications, the following qualifications are required of team members:

- Team skills
- Initiative

- Communication skills
- Sociocultural competence
- Efficient, partner- and client-focused working methods
- Interdisciplinary thinking

Short-term expert pool with maximum 3 members

Tasks of the short-term expert pool

- Input Environmental impact assessment
- Geotechnical investigation
- Analyse potential for tourism developments

Qualifications of the short-term expert pool

- Education/training (2.6.1): 1 expert with university qualification in Geography, 1 expert with university qualification in Environmental studies)
- General professional experience (2.6.3): 2 experts with at least 5 years of experience in the environmental sector, 1 experts with at least 5 years of professional experience in the geotechnical sector
- Regional experience (2.6.5): 2 experts with 5 years of experience in South Africa (country)
- Education/training (2.6.1): 1 expert with university qualification in Tourism Development, 1 expert with university qualification in Tourism studies German 'Diplom'/Master)
- General professional experience (2.6.3): 1 expert with at least 5 years of experience in the tourism development sector
- Regional experience in South Africa (2.6.5): 1 expert with 5 years of experience in South Africa (country) tourism sector

The bidder must provide a clear overview of all proposed short-term experts and their individual qualifications.

5. Costing requirements

Assignment of personnel

Team leader:

Expert 1:

Expert 2:

Expert 3:

Total 170 days

Short-term expert pool: total 75 expert days

Travel

The bidder is required to calculate the travel by the specified experts and the experts it has proposed based on the places of performance stipulated in Chapter 2 and list the expenses separately by daily allowance, accommodation expenses, flight costs and other travel expenses. Due to the Covid situation, travelling and meetings need to be reduced to a minimum. Meetings should take place online where possible. Covid protocols need to be observed under all circumstances.

6. Requirements on the format of the bid

The structure of the bid must correspond to the structure of the ToRs. In particular, the detailed structure of the concept (Chapter 3) is to be organised in accordance with the positively weighted criteria in the assessment grid (not with zero). It must be legible (font size 11 or larger) and clearly formulated. The bid is drawn up in English.

The complete bid shall not exceed 10 pages (excluding CVs).

The CVs of the personnel proposed in accordance with Chapter 4 of the ToRs must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages. The CVs must clearly show the position and job the proposed person held in the reference project and for how long. The CVs can also be submitted in English.

If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment.

Please calculate your price bid based exactly on the aforementioned costing requirements. In the contract the contractor has no claim to fully exhaust the days/travel/workshops/ budgets. The number of days/travel/workshops and the budget amount shall be agreed in the contract as 'up to' amounts. The specifications for pricing are defined in the price schedule.

7. Other requirements

- Please submit your proposal (technical and price proposal) in separate files/folder to ZA_Quotation@giz.de no later than 15.02.2021, 23h00 all documents must be in PDF.
- Please do not mention any price for this measure on your cover letter/Technical proposal.
- Please submit your tax clearance certificate with the bidding documents.
- Please submit your price proposal in EURO currency, however the contract will be entered into using the ZAR currency.
- Our General Terms of Conditions (attached) shall not be changed/amended should you be the winner of this tender. These General Terms and Conditions will form part of the contract should you be awarded this contract. By submitting your proposal we will conclude that you have read and accepted these terms and conditions.
- Participating more than once in same tender is not allowed and it will lead to your proposal as well as that of the company where you appear more than once being disqualified. The responsibility rests with the companies to ensure that their partners/experts are not bidding/participating more than once in same tender.

- Bidders are not allowed to communicate directly with any other person regarding this bid other than the procurement official/s. Failure to comply with this requirement may lead to your bid being disqualified.
- Questions and Answers will be published on the website/ Link

8. Annexes

Annex 1: Detailed ToRs Middelburg Dam Precinct Development Plan

Annex 2: Detailed ToRs Environmental Impact Assessment

Annex 3: Detailed ToRs Geotechnical Investigation