

SCM /Tender Ref #:	DPME11/2022-23
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Request for proposals for:	Appointment of a bidder for the finalisation of the Integrated Development Planning Framework Bill – Part II - Consultations, SEIAS and Finalisation
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1. BACKGROUND / CONTEXT

The draft Integrated Planning Framework Bill (IPFB) was first introduced in 2018 and was premised on the need for legislation to embed and harmonise integrated planning across government. The draft IPFB was well received but it was noted that key aspects of the IPFB required clarification and definition. Noting the altered development context and the need for the harmonization of short, medium and long-term planning, the Integrated Planning Framework Bill is viewed as the appropriate tool to enable this across government.

In the 2021- 2022 financial year, the DPME undertook a project to have the IPFB revised and updated to incorporate the comments and inputs received as well as ensure legal muster and scrutiny. The revision of the Bill further took into account the Policy Framework for Integrated Planning, which aims to improve the harmonisation and institutionalisation of planning in government. In March 2022, a revised Draft Integrated Development Planning Framework Bill was produced.

2. PURPOSE

The purpose of the project is to enable the harmonization and further institutionalisation of short, medium and long-term planning through the updating, amendment and further drafting of the Integrated Development Planning Framework Bill (IDPF) for the DPME.

The DPME therefore wishes to appoint a Professional Resource Team (PRT) comprising of town and development planning practitioners and professionals with complementary legal professionals and stakeholder engagement and facilitation experts to conduct the broader stakeholder engagement, the completion of the Socio-economic Impact Assessment (SEIAS), to undertake the necessary preparatory work to acquire a legal opinion from the Office of the Chief State Law Advisor (OCSLA) and to revise and update the IDPF so that it can be submitted into the government Cabinet system.

3. OBJECTIVES AND SCOPE OF PROJECT

The objective of the project is to develop a final revised Integrated Development Planning Framework Bill (IDPF) that is legally and pragmatically sound with a completed stakeholder engagement process, an approved SEIAS, an official legal opinion from the OCSLA and is ready for submission into the government Cabinet system.

4. PROPOSED METHODOLOGY / APPROACH

The scope of work requires a professional resource team (PRT) to conduct the broad stakeholder engagement, a SEIAS, undertake preparatory work to acquire a legal opinion from the OCSLA and update/ amend the draft Integrated Development Planning Framework Bill (IDPF) for submission into the Cabinet system, for the DPME. The following methodology:

i. Inception:

The Project Inception phase will form the platform for the delivery of the exercise by ensuring that agreement is reached between the DPME and the PRT on the project plan and the associated milestones. The exercise will require adhering to confirmed timelines and milestones and the effective management of the project until closure. The inception process will include liaison between the DPME and the PRT on the following:

TERMS OF REFERENCE: ANNEXURE A

- Team leader, and/or other team professionals
- Key information and the sources of necessary and available information by the DPME to the PRT
- Identification of key stakeholders and stakeholder mapping
- Reporting requirements
- Responsibilities and accountabilities between the DPME and the PRT
- Submissions and approval
- Scheduling of Project Steering Committee (PSC) meetings

Deliverables: An Inception Report with a detailed project plan and stakeholder analysis and engagement plan

ii. Stakeholder Analysis, Engagement and Facilitation

The stakeholder engagement is an essential component of the exercise and provides access to and a deeper understanding of the impacts of the IDPFB on the broad spectrum of government. The process will require the PRT to conduct a detailed stakeholder analysis and engagement exercise across the three spheres of government, academia, institutions, civil society organizations and others to ensure maximum participation and input on the IDPFB by interested and affected parties. The stakeholder engagement process will require the PRT to elicit key inputs and insights on the IDPFB and its relationship to planning in the country and in government. The stakeholder engagement will necessitate the collating of feedback, inputs and comments from stakeholders, the synthesis of the inputs and feedback for inclusion into or adjustment of the IDPFB and a detailed tracking of the manner in which the IDPFB has responded to each input. The stakeholder engagement will require the PRT to submit a detailed stakeholder analysis and engagement plan as part of the inception phase and a detailed stakeholder engagement report at the conclusion of the stakeholder engagement process. It is incumbent on the PRT to demonstrate an understanding of the stakeholders for the process and innovative techniques and approaches to stakeholder engagement and facilitation that can be shared with and used by the DPME.

Key Deliverable: Detailed Stakeholder Engagement Report with synthesized comments and inputs on the IDPFB

iii. Socio-economic Impact Assessment (SEIAS)

In South Africa, Cabinet decided on the need for a consistent assessment of the socio-economic impact of policy initiatives, legislation, and regulations in February 2007. The approval followed a study commissioned by the Presidency and the National Treasury in response to concerns about the failure in some cases to understand the full costs of regulations and especially the impact on the economy. To implement the Cabinet decision, from 1 October 2015 Cabinet Memoranda seeking approval for draft policies, Bills or regulations must include an impact assessment. (DPME)

This phase of the project will require the PRT to undertake a detailed SEIAS on the draft IDPFB. The SEIAS forms a critical requirement in the progression of the IDPFB towards formal legislation. The PRT will be required to provide the associated recommendations and impacts analysis from the SEIAS and the impact of the IDPFB on government and the country.

Key Deliverable: A detailed SEIAS and report to be submitted and evaluated by the Presidency SEIAS unit.

iv. Legal Opinion from the OCSLA

The process will require the acquisition of a confirmed legal opinion from the Office of the Chief State Law Advisor (OCSLA) on the draft Integrated Development Planning Framework Bill (IDPF). The PRT will be required to develop and prepare the draft IDPFB and accompanying documentation for submission to the OCSLA for review by the OCSLA and the provision of a confirmed legal opinion from the OCSLA. The DPME will support the PRT in the process of submission and liaison with the OCSLA to process the matter and provide the legal opinion.

Key Deliverable: Submission to the Office of the Chief State Law Advisor on the draft IDPFB to obtain approval for Cabinet submission

v. Final Draft Integrated Development Planning Framework Bill

This phase of the project must culminate in the submission of a final draft IDPFB for the purposes of submission to Cabinet for approval. The PRT will be required to update and amend the draft IDPFB in line with the outcomes and recommendations from the SEIAS process and other preceding processes into a single professionally written document that can be submitted to Cabinet for approval. The final draft IDPFB product must meet all the professional requirements for the submission of a Bill or any legislation including a memorandum on the objects of the bill. The submission to Cabinet for approval will be conducted by the DPME.

Key Deliverable: Final Revised Integrated Development Planning Framework Bill and memorandum on the objects of the bill for submission into the government Cabinet system.

5. DELIVERABLES AND TIME FRAMES

Description	Indicative timeframe	% of project (Payment)
Inception	2 weeks	5%
Stakeholder Analysis and Engagement	4-6 weeks	20%
SEIAS	4-6 weeks	15%
OCSLA	4 weeks	15%
Final Revised Integrated Development Planning Framework Bill	2 weeks	45%

6. PROJECT MANAGEMENT / REPORTING ARRANGEMENTS

The project will be managed by the DPME through the Chief Directorate Spatial Planning in the National Planning Coordination branch. The Chief Director Spatial Planning will be the lead project manager for the DPME and the liaison with the PRT for the duration of the project. The project will be overseen by the Deputy Director General: National Planning Coordination, who will engage directly with the PRT where required and approve the key deliverables. The final deliverables will be submitted for consideration by the Director General of the DPME. The PRT Project leader will be the primary point of communication with the DPME.

A Project Steering Committee (PSC) will be established by the DPME (Chief Directorate Spatial Planning) for the regular engagement, review and reporting on the project for the duration of the project. The PSC will be responsible for engaging with the PRT and recommending approval and sign-off for deliverables and attainment of milestones per the terms of reference and the approved project plan. The PSC will require fortnightly updates from the PRT on the progress of the project. The PSC will conduct monthly meetings with the PRT (based in Gauteng Province) to monitor progress on the project and assist in the identification and mitigation of any risks or challenges to the outcomes of the project. The PRT will be required to provide bi-weekly progress updates on the project and may request additional meetings with the PSC should it be deemed necessary to ensure timely completion of deliverables or resolution of challenges.

7. OTHER

N/A