REQUEST FOR PROPOSALS

MANAGING AND CURBING LAND INVASIONS

RFP/JHB/2015/020

PROPOSALS TO BE SUBMITTED BY
NOT LATER THAN
12H00 ON 21st OCTOBER 2015
1. INTRODUCTION

The Housing Development Agency (HDA) is a national public development agency which promotes sustainable communities by making well located and appropriately planned land available for the development of human settlements. As its primary activity, the HDA assembles state, private and communal land and releases it for development. In addition, HDA provides project delivery support services to organs of state at local, provincial and national level.

At the request of the National Minister of Human Settlements, the Housing Development Agency (HDA) is currently providing programme and technical support to the respective provinces and municipalities, in respect of the “Mining towns in distress which aims to improve living conditions of informal settlements in mining areas across the country. In coordinating the programme, the HDA is required to coordinate National Upgrading Support Programme (NUSP) activities within the prioritised mining areas, to ensure an incremental approach is adopted in the informal settlement upgrading initiative.

Over and above the provision of technical assistance to provinces and municipalities, some of the NUSP key objectives include amongst others the following:

- Capturing best practice and dissemination of information / learnings to date with the sector.
- Capacitating practitioners working in informal settlements through conducting thematic workshops.

Municipalities across the country are confronted by cases of land invasions as a result of the increasing housing backlogs, lack of basic infrastructure services as well as having to enforce evictions.

Informal settlements are a phenomenon of land invasion, and this forms part of the manner in which they are characterised in the 2009 National Housing Code where they are referred to as illegal, informal, inappropriately located and vulnerable. Informal settlements are the most accessible form of housing for the poor, hence the perpetuated growth in numbers all over the country, irrespective of the unlawful occupation of land by the informal residents.

A significant paradigm shift in housing and eviction rights has resulted in a legal framework where protection is afforded to occupants, regardless of the lawfulness of their occupation, because according to this paradigm, land should be viewed as a resource which may be possessed or occupied without being owned. Therefore the possession or occupation gives expression to the right of access to adequate housing as stated in the Constitution, and denial of such occupation results in a breach of this right. In 1998, the Prevention of Illegal Eviction and Unlawful Occupation of Land Act (PIE Act) was promulgated and it required that a court has to first consider all the relevant circumstances before making an eviction order, thereby requiring the eviction of an unlawful occupant to be just and equitable, and as a result, property owners are required to abide by this eviction application process when confronted with managing a case of land invasion.
As a result of legal framework, municipalities are required to provide alternative accommodation to evicted dwellers, which in turn places a huge burden on municipal resources in managing and addressing the challenge of land invasions.

In view of the complexities and challenges facing municipalities with regard to managing and responding to land invasions, a variety of practical approaches and lessons of good practice needs to explored and documented in order to assist practitioners working within the informal settlement environment.

The HDA thus seeks to utilize the services of a service provider to document and present lessons plus proposals on managing land invasions in municipalities.

2. OBJECTIVE OF THE PROJECT

2.1 Objectives

The main objectives of the informal settlements upgrading as set up in the housing policy are:

- To facilitate structured in situ upgrading of informal settlements as opposed to relocation;
- To recognise and formalise the tenure rights of residents within informal settlements;
- To provide affordable and sustainable basic municipal engineering infrastructure that allows for scaling up in the future
- To address social and economic exclusion by focusing on community empowerment and the promotion of social and economic integration
- To build social capital through participative processes and address broader social needs of communities.

2.2 Purpose

2.2.1 To explore the various approaches to managing land invasions, taking into account the complex nature of land invasions, the various stakeholders affected, and capacity challenges faced by municipalities in dealing with invasions

2.2.2 To present findings, lessons of good practice as well as recommendations to address and manage the challenge of land invasions in small municipalities through a workshop.

3. SCOPE OF WORK

3.1 Document Formulation

- Provide a holistic understanding of the complex nature of informal settlements, land invasion and the various approaches to management of land invasions by municipalities
To highlight and analyse the challenges of managing land invasions in municipalities.

- Draw lessons from previous cases of land invasions in various municipalities, taking into account their capacity and the approaches they adopted in managing invasions, as well as the dynamics and complexities they experience in applying the approaches.
- Propose recommendations of approaches to addressing challenges presented by land invasions.

3.2 Framing and Packaging a Workshop
- The successful service provider will be responsible for presenting findings and recommendations through a stakeholder workshop
- The workshops will entail preparation, facilitation and presentation of content material. Logistical arrangements pertaining to venue and invitations etc. will be managed by the HDA.

3.3 Close out Report
- Post the stakeholder workshop the service provider will be required to produce a close out report highlighting key issues such as; identifying gaps and opportunities to inform national policy.

4. DELIVERABLES & OUTPUTS

4.1 A Final Report (documenting the findings / recommendations)
4.2 A Stakeholder Workshop
4.3 Project Close Out Report

5. MILESTONES AND TIMEFRAMES

The final report plus the project close out report should be submitted to the HDA within a period of three (3) months from the project commencement date (to be stipulated in the appointment letter).

<table>
<thead>
<tr>
<th>MILESTONE</th>
<th>TIMEFRAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Submission of assignment implementation plan</td>
<td>1 week</td>
</tr>
<tr>
<td>2: Draft Report</td>
<td></td>
</tr>
<tr>
<td>3: Framing and Packaging a Stakeholder Workshop</td>
<td>2 Months</td>
</tr>
<tr>
<td>4: Final Consolidated Report</td>
<td>2 weeks</td>
</tr>
<tr>
<td>5: Project Close Out Report</td>
<td>1 week</td>
</tr>
<tr>
<td><strong>Total Estimated timeframe</strong></td>
<td><strong>3 Months</strong></td>
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6. REQUIRED SKILLS

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

- At least 10 years’ experience in the field of human settlements development with emphasis on the informal settlements upgrading programme.
- Extensive and demonstrable experience in human settlements programme(s), of the National Housing Code
- Knowledge of the South African legislative and regulatory environment relating to human settlements, informal settlement upgrading and planning processes.
- Proven ability in effective written and oral communication.
- Proficiency in the use of standard word processing, web browsers, and presentation software.
- Institutional capacity to successfully carry out an assignment of this nature

7. EVALUATION PROCESS

7.1. The HDA needs to be satisfied, in all respects, that the organisation selected has the necessary resources, qualifications and abilities for this project, and that all submissions are regarded in a fair manner in terms of evaluation criteria and process

7.2. The general methodology of selection will be that proposals will first be evaluated on their technical ability to perform the task. Any proposals scoring below 70% of the points noted in the table below will be disqualified for the second evaluation. The second evaluation of technically competent proposals will be evaluated against Price and B-BBEE using 80/20 Price/B-BBEE formula.

Table 1 – Evaluation Criteria

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>SUB-CRITERIA</th>
<th>WEIGHTING/ POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead Company profile (Attach Organogram)</td>
<td>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).</td>
<td>10</td>
</tr>
<tr>
<td>CVs of team members proposed to do the work</td>
<td>Demonstrable Skills and Capacity, Level of Relevant Knowledge and Experience in related field/s. Adequacy and completeness of skills of team presented and fit for task.</td>
<td>40</td>
</tr>
</tbody>
</table>
The following criteria will be used for point’s allocation for price and B-BBEE compliance on 80/20 point system:-

**Table 2 – Price and B-BBEE**

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>SUB-CRITERIA</th>
<th>WEIGHTING/POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Price</td>
<td>Detailed budget breakdown</td>
<td>80</td>
</tr>
<tr>
<td>B-BBEE Status Level Verification Certificate from accredited verification agencies.</td>
<td>B-BBEE Level Contributor</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>

The **HDI proposal** will be evaluated as per PPPFA regulations.

**8. REQUIREMENTS**

8.1 Below are compulsory requirements for this service

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

8.3 Kindly submit the following documents:

- Valid original tax clearance certificate.
- 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.

8.4 Further information regarding technical matters can be sent via an email to: thando.madonsela@thehda.co.za or tel: 011 544-1000
8.5 Further information regarding supply chain matters and queries can be send via email to: jane.mahlangu@thehda.co.za or tel: 011 544-1000

9. SUBMISSION OF PROPOSAL

Proposals should be submitted on or before the 21 October 2015 by no later than 12h00 to the following address:

The Procurement Officer  
The Housing Development Agency,  
Block A, 6-10 Riviera Road, Killarney, Johannesburg 2193,  
Tel: 011 544 1000

10. GENERAL

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

The HDA expresses that in an event of any service provider being appointed on this job, there is no expectation that any follow up work on this project will be granted to the same service provider.