



Province of the  
**EASTERN CAPE**

COOPERATIVE GOVERNANCE  
& TRADITIONAL AFFAIRS

**Office of the Head of Department**

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Eastern Cape · REPUBLIC OF SOUTH AFRICA

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## **TERMS OF REFERENCE**

### **APPOINTMENT OF A SERVICE PROVIDER TO REVIEW AND DEVELOP AN EASTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF) SCMU-7-16/17-0001**

#### **1. PURPOSE**

The Department seeks to appoint a competent and experienced service provider with a good knowledge and understanding of the spatial development dynamics of the Eastern Cape Province and a proven track record to develop a Provincial Spatial Development Framework (PSDF).

#### **2. BACKGROUND**

The Eastern Cape has inherited an unsustainable pattern of settlement and land usage. The Province is characterised by uncoordinated and inefficient spatial development in response to dispersed resources, a demand for land, and access to perceived economic opportunities. Municipalities in the formulation of Integrated Development Plans (IDPs) especially with respect to SDFs have to be crafted within the context of an embracing spatial policy that guides and coordinates such planning according to sound norms and principles. In order to prevent a continuation of past settlement patterns and fragmentation of limited resources, there is a need to foster spatial development in such a way that resources are invested optimally and areas of development potential are promoted in a sustainable manner.

The management of spatial development and land use in the rural areas of the Eastern Cape Province vests with all three spheres of government, and is defined by an evolving framework of policies and laws. The period post 2000 is characterised by a significant convergence in laws and systems that bring stability and clarity regarding the responsibilities of the different spheres of government, and linkages between different planning instruments.

At the national sphere, the policy provisions of the Green Paper on Development and Planning (1999), the White Paper on Spatial Planning and Land Use Management, the National Spatial Development Perspectives (2003) and most recently the National Spatial Planning and Land Use Management Act (SPLUMA) which repeals certain National Acts are the key instruments framing and shaping current spatial planning and development in Eastern Cape. These mechanisms intend to introduce a new unitary planning system applicable in both urban and rural areas across South Africa and define the content of spatial planning and land use management.



*Ikamva eliqaqambileyo!*

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In the recent past, a number of nationally-developed programmes such as the Integrated Sustainable Rural Development Programme (ISRDP), the Urban Renewal Programme (URP), and the Spatial Development Initiatives (Coega, East London IDZ, and the Wild Coast SDI) were promoted to provide a clear set of spatial priorities for Government.

Thinking is also galvanizing around a number of provincial spatial specific development initiatives such as the Kei Economic Development Corridor and the Mzimvubu Development Zone. These and other competing land utilisation options, e.g. mining versus agro-tourism in Xolabeni require Provincial planning guidance. The recently completed Wild Coast Regional Spatial Development Plan has also highlighted positive and negative issues which impact the Province.

The Review of the PSDF is in terms of the Spatial Planning and Land Use Management Act (SPLUMA) which mandates a PSDF review every five (5) years. This will provide an indicative planning tool for all spheres of Government, whereby the Provincial Development Plan, Municipal IDPs and the National Spatial Development Perspectives inform the identification of development potential and priorities in Government infrastructure investment and development spending within their respective areas of focus. The PSDF must also reflect on compelling issues such as climate change, sustainable development, multiculturalism and social justice (inclusion).

The Eastern Cape Provincial Department of Cooperative Governance and Traditional Affairs (COGTA-EC) is the lead department with responsibility to prepare and timeously review the PSDF that would guide public and private sector investment initiatives to locations where their optimum benefits would be realised within the context of an efficient and effective land use management and administration system. This is also in order to address the racially and fragmented spatial development pattern characterising the Provincial Landscape, a legacy of the distortions of the apartheid past and to promote equity, integration and efficiency in the management of the space economy.

The existing PSDF identifies the key spatial development issues, main nodes, and zones of potential where development should be carefully and sensitively managed. The plan provides management principles and criteria for spatial development decisions to enable District and Local Municipalities to formulate IDPs and Land Development Objectives and strategies within an enabling policy framework.

This Provincial Spatial Development Framework however requires to be updated to more closely align with the development priorities of the National Spatial Development Perspective, Provincial Development Plan and also with the District and Local municipality IDPs. Also important for the updated Provincial Spatial Development Framework will be the need to more effectively integrate issues of land use planning and management. The review is also necessitated by the fact that the existing plan was based on statistical data pre 2010 census and was also informed by the then Provincial Growth and Development Plan which has since been reviewed. As noted in a report by the Public Service Commission (2003) <sup>i</sup>-“Almost every category of land in the Eastern Cape has its own set of laws, regulations and administrative practices, many of which have lost institutional integrity and are out of sync with constitutional injunctions and emerging policies <sup>ii</sup>”.

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Lack of certainty about land use planning and usage will constrain economic growth and employment targets over the long-term cycle of the PDP. This suggests the need to rapidly streamline the land use management system in the Province and to develop institutional machinery to co-ordinate and monitor the implementation of an enabling land management system. It requires the development of technical systems and capability to support mapping, planning and information system (GIS) including community mapping. The Provincial SPLUMA Project has also highlighted a number of important considerations that need to be considered in this planning venture.

### 3. OBJECTIVE

The objective of this proposal is therefore to review and develop the existing 2010 PSDP and to establish appropriate institutional mechanisms to promote spatial and land use management at provincial and municipal levels including Traditional Councils in line with our most recent planning research that can be accessed through the PSDP website ([www.psdp.ecprov.gov.za](http://www.psdp.ecprov.gov.za)).

### 4. SCOPE OF WORK

The PSDF must be prepared in terms of Section 16 of the Spatial Planning and Land Use Management Act (SPLUMA) and the process will include the following stages:

#### 4.1. Contextual Analysis

In this stage, detail analysis of **Policy (international, national, provincial and local), trends and Programmes** will be conducted in order to **Inform, Influence and direct** the process and content of the revised Framework. Specific focus should be placed on critical issues such as the effects of climate change, indigenous knowledge and cultural practices, migratory trends and population shifts and their impact on the Provincial space economy and management.

#### 4.2. Synthesis of development issues

Following from the Contextual Analysis, the process will outline developmental issues to be addressed in preparation of the PSDF. The analysis will highlight the current development issues; establish linkages with other activities nationally and within the province. Particular focus amongst others shall be on Governance, capacity and delivery issues in a spatial context. This will require extensive consultation and consensus building on what are the development issues that have significant spatial implications in the province.

#### 4.3. Development Philosophy

The analysis will lead to a development philosophy that will guide and inform the plan. It will need to consider the opportunities and the challenges in the province such as local economic development, tourism potential and maximization of the rural urban linkages and the fact that this is a multicultural Province. The challenge of the current low performance of on-going programmes has to be examined.

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**4.4. Provincial Spatial Development Framework**

The Provincial Spatial Development Framework (PSDF) review will take into account the current national policy environment, the implementation of the NDP visavis the PDP, the current situation and performance of the DMs and LMs with respect to IDPs and SDFs and be informed by the global trends.

To achieve the above, focus shall be on:

- **SETTING THE SCENE**
  - Historic and contextual impacts on this Province
  - Ongoing impacts (intended and unintended consequences)
  - International and National dynamics e.g. Globalisation
  - Definition of development
  - Spatial characteristics of the province that inform development
  - Understanding the likely impact of Climate Change
- **SOCIO - ECONOMIC AND ENVIRONMENTAL CHARACTERISTICS**
  - Socio-cultural, economic and environmental situation from a spatial perspective.
  - Economic development dynamics of the Province and influences on Spatial Development
  - Resource and technological trends
- **HUMAN SETTLEMENT AND URBANISATION CHARACTERISTICS**
  - Population growth / decline and dynamics
  - Urbanisation process / rural processes including customary / cultural dynamics
  - Settlement and urbanisation trends
  - Settlement dynamics (push-pull)
  - Settlement and growth, including migration
  - Settlement and land values
  - Settlement and land use change
  - Social construct of space
- **LAND**
  - Land and human values
  - Land tenure change
  - Land reform proposals
  - Land and transformation of agricultural land
- **PROGRAMMES AND PROJECTS (PROVINCIAL)**
  - Programmes and Projects (National)
  - Programmes and Projects (Entities)

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- **SPATIAL PLANNING REVIEW**
  - Spatial Development Frameworks (Environmental)
  - District and Local SDF's
- **ANALYSIS OF POLICY, TRENDS AND PROGRAMMES**
  - Global , National Policy Frameworks
  - Policy Frameworks
  - Linkages to Neighbouring Regions
- **BEST PRACTICE STUDY**
  - PSDF Best Practice
- **KEY DEVELOPMENT ISSUES (SYNTHESIS: DEVELOPMENT ISSUES)**
  - Synthesis of Key Development Issues
- **STRATEGIC SESSION: DEVELOPMENT PHILOSOPHY**
- **DRAFT EASTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK**
  - Normative Guidelines, Development Philosophy and Policy Imperatives
  - Spatial Development Framework
  - Land Use Management Guidelines
  - Comparison of Land Use Management Systems (LUMS) with Development Philosophy
  - Comparison of PSDF maps with Provincial Strategic priority development proposals.
  - Review of PSDF and Update of the existing Interactive EC PSDF
  - Draft Report
  - Finalisation of Draft Report
- **AWARENESS CAMPAIGN AND FINAL PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK (PSDF)**
  - Local Urban Observatory
  - Update the current existing Web Site (designed using WordPress)
  - Capacity Building
- **GIS ( LOCAL OBSERVATORY)**
  - Updating Existing GIS web-based services (uses ArcGIS desktop and server Esri packages) for the retrieval and analysis of the content of the MIS
  - Integrated Data Bank/ Spatial Information Management
  - Must be able to monitor urban inequalities, assess the distribution of services, identify trends, and target resources for more effective allocation

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- Data extraction. Request of real geographic or statistical data  
Pan and Zoom (previous extent, Zoom in, Zoom out, Pan one direction, Zoom to active Layer)
- Image rendering. Takes a snapshot of the view that the user created of the available geographic layers and save it in different image format (e.g. jpeg)
- Measurement of distances on the map
- Production of customized thematic maps (by regions and countries)
- Use of basic mapping functions (zooming, selection of colours and groups, retrieve data by clicking on a particular object in the map, etc).
- Cut and paste produced maps and graphics to text editors (to be included in reports or to graphic design or multimedia applications for presentations)

• **THEMATIC CATEGORIES OF DATA NOT LIMITED TO THE FOLLOWING:**

- Geographical position
- Environment and natural assets
- Economic strength
- Social integration
- Accessibility
- Cultural mapping

**4.5. SKILLS TRANSFER**

- The service provider shall be obliged to make available to the department a skills transfer plan.
- Capacitate (skills transfer) key relevant departmental staff in all the PSDF processes.

**5. METHODOLOGY**

A step by step methodology linked to a project plan with predefined timeframes must be submitted.

**6. DELIVERABLES**

The expected deliverables shall be linked to the project phases:

<b>PHASE</b>	<b>DELIVERABLES / OUTCOME</b>
1. Project Inception	Project set up and identification of key stakeholders.
2. Contextual Analysis	Social, Economic and geo-spatial characteristics of the Province Report
3. Synthesis : Key Development Issues	Key Development Issues
4. Establishment of a Development Philosophy	Normative Guidelines and Development Philosophy for the Province
5. Compilation of a Draft PSDF, and consultation	Draft Plan and Consultation
6. Final PSDF and Capacity building	Final Plan and Awareness Campaign
7. GIS (Local Observatory)	Updating Existing GIS web-based services (uses ArcGIS desktop and server Esri packages) for the retrieval and analysis of the content of the MIS Integrated data bank and Spatial Information Management System

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**7. MINIMUM REQUIREMENTS QUALIFICATION AND EXPERIENCE OF KEY PERSONNEL**

- The project must be undertaken company with personnel with the following recognised qualification degree/diploma in the field of Town and Regional Planning (project leader).
- The project leader must be registered with South African Council for Town and Regional Planners (SACPLAN) with a minimum of five years' experience in spatial planning.
- The team must also comprise of a GIS specialist registered with PLATO with a minimum of five years' experience in the GIS field.
- Supplementary competencies shall include but not restricted to development economics and involvement with community structures, including traditional leadership.
- The service provider must have successfully completed five projects of this nature in the past ten years supported by reference letters on the relevant client's letterhead within the Republic of South Africa signed by a senior person/officer authorised to do that.
- The onus rests with the service provider to ensure that their references are contactable.

NB: Failure to meet the above requirements will render the bid being considered non-responsive and subsequently rejected / not considered.

**8. MONITORING AND SUPPORT**

- The Chief Directorate, Municipal Development and Planning as the end-user shall monitor and support the implementation of the project via an established Project Management Steering Committee (PMSC) assisted by working groups and reference teams where necessary.
- The PMSC in general and the Chairperson in particular will determine the frequency of the meetings.
- The service provider shall not act in isolation from the Departmental project co-ordinators.
- The service provider shall provide quality progress reports to the PMSC on completion of a milestone or as and when required;
- Submission of invoices and documentation for payment on completion of project milestones timeously;
- Provide variance reports against the Project Programme and planned project expenditure and milestones during the project life cycle;
- Adhere to project milestones and expenditure as stated in the Department's Project Implementation Plan.
- A Technical Project Committee (TPC) may be formed to attend to the daily activities of the project. The TPC will report to the PMSC.
- The TPC will be chaired by the Senior Manager: Spatial Planning.

**9. DURATION OF THE PROJECT**

Twelve (12) months

**10. VALIDITY PERIOD**

90 Days

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**11. GENERAL CONDITIONS OF THE CONTRACT**

General conditions of the contract and the principles of contract law will apply.

**12. SPECIAL CONDITIONS OF THE CONTRACT**

- Service provider awarded the contract is expected to charge the professional fees at the rates issued by the DPSA.
- Certified copies of tertiary qualifications, CVs and registration certificates of the members anticipated to partake in the project with the SA Council for Planners must be submitted
- The ceiling price of the completion of the ECBD 3.3 must reflect all costs and disbursements including VAT.
- The service provider shall bear all the costs related including the consultation processes.
- No late, faxed, electronically transmitted, photocopied, incomplete, copies or unsigned bids will be accepted. Only original bids filled in black ink will be accepted.
- The implementation of the allocated project with the set indicators is paramount and should be approached as such;
- It is critical for service provider to fully present the credentials of key personnel to be assigned to projects;
- All documents submitted and/or produced shall become the property of Department of Cooperative Governance and Traditional Affairs (COGTA).
- The service provider undertakes to provide the professional resources required to attain the project objectives.
- Bidders are requested to submit two separate envelopes written "price" and functionality on the outside as well as the name of the bidding company and the bid number.
- The overall bid price set by the service provider must be inclusive of all expenses including the disbursements;
- The overall price must be in rands and must include of VAT;
- The selected service provider will have to sign a Service Level Agreement and ECBD 7.2 with the Department of Cooperative Governance and Traditional Affairs immediately upon acceptance of the bid by the department;
- COGTA-EC will not be liable to reimburse any costs incurred by the service provider during the bid process;
- The service provider undertakes to act as an independent contractor in respect of the work to be done;
- The service provider shall exercise all reasonable skill, care and diligence in the execution of the work and shall carry out all its obligations in accordance with international professional standards;
- The service provider shall, in all professional matters, act as a faithful adviser to the COGTA-EC and, in so far as any of its duties are discretionary, act fairly between COGTA-EC and third parties;
- The service provider shall execute and complete the work strictly in accordance with this contract to the satisfaction of the COGTA-EC;
- The service provider shall be deemed to have satisfied itself as to the correctness and sufficiency of the rates and prices set out in the contract for the work to be rendered;



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- The service provider shall not have the power or authority to enter into any contract or otherwise to bind or incur any liability on behalf of COGTA-EC;
  - B-BBEE level certificate may be provided (Original document or certified copy).
  - A service provider must be registered in the Centralised Supplier Database for Government and on LOGIS;
  - SARS Tax Compliance Status copy of the bidder or each party in the case of a consortium / Joint Venture must be provided to COGTA-EC;
  - Service providers who have entered into a consortium / Joint Venture must attach an agreement signed by all parties and each party must comply with all the bidding requirements;
  - The Department shall not enter into a contract where a company has directors, partners or employees who are employed by the state.
  - Shall attend meetings with officials whenever required to do so by the representative for the purpose of obtaining information or advice in regard to the work and assignments or any matters arising thereof.
  - All document data base or any other material in any format prepared by the service provider in relation to the work done shall be delivered to COGTA-EC immediately upon request and it becomes the asset of COGTA-EC.
  - Replacement of candidates for this assignment will not be allowed except in extreme cases and the new candidates must possess the same educational qualifications or higher than that of the predecessor which will be agreed upon between the service provider and the Head of Department.
  - All the submitted documents must be completed in full and signed where necessary; and
- NB: Failure to submit the documentation as prescribed will lead to the bid being considered non-responsive and subsequently rejected / not considered.

**13. EVALUATION CRITERIA: PHASE 1 OF EVALUATION**

- Bids will be evaluated on an 90/10 points system within the ambit of the Preference Procurement Policy Framework Act No.5 of 2000 and section 38 (1) a (iii) of the Public Finance Management Act 1 of 1999 as amended by Act No. 29 of 1999.
- The evaluation will be carried out in two phases, namely, functionality and Price.
- Functionality will be evaluated separately to determine the responsiveness of the bids.
- The minimum qualifying percentage that will be accepted for functionality is 60%, an applicant who does not meet the minimum 60% will be disqualified and their price envelopes will be returned un-opened.
- The final score will be obtained by adding points obtained for price and preference points.
- Bidders are requested to submit two separate envelopes written "functionality" and "price" and "functionality" on the outside as well as the name of the bidding company and the bid number.

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Point Score will be rounded off the nearest 2 decimals.

**MATRIX FOR EVALUATION**

COMPETENCE	WEIGHT	WEIGHT DISTRIBUTION	VALUE (1-5)	POINTS
Track record of having successfully completed similar projects in the last ten years	20	• 10 and more similar projects successfully completed in the last ten years with contactable references	5	
		• 6 - 9 similar projects successfully completed in the last ten years with contactable references	3	
		• 5 similar projects successfully completed in the last ten years with contactable references	2	
Relevant experience of key personnel (Town & Regional Planner and GIS specialist)	20	10 and above years experienced with relevant professional registration.	5	
		6 - 9 years experienced with relevant professional registration.	3	
		• 5 years experienced with relevant professional registration.	2	
Quality of methodology relevant to assignment step by step with timeframes and Skills Transfer to relevant departmental staff.	60	• Provision of a detailed & clear work plan with time frames	5	
		• Clearly explaining processes that will be embarked in relation to the scope of work		
		• A detailed plan on how skills will be transferred.	1	
• Unclear or unrealistic or incomplete methodology				
TOTAL POINTS	100			

**14. CALCULATION OF PERCENTAGE FOR FUNCTIONALITY**

$$Ps = \frac{So * Ap}{Ms}$$

Where:

Ps= Percentage scored for functionality by bid/proposal under consideration

So= Score of the bid under consideration.

Ms=Maximum possible score.

AP=Percentage allocated for functionality.

- Bidders score on functionality will not be included in the final points scored but determined to establish functionality abilities
- The percentages of all panel members will be added together and divided by the number of panel members to establish the average percentage obtained by each individual bidder in functionality

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- Subsequent to calculation of the functionality percentage, the prices of all bidders that obtained the minimum score for the functionality (60%) will be considered.
- Bids/proposals that do not score a specified minimum percentage in functionality will be disqualified.

Points scored out of 90 should be calculated according to the following formula

**The 90/10 preference points system**

$$P_s = 90 \frac{(1 - P_t - P_{min})}{P_{min}}$$

Where

$P_s$  = Points scored for and price of the bid/proposal under consideration.

$P_t$  = Price of the bid under consideration

$P_{min}$  = Price of the lowest priced acceptable bidder

Calculation of points for B-BBEE status level of contributor will be allocated in the following manner:

B-BBEE Status Level of Contributor	Number of points (90/10 system)
1	10
2	9
3	8
4	6
5	5
6	3
7	2
8	1
Non-compliant contributor	0

The points scored for price must be added to the points scored for B-BBEE status level of contribution to obtain the bidder's total points scored out of 100. In the event that two or more bids have scored equal total points, the successful bid will be the one that scored the highest points for B-BBEE.

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In the event that two or more bids have scored equal total points, the successful bid will be the one that scored the highest points for B-BBEE.

In the event that two or more bids are equal in all respects, the award must be decided by the drawing of lots.

**NB: - The department is under no obligation to award the bid to the bidder scoring the highest or lowest points.**

Preference points scored by each service provider will be added to the points scored for price to get the final score of each bidder.

**Compulsory briefing session** will be held in the Department on *01 August 2016* at 10H00. It is recommended that service providers must represented knowledgeable representatives.

**16. CLOSING DATE:**

The closing date for the acceptance of proposals will be the *17 August 2016* at 11H00. All bidders who fail to meet this deadline will be regarded as not responsive and less interested in this bid.

The bid proposals /quotations must be deposited to the tender box situated at the entrance foyer.

**17. RETURNABLE DOCUMENTS**

**TENDER CHECKLIST**

ECBD – 1 : Invitation to Bid

ECBD - 2 : SARS Tax Compliance Status (Copy)

ECBD - 3.3 : Pricing Schedule

ECBD - 4 : Declaration of Interest

ECBD - 6.1 : Point Claim Form

ECBD - 8 : Declaration of bidders past Supply Chain Management practices

ECBD - 9 : Certificate of Independent bid determination

BBB-EE Level Certificate (Original Document or original certified copy)

Certified Copies tertiary qualification certificate

Certified Copy SACPLAN registration certificate

Certified Copy PLATO registration certificate

**NB: Failure to submit the above documents will render the bid non responsive and subsequently rejected/not considered**

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**18. CONTACT DETAILS**

1. Ms Z. L Sihlahla: End User (040-609 5281)/ 079 880 1589 - Technical Queries
2. Mr T S Vele : End User (040-609 5279)/ 079 882 2955 - Technical Queries
3. Mr S Mathumbu: SCM (040 609 5999) / (082 776 4539) SCM Queries

  
\_\_\_\_\_  
**END USER**

DATE: 7/6/2016

~~RECOMMENDED/ NOT RECOMMENDED~~

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
**CHAIRPERSON  
BID SPECIFICATION COMMITTEE**

DATE: 07/06/2016

~~RECOMMENDED/ NOT RECOMMENDED~~

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
**ACTING SENIOR MANAGER  
SUPPLY CHAIN MANAGEMENT**

DATE: 7/6/2016

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RECOMMENDED/ ~~NOT RECOMMENDED~~

  
\_\_\_\_\_  
ACTING GENERAL MANAGER  
MUNICIPAL DEVELOPMENT AND PLANNING

DATE: 08/06/2016

RECOMMENDED/ ~~NOT RECOMMENDED~~

  
\_\_\_\_\_  
DEPUTY DIRECTOR GENERAL  
DEVELOPMENTAL LOCAL GOVERNMENT

DATE: 13/06/2016

RECOMMENDED/ ~~NOT RECOMMENDED~~

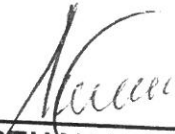
  
\_\_\_\_\_  
ACTING CHIEF FINANCIAL OFFICER  
FINANCIAL MANAGEMENT

DATE: 04/07/2016

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APPROVED/ ~~NOT APPROVED~~

~~for appointment of a service provider to review and  
develop an EC spatial development framework (PSDF)  
SCMU-7-16/17-0001~~



MS. N. MOSEHANA  
HEAD OF DEPARTMENT  
COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

DATE: 25/07/2016