



public works  
& infrastructure

Department:  
Public Works and Infrastructure  
**REPUBLIC OF SOUTH AFRICA**

## TERMS OF REFERENCE:

### APPOINTMENT OF SERVICE PROVIDER TO DELIVER ONLINE TRAINING IN CONSTRUCTION CONTRACTS MANAGEMENT (FIDIC, JBCC, NEC & GCC)

#### 1. Purpose

This exercise is aimed at implementing the **2023/2024** Departmental Workplace Skills Plan (WSP) as mandated by the Skills Development Act 9 of 1998 and the National Skills Development Strategy to address the Departmental skills gaps.

Directorate: Human Resource Development has planned to arrange in-house trainings for efficient and effective coordination of training interventions at Head Office. The process will enable the department to close the identified training gaps within different units in Head Office for enhanced service delivery and optimal realization of the departmental objectives.

#### 2. Background

The Department of Public Works and Infrastructure has in line with the National Skills Development Act and Human Resources Development Strategy conducted a training needs analysis in Head Office for the current financial year to identify the training needs of the Units.

The Head Office Training Calendar was developed using the training needs received from the units as well as Personal Developments Plans (PDP's)

#### 3. Problem Statement

The Department of Public Works and Infrastructure has identified training needs for its employees for the current financial year **2023/2024** and consequently developed a training plan for effective implementation thereof and therefore requires the services of accredited training services providers to assist in delivering the identified training interventions to realise its objectives.



**Construction Contracts Management (FIDIC, JBCC, NEC & GCC)** course was identified as one of the cross cutting interventions to address the training needs of employees of the Department.

#### **4. Expected Outcomes/ Deliverables**

The course will enable the delegates to gain clarity on the interpretation of the contracts, to obtain greater understanding of the tender process and identify appropriate contract forms for a given risk strategy.

##### **4.1 Duration of the course**

The course should be presented through a webinar platform (interactive: Zoom/Microsoft Teams) over a period of **three (03)** days.

The course content should cover but not limited to the following areas;

##### **FIDIC**

- The Legal Framework underpinning Engineering Contracts,
- Introduction to the FIDIC "family of contracts,
- Preparing FIDIC contracts,
- Introduction to the FIDIC 2017 Contracts,
- FIDIC and change control : Time, Scope and Costs & Profits,
- Pre -awarding of contracts,
- After Award and Before Work Commences,
- During Progress of Works and
- Disputes & Termination.

##### **JBCC**

- Overview and use of the JBCC Principal Building Agreement,
- Administration of the Contract,
- Time and Change Management and
- Disputes.



## **NEC**

- Introduction,
- The procurement process,
- Administering the NEC contract and
- Disputes and claims.

## **GCC**

- Introduction to GCC 2015,
- Introduction and overview of the GCC 2010,
- Payment Time and Change Management and
- Disputes and Termination.

### **4.2 Total number to be trained**

A total number of six **(06)** employees from Head Office are to attend the training.

### **4.3 Certification**

Employees should be awarded CPD points upon successful completion of the course.

### **4.4 Training dates**

Training dates shall be determined collectively by both DPWI and the appointed service provider.

### **4.5 Specific professional experience**

The course facilitator should be chosen for their training experience and have proven relevant experience in management and facilitation of Construction Contracts Management (FIDIC, JBCC, NEC & GCC) course. The successful bidder must provide a competent facilitator for this skills programme.

### **4.6 Monitoring and Evaluation**

The following will be monitored and evaluated by DPWI:



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- The quality of facilitation during training and as indicated by the feedback from participants
- Quality of materials utilised for the training
- Degree of adherence to timeframes.

#### **4.7 Special requirements**

It is a requirements that all service providers facilitating any type of training must be registered/ accredited with the relevant Education Training Quality Assurance (ETQA) body and must be in possession of a letter confirming accreditation/decision number.

#### **4.8 Important Documents**

The following documents should be attached to the bid:

- Accreditation letter
- Letter for registration with professional body
- Course content/outline
- Facilitator profile

Failure to submit the required documents will results in your Company being disqualified.

**4.9** All disbursements must be included within the cost per delegate.

#### **5. Enquiries**

All enquiries should be directed to:

**Ms Tumelo Sibandze**  
**Training and Development**  
**(012) 406 1157**