



agriculture, land reform
& rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA



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**TERMS OF REFERENCE: FOR THE APPOINTMENT OF A SERVICE PROVIDER TO
REVIEW THE LAND USE SCHEME FOR LESEDI LOCAL MUNICIPALITY FOR A
PERIOD OF TEN (10) MONTHS.**

1. INTRODUCTION

- 1.1 The Department of Agriculture, Land Reform and Rural Development (DALRRD) requires the services of one (1) firm or a consortium of suitably qualified service providers to review the Land Use Scheme for Lesedi Local Municipality in the Gauteng Province.
- 1.2. The apartheid planning system of the past caused several challenges that led to the disempowerment of municipalities in dealing with land development, management, and the regulation of land use activities. As a result, municipalities employed a diverse approach in addressing land use management in different areas of a municipality.
- 1.3 As per Section 27 of the Spatial Planning and Land Use Management Act, Act No 16 of 2013 (SPLUMA) a Municipality may review its land use scheme in order to achieve consistency with the municipal SDF and must do so at least every 5 years.
- 1.4 The present Lesedi Land Use Management Scheme, 2018, has some shortcomings in alignment, managing land use in rural and informal areas, and this issue is also evident in the Municipality.
- 1.5 The need therefore exists to review the land use scheme for the municipality to ensure harmonious and coordinated land use control.



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2. BACKGROUND

- 2.1 Lesedi Local Municipality is a category B municipality; that falls within the Sedibeng District Municipality in the Gauteng Province.
- 2.2 Lesedi spans an area of $\pm 1430\text{km}^2$, which is largely rural, with two towns situated within it, namely Heidelberg/Ratanda in the western part, and Devon Impumelelo on its eastern edge. The area can be described as mostly agricultural, with Heidelberg and Devon being the primary service centers for the surrounding agricultural areas. The municipal area of Lesedi municipality encompasses both urban and rural regions, with a mix of formal and informal settlements. This diverse composition presents a unique set of challenges and opportunities for the local administration. The municipality must balance the needs of the urban and rural populations, while also addressing the varied settlement patterns within its jurisdiction. Effective management of these complexities is essential for the sustainable development of the region.
- 2.3. The areas within the municipal boundary is governed by the Lesedi Land Use Management Scheme, 2018.

3 PROBLEM STATEMENT

- 3.1 The gaps expressed in the Lesedi Local Municipality LUS have created challenges with its land use management. This has resulted in misalignments with the adopted Municipal Spatial Development Framework (MSDF) and fragmented development patterns that hinder the integration and sustainability of social, economic and environmental elements. Consequently, the institutional arrangements have been weak and uncoordinated, which has led to incoherent planning procedures and systems within the municipality.



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- 3.2 The current situation poses significant challenges for the municipality, and it is imperative that appropriate measures be taken to address the issue. This requires a comprehensive approach that integrates the various elements of land use management and promotes sustainable development practices. This will require the involvement of all stakeholders and the development of a coherent institutional framework that fosters collaboration and coordination.
- 3.3 The LUS that has been in place for some six years now has become obsolete in light of the misalignment to the MSDF and missed opportunity to cater for contemporary developmental challenges confronting Lesedi Local Municipality, thus the scheme has become outdated and contradictory to the other planning tools available in the municipality. Consequently, there is a need to review the Lesedi Local Municipality LUS and ensure that it covers the entire administrative jurisdiction of the municipality.
- 3.4 The Lesedi Local Municipality LUS will draw its foundation from the Lesedi Spatial Planning and Land Use Management By-Law and align with the legislative and normative principles of the SPLUMA. As per the act, a municipality must adopt and approve the reviewed single land use scheme for its entire area.

4. PURPOSE AND OBJECTIVES OF THE PROJECT

- 4.1 The purpose of this project is to create a simplified yet comprehensive LUS that promotes single and harmonious development of the municipal area while also preserving the natural environment. The LUS will encompass all areas within Lesedi Local Municipality's jurisdiction.
- 4.2 The purpose of this project is to create a simplified yet comprehensive LUS that promotes single and harmonious development of the municipal area while also



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preserving the natural environment. The LUS will encompass all areas within Lesedi Local Municipality's jurisdiction.

- 4.3 To develop a LUS that will give effect to and be consistent with the MSDF and determine the use and development of land within the municipal area to promote economic growth, social inclusion, efficient development and to minimize the impact on public health and natural resources.
- 4.4 To bridge the gaps and inconsistencies created by multiple planning tools used when considering development proposals within the municipality.
- 4.5 In terms of Section 24 (2) of SPLUMA, the content of a LUS must:
- a) Include suitable categories of land use zoning and regulations for the entire municipal area, including areas not previously subject to a LUS;
 - b) Take cognisance of any environmental management instrument adopted by the relevant environmental management authority and must comply with environmental legislation;
 - c) Include provisions that permit the incremental introduction of land use management and regulation in areas under traditional leadership, rural areas, informal settlements, slums and areas not previously subject to a LUS;
 - d) Include provisions to promote the inclusion of affordable housing in residential land development;
 - e) Include land use and development incentives to promote the effective implementation of the spatial development framework and other development policies;
 - f) Include land use and development provisions specifically to promote the effective implementation of national and provincial policies;
 - g) Give effect to MSDF and integrated development plans; and
 - h) A land use scheme may include provisions relating to:



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- i. The use and development of land only with the written consent of the Municipality;
- ii. Specific requirements regarding any special zones identified to address the development priorities of the Municipality and;
- iii. The variation of conditions of a land use scheme other than a variation which may materially alter or affect conditions relating to the use, size and scale of buildings and the intensity or density of land use.

4.6 The LUSs must include but not be limited to the following components:

- a) Scheme regulations setting out the procedures and conditions relating to the use and development of land in any zone;
- b) A map indicating the zoning of the municipal area into land use zones; and
- c) A register of all amendments to such LUS.

4.7 The proposed LUSs must give effect to the development principles as stipulated in Section 7 of SPLUMA: -

- (i). Spatial Justice;
- (ii). Spatial Sustainability;
- (iii). Efficiency;
- (iv). Spatial Resilience; and
- (v). Good Administration.

4.8 Given the land use management challenges facing municipalities, the following are critical components of a land use management system:

- a) Legislation, Land Use Policy and Guidelines;
- b) Integrated Zoning Scheme and Regulations;
- c) Zoning Maps;
- d) Assessment and Approval Procedures and Application Forms;
- e) Conditions of Approval;
- f) Zoning Register;
- g) Delegation of Decision-Making (including those relating to the removal of title deed restrictions);
- h) Development Incentives;
- i) Enabling Legislation;
- j) Reference Manual



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- 4.9 The LUS must take cognisance of and adhere to national and provincial policies and legislation, including, but not limited to, the Gauteng Spatial Development Framework 2030 and the Land Use Scheme Guidelines 2017 and Chapters 5 & 6 of SPLUMA.

5. SCOPE OF WORK

- 5.1 The LUS should contain, amongst others, the following:

- a) Assessment of applicable land use management tools and relevant legislation, policy documents and regulations that impact LUSs;
- b) Identify all existing land use rights allocated in terms of the different legislation;
- c) Identify all un-proclaimed land use approvals including its spatial data;
- d) Undertake Land Use Survey verification of all areas within the Municipality;
- e) Compilation of a LUS covering the whole municipal area, reflecting the land use zones agreed upon, through public participation;
- f) A scheme document containing the management tools and statutory requirements for the respective zones;
- g) Determine mechanisms to address development taking place in areas of informal townships within the Municipality;
- h) Draft policies to address the requirements of the scheme;
- i) An electronic register of land use rights;
- j) Integrate the scheme into the geographic information system (GIS) of the Municipality;
- k) Verification and capturing of spatial data and alignment with SG and Deeds data;
- l) Spatial data editing where necessary;
- m) Verification and capturing of zoning data;
- n) Cartographic Models in the final map package;



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- o) A comprehensive attribute table should be featured aligned with the SG, Deeds and Scheme map data;
- p) All points, line and polygon proposals (e.g. nodes, urban edges or corridors) must be in one GIS data file. Such file must include the following attributes: ID, Title and Description. A service provider may add additional attributes where necessary.
- q) All datasets must be in a geographic coordinate system form in the Hartebeeshoek94 system.
- r) Each file must include Metadata containing at least all the mandatory elements as prescribed by SANS1878-1: Metadata standard. All metadata must be Published on the electronic metadata catalogue after approval. <https://catalogue.sasdi.gov.za/emc>
- s) The final product must be prepared and adopted in terms of the SPLUMA.

5.2 The LUS adopted and approved in terms of Section 24 of SPLUMA must include at least the following:

- a) Scheme Regulations setting out the procedures and conditions relating to the use and development of land in any zone;
- b) Content of LUS;
- c) General Administrative Powers and Legal Effect of the LUS;
- d) Maps indicating the zoning of the municipal areas into land use zones; and
- e) A register of all amendments to such a LUS.

5.3 The final LUS shall include but not be limited to the following:

a) General

- Short Title
- Area of the LUS
- Status, commencement and validity of the LUS
- Powers of the Council
- Purpose of the Scheme



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- Component of the LUS
- Transitional Arrangements
- b) User Orientation
- c) Definitions
- d) Land Use Categories
- e) Land Use Zones
- f) Land use/zone matrix
- g) Management Zones
 - Environmental Management Zones
 - Act 70 of 1970 Management Zones
- h) Development criteria
- i) Scheme and Management maps
- j) Special mechanisms for special development zones including, but not limited to:
 - Rural areas and special settlement areas
 - Special site planning areas
 - Interim site planning areas
 - Geotechnical/Environmental planning areas
- k) Development Regulations
- l) General Regulations, including by-laws and policies
- m) Planning Administration
- n) Application procedure
- o) Application content and format

6. PROJECT DELIVERABLES

- 6.1 A final wall-to-wall Land Use Scheme with Scheme regulations setting out the procedures and conditions relating to the use and development of land in any zone, a map indicating the zoning of the municipal area into land use zones and a zoning register of all amendments to such land use scheme including all related zoning



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information and mapping in digital format and a full-colour hard copy.

- 6.2 LUS textual document including all maps, tables and figures in both hardcopy (printed) and softcopy (electronic as MS Word document) image files (e.g. JPEG, windows Bitmap, GIF, etc.) must also be supplemented by:

Item	Description	Quantity
Roll-up Banner	±2000mm x850 mm (Retractable stand, full colour) <ul style="list-style-type: none"> Summary of the Process followed in the formulation. Zoning maps overview and regulations 	x2
Booklets	A4 (Glossy front and back, full colour) <ul style="list-style-type: none"> Final Land Use Scheme Document 250 gsm Hi-Q Titan double-coated gloss 113 gsm Hi-Q Titan double-coated gloss Full Colour PUR binding 	x30
Zoning Maps	A0 (Glossy front and back, full colour) <ul style="list-style-type: none"> Zoning maps Map package/package Zoning Maps 	x2
Report	Executive Summary Document and a public participation report;	x1
Posters	A0 (Laminated, full colour) <ul style="list-style-type: none"> 2 x Process followed in the formulation of LUS. 1 x Zoning maps, regulations and supporting information. 2 x How to use LUS. 	X6
Soft copies of all the above must be provided (Print ready)		

Table 1: Document requirements

- 6.3 All Zoning information collected should be submitted in a GIS map package or Project Package include geodatabases data instead of referencing the data (geodatabases, layer files, and files for use in a GIS environment). The GIS file format must have clear metadata that describes each LUS construct differently and should include the purpose of each construct. Metadata for all spatial information should be provided as per the metadata standard ISO 19115 & SANS 1878. Ownership of all metadata, data and spatial information generated and collected



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from this assignment vests in Lesedi LM. Lesedi LM will become the custodian of all spatial information collected.

- 6.4 All geospatial information used or created during the project must be submitted to the Department unless where there is a limitation prescribed by a license agreement. Where such limitation exists, the service provider must inform the department.
- 6.5 All geospatial data, products, and services must comply with the prescripts of the Spatial Data Infrastructure Act, Act 54 of 2003, its Regulations and Policies.
- 6.6 Where a service provider used graphics to represent proposals, such should be converted into GIS format and data must be inclusive of all spatial proposals made.
- 6.7. The following activities are required for the LUS:

	List of Activities
1	Legislation, Land Use Policy and Guidelines:
1.1	Assess the relevance and implications of existing legislation, Gauteng Provincial and MSDF, Municipal By-Law, SPLUMA, and municipal policies and guidelines.
1.2	Synthesis and incorporation of new policy emerging from the MSDF / strategies / IDPs and its implications for the Integrated Zoning Scheme and Regulations. Policy gaps should be identified, and a brief for these should be prepared for further work. Integration of relevant legislation (Gauteng Township Economic Development Act, etc.)
2	Integrated Zoning and Regulations:
2.1	Compile land use plan in consistency with legislation and guideline
2.2	The policies emanating from the SDFs should guide and inform the preparation of the LUS.
2.3	Evaluate LUS in terms of its flexibility and pro-activeness with regard to ongoing development applications and technology.
2.4	Evaluate the appropriateness of the various LUS definitions
2.5	Generate extensive graphical illustrations and perhaps tables.
2.6	Draft Document
3	Zoning Register and Zoning Maps



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3.1	Assess and evaluate comparative zones for the different areas. Aspects to be addressed include reaching an agreement on notation, techniques and overlays, and refinement of the zoning maps.
3.2	Collection, verification and capturing of historic zoning information and data for the compilation of a zoning register and zoning maps linked to a 21-digit SG code (tag value should be maintained).
3.3	Digitise maps, preferably in GIS, and link them to the database.
4.	Assessment and Approval Procedures and Application Forms:
4.1	Evaluate and assess existing procedures impacting LUS in terms of its efficiency and effectiveness. Emphasise streamlining the required procedures, avoiding publication, shortening approval periods and delegating decisions to the lowest possible level.
4.2	Evaluate and design application forms that eliminate duplication, are easy to complete, comprehensive in terms of the approval requirements, and as short as possible.
5.	Conditions of Approval Establish model conditions of approval for different land uses and circumstances.
6.	Zoning Register Standardising procedures (in terms of their appropriateness). Compile a zoning register.
7.	Development Incentives: Identify mechanisms to promote appropriate development and proactively facilitate the development process in targeted areas. This should be done through the MSDF, LED, and other relevant strategies.
8.	Enabling Legislation Identify and formulate enabling legislation and laws to establish the new zoning scheme, convert maps, and identify limitations for compensation where parameters are changed.
9.	Reference Manual Prepare advice and a reference manual on how the new LUS would function. This must be user-friendly, using generous use of plain language, appropriate graphics, and flow chart illustrations.

Table 2: List of Activities

7. SKILLS REQUIREMENTS

- 7.1. Companies with individuals with qualifications and extensive experience will be required as detailed in Table 3 and sections 7.1 and 8, respectively.



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Table 1: MINIMUM QUALIFICATIONS REQUIRED BY THE DALRRD

No.	Minimum Qualification	Key Skill Set	Registration Requirements
1.	B Degree in Town/Urban/City and Regional Planning	<ul style="list-style-type: none"> • Spatial Planning • Land use management • Land Use Scheme development • Report writing • Project Management 	Registration with SACPLAN as a Professional Planner
2.	B Degree related to Geographic Information Systems	<ul style="list-style-type: none"> • Mapping • Spatial analysis • Data modelling 	Registration with SAGC (South African Geomatics Council) as a Professional GISc or Geomatics Technologist: GISc.

Table 3: Minimum Qualifications

7.2 Please note that the above is a minimum set of skills required, the company/consortium is welcome to add more skills as deemed necessary to undertake the work.

7.2. A qualified and skilled Town and Regional Planner with a project management background will also be required to manage the different specialists and coordinate the work being undertaken.



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7.3. Proven experience and a thorough understanding of the following is also required:

- a) Spatial development policies and legislation;
- b) Urban and rural development and land reform;
- c) Previous experience in the LUS development and SDF either at municipal or provincial levels;
- d) Previous experience with policy and/or planning work at a Local, Regional and Provincial Level;
- e) Understanding of the interrelationship amongst the following: social, economic, land use, transport and environmental issues;
- f) Stakeholder engagement and Project Management;
- g) Research, analytical writing and communication skills; and
- h) Experience in developing similar tools/instruments will be an added advantage.

8. PROJECT DURATION AND PAYMENT MILESTONES

8.1. The Project will commence after the letter of appointment has been issued and the Service Level Agreement has been signed, which will expire in Ten (10) months thereafter and is subject to addition, extension or early termination, depending on the need and performance assessment of the service provider.

8.2 The DALRRD reserves full rights to implement the above-mentioned clause.

8.3. The target dates for each milestone (as well as the associated deliverables) and the amount of financial compensation for the work done are scheduled under **Table 4**.

TABLE 2: PROJECT COST AND TIME FRAMES



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Phases	Action/ Activity	Deliverables	Cost Per Phase	Time-frame
Phase 1: Inception and Communication Plan	<ul style="list-style-type: none"> • Compile work plan • Council resolution • Communication plan 	Inception Report and Stakeholder and Communication Plan	5%	0.5 Month
Phase 2: Data Collection and Status Quo on Land Use Rights	<ul style="list-style-type: none"> • Zoning data and data collection, verification, analysis and capturing. • Spatial data editing and alignment with SG and Deeds. • Legislative and Policy review • Land audit verification • Translate SDF into more Detailed broad land use areas • Key questions/Status quo report • Identify all un-proclaimed land use approvals 	Status Quo Report and Land Use Analysis	20%	2 Months
Phase 3: Preparation of a Draft Land Use Scheme, including Scheme maps and clauses/regulations, and land use Survey report	<ul style="list-style-type: none"> • Select Zones and prepare the Scheme Map • Draft Land Uses and Development Parameters • Draft General and Land Use Definitions • Policies and additional controls • Procedures to be included in the Scheme • Application guidelines • Zoning register and maps 	Draft Land Use Scheme, Zoning Register and Maps	20%	3 Months
Phase 4: Public Consultation and Amendment	<ul style="list-style-type: none"> • Public participation • Circulation to relevant authorities • Submission to Council for support of the Scheme in principle • Report on the synopsis of public comments received and where/how they have been addressed. • Revised LUS based on public comments 	Consultation Report, Amended Land Use Scheme	20%	2.5 months
Phase 5: Final Land Use Scheme (regulations, zoning maps and register) document and supporting materials	<ul style="list-style-type: none"> • Preparation of final scheme clauses, Overlay zones where applicable and zoning register and maps • Submission to Council for adoption 	Final Land Use Scheme Council Resolution	15%	1 month



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PHASE 6: Implementation	<ul style="list-style-type: none"> Promulgation of scheme Printing of LUS copies, booklets and banners 	Promulgation Notice Roll-up Banners x2 Posters x6 Booklets x30 Final Land Use Scheme document, zoning register, Zoning maps and GIS map packages and soft copies of all printed materials	10%	1 month
PHASE 7: Retention and close out	<ul style="list-style-type: none"> Close out report 	Close out report	10%	
Total			100%	10 Months

Table 4: Project cost and timeframes

8.4. Due to the Project's urgency, timeframes must be strictly followed. Financial penalties will be imposed for delay or non-compliance with time and quality requirements.

9. CONTENTS OF THE PROJECT PROPOSAL

The service provider will be expected to provide a clear and concise project proposal covering the aspects listed below as well as responding to the terms of reference.

9.1 An executive summary of the key issues covered in the Proposal.

9.2 A company profile and profile of each employee forming part of Project Team with clear references to similar and related work undertaken in the past with clear evidence where a person/member participated in or managed certain projects in the past which bears relevance to the work at hand. Clear indication of actual roles and responsibilities must be presented with verifiable proof.

9.3. General methodology for undertaking work of this nature. The methodology should also indicate the project milestones that will be used to measure the project



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progress, as well as the cost break down.

- 9.4. Certified copies of all certificates, references, professional registration and related certification for all members of the proposed team must be attached.
- 9.5. Any other information relevant to the determination of the suitability of the interested bidder for this project should be listed.
- 9.6 All-inclusive costing model and a project plan.
- 9.7 *The following technical information **must** be submitted with the bid proposal:*
- a) Organogram outlining the project team members with a clear indication of the project leader and support team;
 - b) Relevant professional experience of the team leader and core supporting experts;
 - c) Organisational, managerial and technical ability;
 - d) Full CV's of all proposed team members;
 - e) Minimum 3 contactable current and previous client references from 3 different clients;
 - f) Associations and Professional Affiliations of companies and individuals;

10. INFORMATION GATHERING

- 10.1. The selected service provider will be expected to make contact with all the relevant officials and units within all spheres of government and other stakeholders of government or any relevant stakeholder or entity holding information relevant to the project to obtain relevant information that will be required for the project when a need arises.
- 10.2. Existing information which is available within the DALRRD and the municipality will be made available to the appointed service provider during the execution of the



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project.

- 10.3. In the case where a letter to confirm and motivate for requesting information from the different spheres of government or parastatals is required, the DALRRD will provide the requested letter.
- 10.4. Notwithstanding anything written in these terms of reference, the responsibility for collecting and obtaining information necessary for the successful execution of the project remains entirely with the service provider.
- 10.5. The service provider shall be required to request where available data quality reports for all data acquired for use in this phase. Where such reports are not available, the service provider shall be required to assess the level of quality of each dataset and document it in a report. This will allow the service provider to understand the various limitations of the dataset before any analysis can be done.

10. TERMS AND CONDITIONS OF THE BID

- 11.1 Awarding of the bid will be subject to the Service Provider's express acceptance of the DALRRD Supply Chain Management general contract conditions.
- 11.2 The DALRRD and successful Service Provider(s) will sign a Service Level Agreement upon appointment. Such a Service Level Agreement will include the following:
- a) Period of agreement;
 - b) Project objectives, milestones and scope;
 - c) Staffing;
 - d) Project plan and project plan management;
 - e) Budget;
 - f) Cost and fee payment;



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- g) Method of communication;
- h) Reporting relationship;
- i) Deliverables and conditions and terms of deliverables;
- j) Form and formats of working papers;
- k) Reviews;
- l) Uncompleted work;
- m) Confidentiality;
- n) Disputes; and
- o) Financial penalties and termination of contract.

- 11.3 The service provider should submit an acceptance letter and be available to commence with the project within five (5) days after receiving official order and the service level agreement being signed.
- 11.4 During the execution of the project, the service provider is required to give reports on the progress of the project. It is the responsibility of the service provider to organise the progress report meetings and have one of their representatives assigned to taking minutes and circulating them to the steering committee members.
- 11.5 Project team members must be available for the duration of the project, the service provider is not allowed to change the composition without prior consent of the DALRRD and the municipality.
- 11.6 Any deviation from the project plan should be put in writing and signed by the project manager of DALRRD.
- 11.7 Any suggestions during the progress meetings, once accepted by both parties, shall form part of the contract.
- 11.8 Payments will be on work-completed basis i.e. on set milestones as per the project



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plan.

- 11.9 Financial penalties will be imposed for agreed upon milestones, targets, and deadline not met without providing:
- a) Timely notification of such delays.
 - b) Reasons for the delays.
 - c) Supporting evidence that the delays were outside of the influence of the service provider.
- 11.10 Payment will **ONLY** be made as per deliverables and upon **SATISFACTION** of good and quality product. Therefore, original invoices submitted for payments must be submitted for payment with relevant supporting documents. No copies of invoices will be processed.
- 11.11 Financial penalties will be imposed if the outputs produced do not meet the agreed upon deliverables criteria as stipulated in the General Conditions of Contract.
- 11.12 Original invoices to substantiate all costs must be provided. The invoices should include the DALRRD order number that will be provided to the selected service provider upon acceptance of the proposal.
- 11.13 When DALRRD accepts the final product, the appointed service provider will be liable to correct errors and fill gaps that may be discovered in the data/project, at no charge to DALRRD. This condition will apply for a period of one month from the day the project was completed and submitted to DALRRD.
- 11.14 The DALRRD reserves the right not to appoint anyone.
- 11.15 No material or information derived from the provision of the services under the contract may be used for any other purposed except for those of the DALRRD, except where duly authorized to do so in writing by the DALRRD.



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- 11.16 Copyright in respect of all documents and data prepared or developed for the purpose of the project by the Service Provider shall be vested in Lesedi LM
- 11.17 The successful Service Provider agrees to keep confidential all records and information of or related to the project and not disclose such records or information to any third party without the prior written consent of Lesedi LM.
- 11.18 All works relating to spatial information remains the property of the state and shall be disseminated in line with the policy on pricing of spatial information products and services.
- 11.19 The successful Service Provider agrees to maintain the level of technical capacity as indicated in the bidding document submitted, throughout the duration of the project and any change to their team shall not compromise the technical capacity of the Service Provider or impact negatively on the pace and quality of the project outcome.

12. MANDATORY REQUIREMENTS

NB: Failure to submit / attach proof of the following requirements with the proposal will disqualify the bidder's proposal.

12.1 EVALUATION OF TENDERS/ PROPOSALS

Tenders will be evaluated in terms of the evaluation criteria stipulated below:

- Evaluation for mandatory criteria
- Evaluation in terms of Functionality
- Evaluation in terms of Presentation
- Evaluation in terms of 80/20 preference point system as prescribed in the Preferential Procurement Regulations 2022.



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12.1.1 Evaluation for mandatory criteria:

a. Tax Requirements:

- Bidders must ensure compliance with their tax obligations.
- Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable the organ of state to view the taxpayer's profile and tax status.
- Application for tax compliance status (TCS) or pin may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za.
- Bidders may also submit a printed TCS together with the bid.
- In bids where consortia / joint ventures / sub-contractors are involved;
- each party must submit a separate proof of TCS / pin / CSD number.
- Where no TCS is available, but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.

b. Bidders must submit a resolution made by board members authorizing a particular person to sign the bid documents:

- In the case of a **ONE-PERSON CONCERN** submitting a tender, this shall be clearly stated on the company letter head.
- In case of a **COMPANY** submitting a tender, include a copy of a resolution by its board of directors authorizing a director or any other official of the company to sign the documents on behalf of the company.
- In the case of a **CLOSED CORPORATION** submitting a tender, include a copy of a resolution by its members authorizing a member or any other official of the corporation to sign the documents on each member's behalf.
- In the case of a **PARTNERSHIP** submitting a tender, all the partners shall sign the documents, unless one partner or a group of partners has been authorized to sign on behalf of each partner, in which case proof of such an authorization shall be included in the Tender.
- In the case of a **JOINT VENTURE** submitting a tender, include a resolution of each company of the Joint Venture together with a resolution by its members authorizing a member of the Joint Venture to sign the documents on behalf of the Joint Venture." i.e., the Joint Venture must submit three Letters of Authority as per the aforesaid Joint Venture requirement.

12.2 Bidders must complete and sign all standard bidding documents and GCC.



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- 12.3 A resolution authorizing a particular person to sign the bid documents (complete and signing of LA1.6 on the company letterhead).
- 12.1 Bidders must complete and sign the pricing schedule in full (SDB 3.3) by and authorised person. (No other pricing template will be accepted for SDB3.3 other than the one department has provided.)
- 12.2 The Project leader must hold a bachelor's degree in Town / Urban / City and Regional Planning which is recognised and be registered as a Professional Planner by the South African Council of Planners. A copy of a valid registration certificate should be attached to the proposal together with letter of good standing
- 12.3 One member of the Project Team member must be a Professional Geographic Information Science Practitioner registered with the SAGC. A copy of the valid registration certificate should be attached to the proposal.

NB: Accept that failure to fully complete Form for Key-person of the returnable documents will result in a submission being regarded as non-responsive.

13 REPORTING AND ACCOUNTABILITY

- 13.1. During the execution of the project, the service provider will be required to submit progress reports and attend meetings at intervals as it will be determined by the project team or steering committee managing the project.
- 13.2. All information captured and or used to generate the outputs of the project remains the property of DALRRD and Lesedi Local Municipality and must be handed over in its totality when the project is closed. DALRRD and Lesedi Local Municipality will retain retain copyright and all associated intellectual rights thereof. This document



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together with all agreements to be or reached during the project become part of the contract. The information must be captured and provided in a digital format as agreed (in writing) between the service provider and DALRRD. This agreement must be reached and signed off together with the project plan before the project commences.

14. EVALUATION CRITERIA

14.1 Proposals will be evaluated in four (4) stages:

1. Bidders need to be responsive to all Mandatory requirements
2. Bids will be evaluated on functionality, which needs to score 70 out of 100 to go to the third stage
3. Presentation and bidders will have to score 70 out of 100 to go to the fourth stage
4. The fourth stage in accordance with 80/20 preference points system as stipulated below.

14.2 Evaluation of Functionality

The functionality will be evaluated individually by Members of the Bid Evaluation Committee per the below functionality, criteria and values. The applicable values that will be utilised when scoring each criterion range from:

1= Poor, 2 = Average, 3 = Good, 4 = Very good and 5 = Excellent.

The minimum requirements, highlighted in the table below, indicate the benchmark required to qualify for the fourth stage (presentation) of the evaluation.

The bids that fail to achieve a minimum of 70 points out of 100 points for functionality will be disqualified. This means that such bids will not be evaluated



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in the third stage (presentation) and fourth stage (Preference Points System).

The following Quality (functionality) criteria, set out in the table below, will be used to evaluate the tenders regarded as responsive.



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CRITERIA	GUIDELINES FOR CRITERIA APPLICATION	WEIGHT
<p>1. Capability: Team Leaders' experience, track record and competency</p>	<p>The Team Leader must be a Town Planner registered as a Professional Planner . Must have project management experience and a minimum of Ten (10) years post-registration experience and expertise in managing and coordinating multi-disciplinary projects in the spatial planning and land use management environment:</p> <p>Attach CVs clearly indicating a detailed profile of previous work experience and contactable references of similar work undertaken (list names, addresses, telephone numbers, fax numbers, and email).</p> <ol style="list-style-type: none"> 1. More than 15 years of working experience post-registration in a spatial planning and land use management environment. - Excellent (score 5) 2. 11 -15 years of working experience post-registration in a spatial planning and land use management environment. - Very Good (score 4) 3. 10 years of working experience post-registration in a spatial planning and land use management environment. - Good (score 3) 4. 7- 9 years of working experience post-registration in a spatial planning and land use management environment. - Average (score 2) 5. Less than 7 years of working experience post-registration in a spatial planning and land use management environment. 	<p>20</p> <p>10</p>

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	<p>- Poor (score 1)</p>		
	<p>The Team Leader must have successfully managed at least five (5) projects in the spatial planning and land use management environment in the past ten (10) years.</p> <p>Attached is a short profile demonstrating the successful completion of previous projects and contactable references for similar work done (list names, addresses, telephone numbers, fax numbers, and email).</p> <p>1. Managed 10 or more projects in the spatial planning and land use management environment in the past 10 years.</p> <p>- Excellent (score 5)</p> <p>2. Managed 7 projects in the spatial planning and land use mamangement environment in the past 10 years.</p> <p>- Very Good (score 4)</p> <p>3. Managed 5 projects in the spatial planning and land use management environment in the past 10 years.</p> <p>- Good (score 3)</p> <p>4. Managed 3 project in the spatial planning and land use management environment in the past 10 years.</p> <p>- Average (score 2)</p> <p>5. Managed 1 projects in the spatial planning and land use management environment in the past 10 years.</p> <p>- Poor (score 1)</p>	10	
<p>2. Capability: Project Teams' experience, track record and</p>	<p>The composition of the technical team to be utilised in the execution of the Project consists of the following professions:</p> <p>Attach copies of qualifications and CVs clearly indicating</p>		30

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competency	a detailed profile of their previous work experience and contactable references of similar work done (list names, addresses, telephone numbers, fax numbers and Email numbers).		
	<p>Three (3) Town/Urban/City and Regional Planners: A minimum of three (3) Town Planners, each with five (5) years post-qualification experience in Spatial Planning and land use management.</p> <ol style="list-style-type: none"> 1. 5 Planners registered with SACPLAN, each with 5 years post-qualification experience in Spatial Planning and land use management. - Excellent (score 5) 2. 4 Planners registered with SACPLAN, each with 5 years post-qualification experience in Spatial Planning and land use management. - Very Good (score 4) 3. 3 Planners registered with SACPLAN, each with 5 years post-qualification experience in Spatial Planning and land use management. - Good (score 3) 4. 2 Planners registered with SACPLAN, each with 5 years post-qualification experience in Spatial Planning and land use management. - Average (score 2) 5. 1 Planner registered with SACPLAN and with 5 years post-qualification experience in Spatial Planning and land use management. - Poor (score 1) 	20	



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	<p>A Professional Geographic Information Science Practitioner: Relevant B Degree plus 10 years post registration experience in mapping, modelling and analysis.</p> <ol style="list-style-type: none"> 1. Relevant qualification plus registration with SAGC with more than 15 years post registration relevant experience mapping and analysis - Excellent (score 5) 2. Relevant qualification plus registration with SAGC with 11-15 years post- registration experience in mapping and analysis - Very Good (score 4) 3. Relevant qualification plus registration with SAGC with 10 years post- registration experience in mapping and analysis - Good (score 3) 4. Relevant qualification plus registration with SAGC with 7 – 9 years post- registration experience in mapping and analysis – Average (score 2) 5. Relevant qualification plus registration with SAGC with less than 7 years post- registration experience in mapping and analysis – Poor (score 1) 	10	
<p>3. Capability: Firms' experience, track record and competency</p>	<p>Town Planning Company with experience in developing at least 10 similar projects (Land Use Scheme, SPLUM By-Laws, precinct plans, SDFs) within the last ten (10) years. (Provide client reference for all completed projects).</p>	20	20

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	<p>Attach client reference letters of similar work done on a client letterhead (addresses, telephone numbers, fax numbers and Email address) indicating appointment and completion date of project.</p> <ol style="list-style-type: none"> 1. Ten (10) or more similar projects including 5 Land Use Schemes completed in the last 10 years. - Excellent (score 5) 2. Ten (10) similar projects including 3 Land Use Schemes completed in the last 10 years. - Very Good (score 4) 3. Ten (10) similar projects including 1 Land Use Scheme completed in the last 10 years. - Good (score 3) 4. Nine (9) similar projects including 1 Land Use Scheme completed in the last 10 years. - Average (score 2) 5. Eight (8) similar projects excluding a Land Use Scheme completed in the last 10 years. - Poor (score 1) 		
4. Methodology	<p>Clear approach and methodology of how the project deliverables will be executed:</p> <ol style="list-style-type: none"> 1. The service provider's approach and methodology are exceptional, with highly innovative solutions demonstrating an exceptional understanding of how to execute the Project. - Excellent (score 5) 2. The service provider approach and methodology are very well defined and demonstrate a thorough understanding of how to execute the Project and 	20	30

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	<p>include some innovative ideas.</p> <p>- Very Good (score 4)</p> <p>3. The service provider approach and methodology are clearly defined and demonstrate a good understanding of how to execute the Project.</p> <p>- Good (score 3)</p> <p>4. The Service provider's approach and methodology are fair and demonstrate little understanding of how to execute the Project.</p> <p>- Average (score 2)</p> <p>5. The service provider approach and methodology are not clearly defined.</p> <p>- Poor (score 1)</p>		
	<p>A project plan demonstrating a coordinated approach of how various project deliverables will be managed against timeframes.</p> <p>1. The proposed project plan has innovative solutions to deliver the Project ahead of schedule.</p> <p>- Excellent (score 5)</p> <p>2. The proposed project plan meets all requirements and demonstrates a high standard of project execution.</p> <p>- Very Good (score 4)</p> <p>3. The proposed project plan is in line with all the requirements.</p> <p>- Good (score 3)</p> <p>4. The proposed project plan meets some of the requirements. Delays are unlikely to have a significant impact on the outcome.</p>	10	



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	<p>- Average (score 2)</p> <p>5. The proposed project plan does not meet the requirements.</p> <p>- Poor (score 1)</p>		
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Table 5: Guidelines for criteria application

14.3 Third Stage - Presentation

Only bids that achieve the minimum qualifying score of 70 points out of 100 points in the second stage (functionality) will be evaluated in the third stage (presentation). The evaluation of the presentation in the third stage of evaluation will be evaluated individually by Members of Bid Evaluation Committee in accordance with the below criteria and values.

The applicable values that will be utilized when scoring each criterion range from **1 - poor, 2 - average, 3 - good, 4 - very good and 5 - excellent.**



EVALUATION CRITERIA	WEIGHT	INDICATE VALUE 1-5	COMMENT/REMARK
Approach of methodology understanding of the project scope	20		
Methodology to the development of the Land Use Scheme, the collection, cleaning and capturing of land use data and mapping of land use developments.	40		
Approach to the development of the stakeholder's engagements. Innovation and communication plan/strategy.	40		
Total Points	100		

Table 6: Presentation criteria

14.4 Fourth Stage - Evaluation in terms of 80/20 Preference Points System

Only Bids that achieve the minimum qualifying score for functionality will be evaluated further in accordance with the 80/20 preference points system prescribed in preferential Procurement Regulations.

14.5 Calculation of total points scored for price and specific goals status.

Apply the 80/20 Preference Point system where a maximum of Eighty (80) tender adjudication points are awarded for price. Twenty (20) points will be awarded for preference in terms of the Preferential Procurement Policy Framework Act (Act 5 of



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2000) and Preferential Procurement Regulation, 2022

POINTS AWARDED FOR PRICE

A maximum of 80 points is allocated for price on the following basis: **80/20**

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table below. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system: or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Specific goals for the tender and points claimed are indicated per the table below.



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NB: Historically disadvantaged individuals: A person historically disadvantaged by unfair discrimination on the basis of race: provided that a person historically disadvantaged on the basis of race refers to Africans, Coloureds, Indians and people of Chinese descent who are South African citizen by birth or descent, who become citizen of the Republic of South Africa by Naturalisation-

- a) Before 27 April 1994
- b) On or before 27 April 1994 and who would been entitled to acquire citizenship by naturalisation prior to the date.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such. Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Percentage ownership equity (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
I. HDI (Historically Disadvantaged Individuals)	10		
II. Who is female	5		
III. Who has a disability	2		
IV. Specific goal: Youth	3		

Table 2: Specific goals for the tender points

Only proposals with the highest number of points scored in respect of the goals contemplated above and points scored for price may be selected.

The Department of Agriculture, Land Reform and Rural Development reserves the right not to award the bid to any service provider, or to various Service Providers.



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15. PROJECT MANAGEMENT WITHIN DALRRD

This project will be facilitated by a team consisting of officials from the DALRRD, the Municipality within which the LUS is located, and any other person/s appointed by DALRRD.

16. OUTCLAUSE

- 16.1 The DALRRD reserves the right not to appoint if suitable candidates are not found, at the complete discretion of DALRRD.
- 16.2 The DALRRD reserves the right to terminate the contract in the event that there is clear evidence of non-performance on the part of the service provider.

17. PUBLICATION

- 17.1 21 days advertisement.
- 17.3 E-portal

18. CONTACT PERSON FOR TECHNICAL ENQUIRIES

All enquiries related to this bid call must be forwarded to:

**DIRECTOR: SPATIAL PLANNING AND LAND USE MANAGEMENT SERVICES
(GAUTENG)**

**DEPARTMENT OF AGRICULTURE LAND REFORM AND RURAL
DEVELOPMENT**

PRIVATE BAG X833

PRETORIA

0001



FORM : KEY-PERSONNEL OR MANAGEMENT STAFF

The Tenderer shall, submit the names of Project Team Leader and Professional Geographic Information Science Practitioner and that will be employed for duration of Contract.

1. Position	Name of Project Leader
The Project leader must hold a bachelor's degree in Town / Urban / City and Regional Planning which is recognised and be registered as a Professional Planner by the South African Council of Planners. A copy of a valid registration certificate should be attached to the proposal together with letter of good standing.	
2. Position	Name of Geographic Information Science Practitioner
One member of the Project Team member must be a Professional Geographic Information Science Practitioner registered with the SAGC. A copy of the valid registration certificate should be attached to the proposal.	

Signature of person authorised to sign the tender:

Date:

PRICING SCHEDULE FOR TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE LAND USE SCHEME FOR LESEDI LOCAL MUNICIPALITY FOR A PERIOD OF TEN (10) MONTHS.

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER: BID NO.:

CLOSING DATE:

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO <u>TAX</u>	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF <u>VALUE ADDED</u>
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- The accompanying information must be used for the formulation of proposals.
- Bidders are required to indicate rates based on the total cost to the department for completion of each stage and including Expenses for the project.

3. TOTAL BID PRICE (INCLUSIVE OF VAT) R.....

PHASES: (refer to the Terms of Reference; table 2 Project Phases)	PERCENTAGE	TIMEFRAME S	TOTAL COST
Phase1:Inception communication Plan and	5%	0.5 Month	R.....
Phase 2: Data collection and status Quo on Land Use Rights	20%	2 months	R.....
Phase 3: Preparation of a Draft Land Use Scheme, including Scheme maps and clauses/regulations, and land use	20%	3 months	R.....

Name of Bidder:

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[SBD 3.3]

Survey report			
Phase 4 Public Consultation and Amendment	20%	2.5 Months	R.....
Phase 5: Final Land Use Scheme (regulations, zoning maps and register) document and supporting materials	15%	1 month	R.....
Phase 6: Implementation	10%	1 month	R.....
Phase 7: Close-out report and Retention	10%	Close-out report	R.....
SUB -TOTAL (Excluding VAT)			R.....
VAT			R.....
TOTAL (Including VAT)			R.....

NB! The Department will not be responsible for any travelling cost

4. Period required for commencement with project after acceptance of bid
.....
5. Estimated man-days for completion of project
.....
6. Are the rates quoted firm for the full period of contract?
.....
7. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
.....

Any enquiries regarding bidding procedures may be directed to the –

AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT
524 CNR STANZA BOPAPE & STEVE BIKO
6TH FLOOR SANCADIA BUILDING
ARCADIA
PRETORIA

Bid Initials
Bid's Signature.....
Date.....

Name of Bidder:

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[SBD 3.3]

Bid related enquiries:

SUPPLY CHAIN ENQUIRIES

Mr. A Marema / Ms Jane Mpepele

Directorate: Supply Chain Management

Contact Number: 012 337 3634/3700

E-mail: absalom.marema@dalrrd.gov.za / jane.mpepele@dalrrd.gov.za

TECHNICAL ENQUIRIES

Attention: Mr S Osei

Directorate: SPLUM

Telephone: (012) 337 3712/13 (0825626154)

E-mail: samuel.osei@dalrrd.gov.za

Bid Initials

Bid's Signature.....

Date:.....