



Department of Public Works and Infrastructure | Central Government Offices |  
256 Madiba Street | Pretoria | Contact: +27 (0)12 406 1000

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## **TERMS OF REFERENCE**

### **FOR THE ESTABLISHMENT OF THE OFFICE OF ENGINEER GENERAL SOUTH AFRICA (EGSA)**

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#### **A. Introduction**

1. Since South Africa's democratic breakthrough and the advent of democracy in 1994, various Government Departments were merged through configuration and reconfiguration processes to be fit for purpose for a democratic state and to help achieve the ideals of a developmental state while addressing the triple challenges of poverty, unemployment, and inequality.
2. The Department of Public Works and Infrastructure (DPWI) is responsible for managing and maintaining government's immovable assets. The Public Works function of the Government rendered by all three (3) spheres of Government has remained crucial in the achievement of the broader socio-economic objectives of the Republic of South Africa.
3. In 2021, during the Sixth Administration, the Department of Public Works (DPW) was given an expanded mandate and role, resulting in the change of its name becoming the Department of Public Works and Infrastructure (DPWI). The South African government gave DPWI the added responsibility for coordinating all public infrastructure development in the country. The DPWI embraced the vision to be a trusted choice for quality infrastructure delivery and innovative asset management.
4. The 7<sup>th</sup> Administration has placed an emphasis on DPWI playing a leading role in turning South Africa into a construction site and becoming an efficient, economic delivery model.
5. The DPWI remains charged with the management of the Bulk Infrastructural Projects, developing and regulating the construction industry, and as such effective and efficient organization, management and monitoring is needed.
6. The structural challenges, expansion of the mandate of the Department necessitates the commission of a study on the establishment of an entity that will be given powers to ensure norms and standards are upheld, as well as to investigate and provide mitigation, in case of catastrophe in the construction of infrastructure.

## **B. Purpose to establish the Office of Engineer-General of South Africa (EGSA)**

7. The intention to establish an Office of the Engineer-General of South Africa (EGSA) is motivated by the number of structural and/or infrastructural hazards that have been experienced in the construction industry.
8. Another important consideration is that currently, there are challenges in enforcing accountability in the aftermath of disaster in the construction sector. Often, it is unclear which office is responsible for investigation and generation of a binding report. This results in many hands on the pot, leading to the prolongation of the process to publish a report on the catastrophe.
9. It is against this background that the study should be conducted to determine if the Office of EGSA can be established to be the custodian to ensure accountability in case of structure collapse, among others. It should be further unpacked if this initiative is in line with the Government Policy Priorities on Job Creation, Poverty Alleviation, and Safer Communities.
10. The need for an independent body to oversee and coordinate engineering activities and infrastructure development is becoming more pressing as the country grapples with challenges related to urbanisation, climate change, technological advancements, economic growth, and economic transformation. An Engineer General (EG) would provide the leadership required to bridge gaps in regulation, ensure compliance with engineering standards, and oversee large-scale engineering projects that are critical to South Africa's economic growth.
11. If established, the Office of the Engineer General will be responsible for providing overarching engineering governance, coordinating the development and maintenance of infrastructure, and promoting excellence in engineering education and practice.
12. The EGSA will play a key role in ensuring that infrastructure projects are executed in line with national priorities, such as sustainable development, economic growth, social equity, and the inclusion of marginalised communities.
13. One of the principal drivers for establishing the EGSA is the need for a body and an office that can act as a central authority capable of integrating efforts across different government departments, industry players, and educational institutions. It is envisaged that such integration will help create a more coordinated approach to infrastructure development and ensure that the national engineering workforce is aligned with emerging global trends, such as digitalisation, automation, and smart infrastructure.

## **C. Problem Statement**

14. South Africa is currently grappling with significant and well-documented challenges in its public infrastructure sector. These challenges, marked by chronic inefficiencies, cost overruns, and delays in project completion, threaten the nation's economic development and undermine efforts to address social inequality and public service delivery. A lack of centralised oversight and regulatory uniformity across engineering projects has led to suboptimal outcomes in key sectors, including transportation, water management, and energy. These shortcomings have exposed a pressing need for a structured body that can provide governance, ensure accountability, and drive engineering excellence at all levels. The establishment of the Engineer General South Africa (EGSA) is thus critical to addressing these systemic issues.

15. The South African government's infrastructure development agenda, as outlined in its National Development Plan (NDP) 2030, recognises the need for significant investment in infrastructure to achieve the country's long-term economic growth objectives. However, many of the major infrastructure projects in the country have been plagued by inefficiencies, corruption, and a lack of capacity within government departments and implementing agencies. The establishment of the EGSA is intended to address these issues by providing a centralised body responsible for overseeing and coordinating engineering projects, ensuring that they meet the required standards and are delivered efficiently.
16. One of the core challenges that the EGSA seeks to address is the fragmentation of engineering governance across multiple government departments, state-owned enterprises, and private entities. Currently, different engineering sectors, such as construction, energy, and transportation, are governed by different regulatory frameworks, with little coordination between them. This fragmentation often leads to delays in project approvals, inconsistent standards, and misalignment between government priorities and industry practices. By creating a centralised Office of the Engineer General, South Africa can ensure that engineering governance is more streamlined, consistent, and responsive to national priorities.
17. The proposed establishment of the Engineer General's Office (EGSA) within the Department of Public Works and Infrastructure, is predicated on addressing several systemic issues prevalent in the country's construction and infrastructure sectors. These issues include a lack of standardized regulation, inconsistent quality assurance across public and private projects, and insufficient oversight of engineering practices, which collectively undermine public confidence and safety in the delivery of infrastructure in South Africa. It is perceived that the latter might be the cause when it comes to infrastructure collapse leading to serious disasters and deaths. These disasters have serious economic, social, health, environmental impact, hence the need for an office to avert these disasters and ensure consequence management.

#### **D. Policy Context**

18. Establishing the EGSA should help improve public accountability in engineering and infrastructure projects. South Africa has faced numerous instances of corruption and mismanagement in large infrastructure projects, leading to public dissatisfaction and eroding trust in government institutions. The EGSA will provide independent oversight of these projects, ensuring transparency, health and safety, value for money, and the prevention of corruption.
19. South Africa has been experiencing periodic infrastructure challenges such as collapse of the buildings, bridges and other infrastructural variables. This warrants immediate intervention by both the Government and private sector for effective service delivery and growth of the construction industry.
20. The 2023 incidents in George in the Western Cape (WC), Ngcobo Eastern Cape (EC), Ballito in the KwaZulu-Natal are some of the examples that have presented a serious challenge to the Government of the day, the state of the engineering profession, and safety of construction workers and communities.
21. The EGSA is expected to play a key role in promoting sustainable infrastructure development, ensuring that all engineering projects align with South Africa's

- commitments to sustainability, carbon reduction, and climate resilience. This should involve integrating environmental, social, and governance (ESG) criteria into the planning, design, and implementation of engineering projects.
22. Addressing the skills gap in the engineering sector will be a core objective of the EGSA. The office should ideally work closely with educational institutions to develop training programs that equip engineers with the skills they need to succeed in a rapidly changing industry.
  23. The EGSA is expected to play a role in supporting the continuous professional development of engineers, providing opportunities for them to upskill in areas such as digitalisation, artificial intelligence, and 4IR technologies. This will help ensure that South Africa's engineering workforce remains competitive in the global market and is able to meet the demands of the 21st century.
  24. The EGSA will develop initiatives aimed at increasing the representation of women, black South Africans, and other underrepresented groups in the engineering field.
  25. There has been a change and furtherance in the Policy direction of Government in line with the developmental objectives in the 7<sup>th</sup> Administration. The 7<sup>th</sup> Administration has determined the three strategic priorities, as detailed below:
    - a. to drive inclusive growth and job creation,
    - b. to reduce poverty and tackle the high cost of living, and
    - c. to build a capable, ethical and developmental state
  26. These strategic priorities will give the Department of Public Works and Infrastructure the opportunity to refocus toward the achievement of its new infrastructure implementation mandate, thereby leading to job creation, economic stimulation, and improving the profile and safety of the South African construction industry.

#### **E. Scope**

27. The parameters of this brief are to appoint a competent Service Provider to formulate a policy paper and/or draft policy position towards the establishment of the Office of Engineer-General.
28. This is a very specific brief for the formulation of a policy document. The Service Provider will be expected to do analysis of the following existing DPWI legislation, to ensure coherence and avoid duplication, without necessarily repealing them:
  - a. Built Environment Professions legislation governing BE Legislation namely: Council for the Built Environment Act 43, 2000; Architectural Profession Act 44; Landscape Architectural Profession Act 45, 2000; Engineering Profession Act 46, 2000; Property Valuers Profession Act 47, 2000; Project and Construction Management Professions Act 48, 2000; and Quantity Surveying Profession Act 49, 2000.
  - b. CIDB Act, 2000
  - c. The Government Immovable Asset Management Act 19, 2007.
  - d. Infrastructure Development Act 23, 2014.
  - e. Agrément South Africa Act 11, 2015.
29. The Service Provider is required to undertake the following in consultation with the DPWI Task Team, towards establishment of the Office of EGSA ;

- a. Conduct a Socio-Economic Impact Assessment (SEIAS) on the establishment of Office of EGSA, as per Department of Performance, Monitoring Evaluation (DPME) guidelines (templates to be provided by the Department)
  - b. Develop a Concept Document providing the rationale of this policy initiative.
  - c. Determine the areas of regulation by the Office of EGSA.
  - d. Determine areas of responsibility by the Office of EGSA.
  - e. Propose a well-defined governance framework that will ensure that the EGSA operates efficiently, transparently, and in alignment with national development priorities.
  - f. Initial Stakeholders mapping and consultation matrix.
  - g. Summation of this policy initiative in relation to the 7<sup>th</sup> Administration Policy Priorities.
30. It will be of importance for service provider to independently benchmark, deploy and audit good practices in the construction sector in the country based on global best practices and/or based on occurrence of local and global events that give lessons for the future.

#### **F. Duration**

31. The Department of Public Works and Infrastructure requires the project to be completed within Seven (7) months from date of appointment.
32. A project execution plan must be submitted within one (1) week of the commencement of the project.

#### **G. Evaluation Criteria**

33. All proposals submitted will be evaluated as per following guidelines:

|    | <b>ASSESSMENT RUBRICS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>100</b> |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1. | <p>Experience in conducting Policy, Built Environment and/or Development research. This includes provision of company profile with (a) numbers of years of relevant experience; and (b) list of projects and contactable references, indicating experience.</p> <p>Successful completion of 5 or more policy development projects 5</p> <p>Successful completion of 4 projects 4</p> <p>Successful completion of 3 projects 3</p> <p>Successful completion of 2 projects 2</p> <p>Successful completion of 1 projects 1</p> | 30         |
| 2. | Suitably qualified Project/Team in Research and Policy Development in built environment. Curriculum Vitae (CV) indicating formal qualifications of Team leader in built                                                                                                                                                                                                                                                                                                                                                     | 25         |

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |    |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
|    | <p>environment/ construction related and CVs for each key staff and qualifications.</p> <p>Team leader</p> <p>Experience of 5 or more years      5</p> <p>Experience of 4 or more years      4</p> <p>Experience of 3 or more years      3</p> <p>Experience of 2 or more years      2</p> <p>Experience of 1 or more years      1</p>                                                                                                                                                                                                                                                                                                                                          |    |
| 3. | <p>The project Team should have experience in research, policy analysis as well as experience in executing projects of similar nature in the regulatory environment in any of the following areas: Built Environment (Construction &amp; Property industries); Sustainable Development and Climate Resilient Infrastructure; Human Settlements, and clear understanding of the Public Sector.</p> <p>Project Team</p> <p>Staff experience of 5 or more years      5</p> <p>Staff experience of 4 or more years      4</p> <p>Staff experience of 3 or more years      3</p> <p>Staff experience of 2 or more years      2</p> <p>Staff experience of 1 or more years      1</p> | 25 |
| 4. | <p>A well documented methodology to be followed to execute the project, highlighting but not limited to:</p> <ul style="list-style-type: none"> <li>• Understanding of the construction industry.</li> <li>• Understanding of policy development</li> <li>• Project plan with schedule indicating clear time lines and deliverables.</li> <li>• Deployment of resources</li> <li>• Project execution plan</li> </ul>                                                                                                                                                                                                                                                            | 20 |

|  |                                                                                                                                                                 |   |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
|  | <ul style="list-style-type: none"> <li>• Stakeholder engagement</li> <li>• Critical time frames</li> <li>• Quality assurance</li> <li>• Project cost</li> </ul> |   |
|  | Methodology that covers and demonstrates effectiveness and efficiency for                                                                                       |   |
|  | All the above and more bulleted items                                                                                                                           | 5 |
|  | 6 of the above                                                                                                                                                  | 3 |
|  | 3 of the above                                                                                                                                                  | 1 |
|  | Less than 3 of the above                                                                                                                                        | 0 |

#### H. Requirements

34. The Prospective Service Provider should have strong research attributes in the infrastructural and/or construction sector.
35. Demonstrate a fair understanding of the 7<sup>th</sup> Administration Policy Priorities and the roadmap towards achieving them.
- I. Monitoring progress on the project**
36. The Policy, Research and Regulation Branch will be responsible for regular and ongoing management of the contract with the Service Provider.

#### J. Contact Details

**37. Mr L. Ndou**

Acting Deputy Director General: Policy, Research & Regulation

Tel: 012 406 1315

Email: livhuwani.ndou@dpw.gov.za

Or

**Mr Wonderboy Peters**

Chief Director: Construction Sector Regulation

Tel: 012 406 1972

Email: wonderboy.peters@dpw.gov.za

#### K. Budget

38. This Request for Quotation shall be for under R490, 000.00 (four hundred and ninety thousand rands).