



THEMBISILE HANI LOCAL MUNICIPALITY



PROJECT No: THLM/SCM25/2022-2023/PED01

APPOINTMENT OF A PANEL OF ANTI-LAND INVASION SERVICE PROVIDERS FOR THE PROVISION OF ASSISTANCE IN HANDLING EVICTIONS AND RELOCATIONS TO COUNTER LAND INVASIONS AS AND WHEN REQUIRED FOR A PERIOD OF 36 MONTHS.

SCOPE OF WORK

Tenderer

Witness 1

Witness 2

Employer

Witness 1

Witness 2



Thembisile Hani Local Municipality hereby invites quotations from suitably qualified service provider for the appointment of service providers to supply and deliver roads and storm water materials for Thembisile Hani Local Municipality

Tenderers are expected to respond to the bid for the provision of the following services –

- Conduct patrols and monitor all areas within the municipality
- Prevention of land invasion and informal settlements
- Carry out evictions in terms of Court Orders
- Evict unlawful land invaders
- Demolition of permanent and temporal structures
- Removal of building materials, rabbles and poles to the storage
- Serve contravention notices
- Provision and installation of anti-land invasion sign board
- Shacks marking and numbers
- Land surveying and issuing of layout maps
- Establishment of anti-land invasion help desk
- Provision of rapid response force/ intervention
- Handling all land invasions/ informal settlement related matters

1.FUNCTIONS OF THE SERVICE PROVIDER

The contract will be for a period of 36 Months on a basis of a routine schedule and or as and when required.

The contract includes the patrol of informal settlements, monitoring, prevention, carrying out evictions, demolition of structures, Provision of security, Provision of intervention/rapid response force, and labour to be provided by the following breakdown of registered security personnel –

- Security Manager (Grade A/B) – Monday to Sunday (Flexi Hours)
- Supervisor (Grade B) – 12 hours
- Grade C officers are to be responsible for established zones for the following duties:
 - Performing continuous patrols of the land use violations on a scheduled basis approved by the municipality
 - To update activities reports and data base as required by the municipality
- Temporary general assistant clothed in overalls are to be responsible for conducting demolishing of illegal structures whether temporary or permanent in nature.
- All Security Personnel and site Security Manager employed by the Security Service Provider are required to meet the following requirements:

Tenderer

Witness 1

Witness 2

Employer

Witness 1

Witness 2



- The security service provider must be registered with the Private Security Industry Regulatory Authority (PSIRA) to perform security services.
- Security personnel shall be physically qualified and competent to perform all security related duties.

1.1 Skills required

The tenderer must provide proof of negotiation skills when confronted with aggressive mass action by large communities

The legal understanding of the laws pertaining to the removal of informal settlement and the new laws on Squatting must be provided by the tenderer

The tenderer must provide proof of how it will deal with a mass attack by hundreds of thousands of angry community members. Previous successful resolving of situations like these must be stated and proof thereof submitted

The tenderer must ensure that joint planning or coordination is done with the municipality's Department of Public Safety and SAPS are notified prior any operation, removal or eviction, etc.

Contractors must provide their own transport, labour, tools and equipment, security personnel and all other resources to fully execute the work.

The tenderer must be able to provide security for his own workforce, trucks and equipment and protect the property of the community and council, should it be required.

The tenderer must be registered with Private Security Industry Regulatory Authority (PSIRA) – proof must be provided

The tenderer must have knowledge of demolition work.

1.2 Support systems required

The tenderer must give proof of assets such as transport vehicles, road graders, front-end loaders, etc. due to situations where hostile groups occur, a tenderer cannot rely on hired plant and trucks

The tenderer must have a trained work force that can withstand attacks while working – Proof of such grouping off workmen must be supplied and on what project have they worked previously.

It will be required of the contractor to work at several settlements at the same time. Contractors must therefore have sufficient vehicles, equipment and personnel to execute the work requested at various settlements in the council area at the same time

Vehicles and applicable equipment to be used on this contract must be specified and the address where such vehicles and equipment can be inspected must be furnished.

1.3 Call out and works orders

Contractors will be called out by telephone/cell-phone or e-mail to effect work as and when required. An official request will be faxed/emailed to the number provided by the contractor for this purpose.

Tenderer

Witness 1

Witness 2

Employer

Witness 1

Witness 2



Tenderers must provide, in detail, the following:

Legal interpretation in the prevention of illegal land invasion/demolish of illegal structures.

Proof of experience in the successful prevention of land invasion

Plans of action to execute specification of the tender (Standard Operational Policy and Procedures)

Proof and description of available resources

Indemnification certificate

Proof of experience in co-operating with SAPS and the judicial system (Sheriffs)

Proof of rapid response capabilities

Public liability insurance

Proof of licensing of fire arms and training in the use thereof

1.5 The establishment of a land invasion desk

The contractor, in conjunction with a nominated Official, is required to establish a full-time land invasion/contravention desk to manage incidents in the area at a location to be determined by the municipality, and should include the following stakeholders:

- The relevant Ward Councillor
- Representative from tribal authorities
- The Department of Public Safety
- Health inspectors
- Building inspectors and other interested parties
- Agriculture, Rural Development, Land and Environmental Affairs, and the Human Settlements Officials
- Any other department of council as identified by the municipality
- Chief Town Planner

Note: The main function of the Land Invasion/Contravention Desk will be, amongst others, to facilitate the demolishing process and other functions as may be determined from time to time by the municipality

1.6 Monitoring and Patrolling by vehicle (as and when required)

Inspection/patrolling of all informal settlements and opens areas within the jurisdiction of municipality will be done during working hours on scheduled days

1.7 Prevention

To prevent any person(s) from erecting a structure/dwelling or invading/illegally occupying any land owned by the municipality, provincial and or national governments, and to issue a warning notice on behalf of the municipality, to be complied with immediately by the persons erecting a structure/dwelling or invading/illegally occupying such property. A copy of the warning notice must be submitted to the Land Invasion/Contravention Desk immediately (as and when required)

Tenderer

Witness 1

Witness 2

Employer

Witness 1

Witness 2



In the event of a person(s) not adhering to the warning notice, a court order will be obtained by the municipality/land owner to demolish the structure/dwelling and/or to evict the illegal occupiers. The contractor must report all illegal invasions to the municipality immediately.

1.8 Carry out evictions in terms of Court Orders

Carry out and removal of property from sites in terms of evictions orders obtained through a Court of Law in conjunction with the Sheriffs/SAPS.

1.9 Demolition of structures

Demolish temporary structures (shack, etc.) at informal settlements and other sites.

Demolish illegal permanent structures constructed of conventional building material (brick, steel, etc.)

The bidder must only demolish structures after a warning notice has been issued and the illegal occupants have voluntarily vacated the structure.

The demolishing of unlawful unoccupied structures in the process of construction should be done immediately before occupation thereof

Before the demolition of the unlawful structures, an accurate inventory must be compiled for every structure by the service provider and co-signed by the occupier or a witness in the event that there is no occupant. This is done so that the municipality does not incur losses on costs for claims pertaining to material/articles removed when the restoration of materials and reconstruction of shacks is called for.

1.10 Removal of building material

The structural material is to be kept at the council's premises for a period of seven (7) days in a safe storage facility.

If the material is not claimed back within seven (7) days, it may be destroyed or sold.

In the event of the material being sold, the funds recovered from the sale of the material will be used to defray the council's storage costs.

1.11 Provision of intervention/Rapid Response Force

Provide, and transport to and from site, a suitably qualified and equipped force with supervision and communication to handle and assist in the handling of emergency situations. The size of the force will depend on the situation and will be determined by contractor.

1.12 Labour

The bidder must ensure that adequate labour to carry out all tasks speedily and efficiently is available at all times

The bidder must provide own suitable transport and fuel and is responsible for the running costs of vehicles.

Tenderer

Witness 1

Witness 2

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Witness 2



1.13 Reporting

It is expected from the bidder to submit all situational reports at the operating meetings. Such reports must cover the following:

- ❖ Number of illegal structures prevented per location
- ❖ Areas where illegal invasions were prevented
- ❖ Actions undertaken to prevent illegal establishment/invasion
- ❖ Resistance experienced by the company
- ❖ Casualties
- ❖ Court actions instituted against the contractor by illegal land invaders or against illegal land invaders by the contractor for whatever reason

1. REPORTING PROCEDURES

The Security Service Provider shall provide The Client with written reports of the work performed relating to instructed work by the municipality.

2. PAYMENT

Payment shall be made at the end of each month, for work previously performed and upon proper invoicing and reporting.

3. INSURANCE

Promptly after award and before performing any inspections the Security Service Provider shall issue proof of insurance to the Client. The Security Service Provider shall, at its own expense, secure and maintain the insurance coverage required by law and by the general conditions. Insurance coverage shall include:

- Personal injury liability
- Comprehensive automobile liability – The policy shall provide for injury and property damaged liability insurance for all owned, hired and non-owned automobiles used by the contractor in its operations.

4. INDEMNIFICATION

The contractor is to indemnify the municipality against any court or civil actions resulting from the prevention of illegal land invasion by the contractor.

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