



**TERMS OF REFERENCE
FOR THE PROVISION OF ADMINISTRATIVE AND
SECRETARIAT SUPPORT FOR THE PUBLIC
CONSULTATION PROCESS OF THE EPWP POLICY
DEVELOPMENT PROCESS**

August 2022

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1. INTRODUCTION

Public Employment Programmes (PEPs) have a long history, and are implemented in both developed and developing countries. Through PEPs, countries provide short-to-medium term employment opportunities in response to crises such as natural disasters, political conflict, labour market disruptions, economic downturn and financial meltdowns. Around the world, PEPs respond to crisis through the creation of temporary work towards stimulating aggregate demand.

In South Africa, owing to the chronic unemployment, compounded by severe socio-economic conditions, PEPs are designed to directly respond to the triple challenges of poverty alleviation, addressing inequality and unemployment. Given the increasing global importance of governments' commitments to job creation and poverty alleviation, and at the same time a requirement to massify the output and achieve best value-for-money, PEPs have the opportunity to be tailored to fit these complexities.

In South Africa, government has focused on addressing key socio-economic challenges which include unemployment, poverty, a low skills base and inadequate social services since the dawn of democracy. In response to the persisting complex and inter-related challenges, the Growth and Development Summit (GDS) was convened in 2003 and it culminated in a social contract between government, labour, community and the private sector. One of the key elements of the agreement was continuation and growth of Public Works Programmes. This saw the introduction and implementation of the Expanded Public Works Programme (EPWP), a flagship government programme that seeks to positively contribute to the country's social and economic objectives through the provision of work opportunities to the poor and unemployed.

The implementation of the programme builds on lessons learnt over the past 18 years and draws from international experience for ongoing innovation within the field of PEPs.

The EPWP is implemented through four sectors: Infrastructure (led by the national Department of Public Works and Infrastructure); Social (led by the national Department of Social Development); Environment and Culture (led by the national Department of Forestry, Fisheries and the Environment); and the Non-State (led by the national Department of Public Works and Infrastructure), which includes the – Community Work Programme (coordinated by the by the Department of Cooperative Governance) and the Non-Profit Organisations (NPOs) Programme (coordinated by the national Department of Public Works and Infrastructure).

2. PROBLEM STATEMENT

The EPWP, which has been in operation since 1 April 2004, has had numerous successes and created more than 13 million work opportunities for the period up to March 2022. Over the years, about 24 Programmes have been initiated with varying degrees of success. However, there is a lack of uniformity in the application of EPWP prescripts and poor compliance, especially in relation to the Ministerial Determination. Informed by the 2018 EPWP Summit Resolution, the EPWP Policy Development Process was initiated by the Department of Public Works and Infrastructure (DPWI). Between 2018 to 2021 various milestones have been achieved including:

- a) The establishment of the EPWP Policy Task Team, made up of the EPWP Lead Sector Departments and the International Labour Organization (ILO);
- b) Conducting Key Informant Interviews (KIIs) with key stakeholders to identify gaps requiring policy intervention; and
- c) Drafting of the EPWP Policy and undertaking consultations with key stakeholders such as National Treasury, the Presidency (PMO) and Provincial Departments involved in the EPWP to validate the Draft EPWP Policy.

In December 2021, the Draft EPWP Policy was approved by the Minister of Public Works and Infrastructure for submission to Cabinet to gazette for public consultations.

The National Framework on Policy Development stipulates that “*Chapter 10 of the*

Constitution prescribes that people's needs must be responded to, and the public must be encouraged to participate in policy-making. Therefore, the involvement of the public in policy-making is a constitutional obligation that government institutions must respect and institutionalise." Therefore, DPWI shall undertake public consultations to gather and collate all opinions and views from stakeholders to inform the development of an overarching EPWP Policy to enhance the Programme with the most fundamental founding principles of job creation, poverty alleviation and addressing social equity.

3. SCOPE OF WORK

The assignment comprises the following activities:

- a) Participating in all stakeholder consultation fora (as outlined in the consultation scheduled attached as **Annexure A**).
- b) Capturing of inputs made verbally during the consultation fora. The format of capturing the inputs, including the attendance of participants, shall be agreed with the DPWI.
- c) Capturing of inputs provided in writing during the public comment process. The format of capturing the inputs, shall be agreed with the DPWI.
- d) Record the proceedings of the session in an audio format.
- e) Consolidating and synthesising inputs both oral and written received from all stakeholders into a register organised in thematic areas.
- f) Directing the comments from the register, to the relevant DPWI EPWP Branch officials for an initial response.
- g) Engaging with the relevant structures/officials on inputs made during the consultation process.
- h) Developing a summary report of each consultation session.

The Service Provider is required to avail a relevantly qualified and experienced Team Leader and no less than eight (8) people who will provide administrative and secretariat support during the EPWP Policy public consultation process. Each of the team

members should be able to work independently. The Service Provider is also expected to submit an implementation plan detailing their staffing skills and qualifications levels and how they will be deployed in order to deliver as per the scope of this assignment. The proposed plan should be in line with the South African Government policy development framework. The Service Provider must avail themselves for the due diligence as an ongoing exercise during the delivery of the assignment.

4. EXPECTED DELIVERABLES & TIME FRAMES

The assignment is expected to take not more than three (3) months from date of signed contract by both parties. The breakdown of the assignment activities and timelines are covered in the table below:

Deliverable	Time Frames
Planning stage deliverables	<p>Within 7 working days of the contract being signed, the Service Provider shall provide an inception report including but not limited to the following:</p> <ul style="list-style-type: none"> i. Understanding of the TORs; ii. Staff complement including skills, qualifications and experience; and iii. Implementation plan including travel cost breakdown.
Implementation stage deliverables	<p>Weekly submit a draft report and registers according to the templates agreed with the DPWI.</p>
Final deliverables	<p>At least 3 weeks before the completion of the assignment, the Service Provider must deliver the following:</p> <ul style="list-style-type: none"> i. Draft final database/register of inputs and comments received during consultations. <p>At least 2 weeks before the completion of the assignment, the Service Provider must deliver the following:</p> <ul style="list-style-type: none"> ii. Final database/register of inputs and comments received during consultations incorporating feedback from the DPWI. iii. Audio recordings of the public consultation sessions. iv. Close out report for the project.

5. ROLES AND RESPONSIBILITIES

5.1 Project Management

The project will be managed by the Director: PEP Technical Secretariat, and in the absence of the Director: PEP Technical Secretariat by the Chief Director: Sustainable Livelihoods, Convergence and Compliance (SLCC) on behalf of the DPWI EPWP Branch. In supporting the Project Manager, other officials from the DPWI EPWP Branch will also be involved in the project and will interact with the Service Provider.

6. PROPOSAL AND QUOTATION

6.1 Proposal

The Prospective Bidder is required to provide an implementation plan setting out the basis by which the assignment will be undertaken within the budget specified, and provide the following details: qualifications and relevant experience of the individuals that will be undertaking work, as well as the detailed implementation plan including the following:

- a) Detailed CVs of individuals with relevant qualifications identified to perform the assignment.
- b) Prospective Bidders should submit Portfolio of Evidence and at least three (3) references to support relevant previous work done in public policy development process.
- c) A detailed implementation plan outlining each component of the work and time frames, in line with the draft consultation schedule attached as **Annexure A** inclusive of the expected written comments to be provided. The implementation plan should include price per deliverable. If travel is to be undertaken to attend the public consultations/meetings, the Service Provider must make all arrangements in respect of travel costs and accommodation.

Note, the DPWI reserves the right to approve/change the individual team members of the proposed project team. The DPWI has developed the draft public consultation schedule for the EPWP Policy attached herein as **Annexure A** outlining proposed locations for the consultations. It should be noted that the dates and locations may be amended as necessary by the DPWI. The service provider is expected to support all the planned sessions as per the schedule.

6.2 Quotation/Pricing

The DPWI will arrange the workshop/meetings logistics that may be required. The contract amount will cover the fees linked to the project deliverables as per the payment schedule, still to be developed. The Service Provider must be in a position to transport team members to the respective venues where the consultation sessions will be held and any meetings that may be required. Travel and accommodation costs will be reimbursed in accordance and subject to published and approved Departmental Policy. Prior to any travel undertaken, the service provider is expected to submit a travel itinerary showing locations and dates for approval by the DPWI. Furthermore, the service provider is expected to provide their staff with appropriate equipment for capturing, collating, communicating and reporting in the format agreed with the DPWI. The quotation to be provided must be aligned to the scope of work and deliverables and should include all relevant project costs. Note, the project cost should only cover costs for the team listed in the implementation plan.

7. TIME FRAME

The project will be conducted from August 2022 up to the end of October 2022. The assignment will commence immediately after contract signing. The DPWI reserves the right to amend the time frame in the event of unforeseen circumstances.

8. SERVICE PROVIDERS QUALIFICATIONS

The assignment is expected to be conducted by a Service Provider that have extensive experience in either Project Management or Public Policy Development or Public Consultations and Advanced Report Writing (including data capturing, collation, synthesis and drafting) with a minimum qualification of a Bachelor's degree in relevant fields (Social Science, Legal, Project Management, Business Management, or related field). Priority will be given to Service Providers or companies whose relevant experience was acquired within the last 10 years.

9. CONTRACTING DETAILS

The Service Provider will be contracted by the DPWI. This will be based on the implementation plan and quotation submitted and any amendments made after the initiation meeting. The Service Provider shall be accountable to the DPWI in terms of fulfilling the actions set out in the proposal. Payment will be in terms of the fulfilment of agreed milestones and confirmation by the assignment coordinator.

10. REVIEW CRITERIA AND PROCESS

The following criteria will be applied in the review of the proposal:

Criteria	Description	Weight (%)						
1	<p>Team Leader Qualification:</p> <p>The Project Leader should have a relevant minimum Bachelor's degree in relevant fields (Social Science, Legal, Project Management, Business Management, or related field). (Proof of qualification/s to be provided)</p> <table><tr><td>Points</td><td>SCORE</td></tr><tr><td>Master degree or higher</td><td>5</td></tr><tr><td>Honors degree</td><td>4</td></tr></table>	Points	SCORE	Master degree or higher	5	Honors degree	4	25
Points	SCORE							
Master degree or higher	5							
Honors degree	4							

	Degree	3	
	Below Degree	0	
2	<p>Team Leader Experience:</p> <p>The Project Leader to provide previous proven experience on Public Policy Development or Public Policy Consultation or related field (with at least 3 references of clients for whom similar work was previously done). Attach facilitator's CV and contactable references.</p> <p>POINTS</p> <p>10 years or above</p> <p>7-9 years</p> <p>5-6 years</p> <p>3-4 years</p> <p>Less than 3 years</p>	<p>SCORE</p> <p>5</p> <p>4</p> <p>3</p> <p>2</p> <p>0</p>	40
3	<p>Technical Quality of the Proposal/Bid:</p> <p>Provide a detailed implementation plan detailing how the assignment will be implemented, covering the:</p> <ul style="list-style-type: none"> • How the overall assignment will be delivered including the time frames • Cost for implementation • Detailed CVs of individuals identified to perform the assignment <p>POINTS</p> <p>Methodology that covers all the above topics</p> <p>Methodology that covers 2 of the above topics</p> <p>Methodology that covers 1 of the above topics</p>	<p>SCORE</p> <p>5</p> <p>3</p> <p>1</p>	20
4	<p>Team Members Experience:</p> <p>Each project team member should have relevant experience of not less than 3 years in administrative support, including taking notes during meetings (detailed</p>		15

CVs of each project team member to be provided):		
POINTS		SCORE
12 People		5
10 People		4
8 People		3

Based on the complexity and limited time frames available to complete this assignment, a service provider must score at least 65% to be considered responsive. All bidders that are responsive will then be evaluated on the basis of price, with the responsive bidder with the lowest price appointed.

11. REPORTING

Reporting by the Service Provider will be expected to address the following elements:

- a) Implementation Plan in a Gantt chart format.
- b) Weekly draft reports and registers according to the template agreed with the DPWI.
- c) Draft final database/register of inputs (provided orally or in writing) received during the consultations or public comment process.
- d) Final database/register of inputs (provided orally or in writing) received during the consultations or public comment process incorporating feedback from the DPWI.
- e) Audio recordings of the public consultation sessions.
- f) Close out report for the project.

12. COPYRIGHT

Copyright with regard to all the work in support of the EPWP policy development will be vested in the DPWI. All materials (hard copies and electronic) produced during the public consultations become the sole property of the DPWI and is subject to confidentiality clauses as per government regulations. Application should be made to the DPWI for the use of material for any future presentation or publication. After

approval of such application, due acknowledgement will be given by user as to the source of data and information.

13. DISPUTE/CONFLICT RESOLUTION

The Service Provider shall at all times during the execution of the assignment use their best endeavours to ensure that no action is taken by themselves, their personnel, agents or sub-contractors which may result in or give rise to the existence of conditions which are prejudicial to or in conflict with the best interests of the client.