



THE PRESIDENCY  
REPUBLIC OF SOUTH AFRICA

DEPARTMENT: PERFORMANCE MONITORING AND EVALUATION



rural development  
& land reform

Department:  
Rural Development and Land Reform  
REPUBLIC OF SOUTH AFRICA

# TERMS OF REFERENCE FOR AN IMPLEMENTATION EVALUATION OF THE RESTITUTION PROGRAMME

**RFP / Bid number: 13/0766**

**Compulsory briefing session**

Date: 23 April 2013

Time: 14h00-16h30

Venue: Room 222 (tbc), East Wing, Union Buildings

Please note that security procedures at the Union Buildings can take up to 30 minutes.

**Bid closing date: 06 May 2013 – 12h00**

with provision of an (1) electronic copy and six (6) hard copies.

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## **1. Background information and rationale**

### **1.1 Background to the intervention being evaluated**

The Restitution programme as one of four legs of Land Reform is a rights-based programme where all those who lost their land under the repressive land legislations of the past could, in the new dispensation lodge their land claims before December 31, 1998 as per the Restitution Act of 1994 as amended. The land restitution programme is geared towards redressing the injustices of the past, as well as contributing towards nation building.

When the Commission started operating in 1995 its main focus was in processing claims by way of investigating (research) merits and facilitating settlement of the claims initially through the land claims court and later through an administrative process.

The procedure of settling claims through the land claims court proved to be too slow as only about 14 claims had been settled in 1998. This resulted in the Ministerial review of the court process in 1998 and the beginning of the administrative settlement of the land claims through the provisions of section 42d of the Restitution Act of 1994.

With the increase in the number of the claims being settled since 1999, the Commission realized that the beneficiaries who were receiving land were not being assisted by the state to acquire strategic post settlement support and this had adverse effects on the farm production.

In 2002, the Commission began establishing dedicated planning and development units whose function was to assist farmers with acquiring farming plans and equipment. In conjunction with the establishment of these units, the minister also allocated land planning and development grants.

In 2009 the Commission was restructured and its mandate changed to exclude post settlement. From 2009 the Commission staff that was responsible for post settlement was redeployed to the STRIF branch (currently known as REID).

The department of Rural Development and Land Reform took a decision that all those who receive land through the restitution programme must receive support in line with the Comprehensive Rural Development Programme (CRDP) approach, to ensure sustainability of the projects thus contributing to the objective of sustainable land reform. The Restitution programme is responsible for the settlement of land restitution claims under the Restitution of Land Rights Act (Act No.22 of 1994), as amended and it contributes towards the achievement of the Departmental strategic goal: Increased access to and productive use of land by 2014. The vision of the restitution programme is

to have persons or communities dispossessed of property after June 1913, as a result of past racial discriminatory laws and practices, restored to such property or receive just and equitable redress.

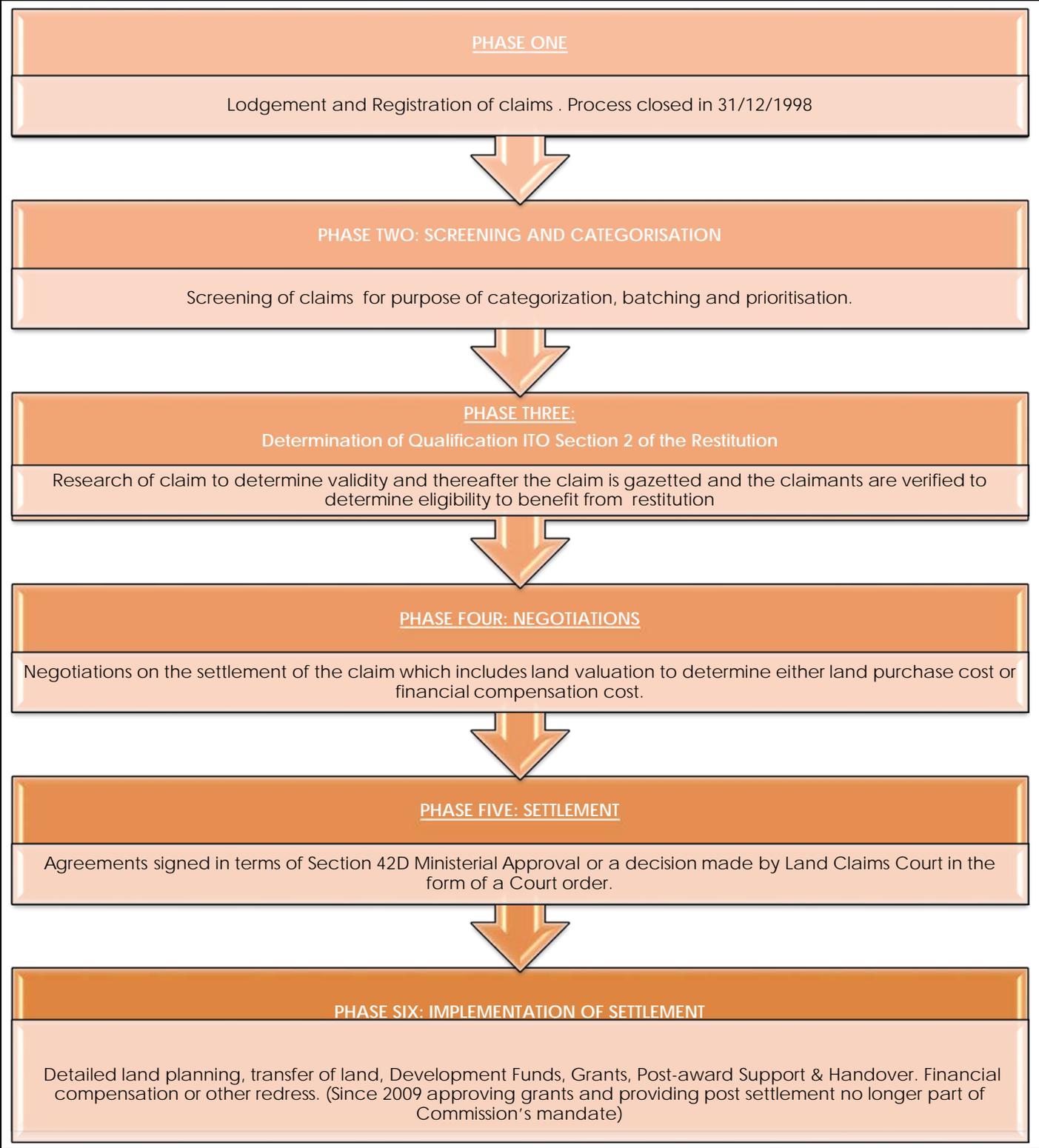
In terms of the present legislation restitution can take the forms of restoration of rights in land, provision of alternative state owned land and development grant funding to develop the land or payment of financial compensation.

As at 31 March 2012, approximately 76705 land claims had been settled by awards of land totalling 2, 870, 893 hectares and payment of financial compensation of R6.5 billion. The total expenditure for the land restitution programme was R24.6 billion. Some 345, 463 households made up of 1, 7 million beneficiaries benefited from the land restitution programme. The Commission for Restitution of Land Rights (CRLR) is presently quantifying the number of land claims that are not yet finalised.

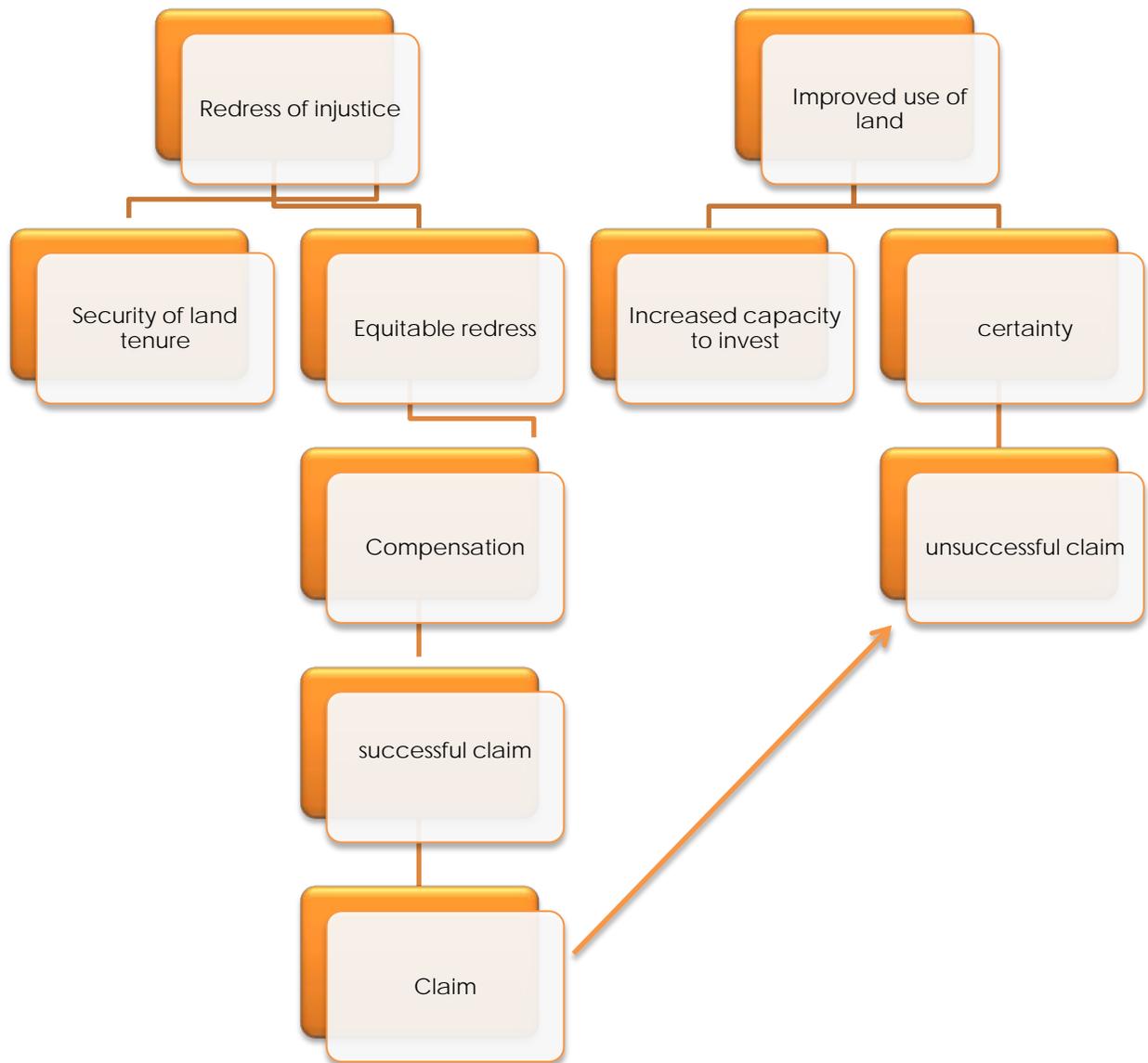
In addition, as part of the provision of support for those who have acquired land through the restitution process, the Department has identified struggling restitution projects to be included in the roll-out of the Recapitalisation and Development Programme (RADP). The RADP is implemented in line with the CRDP and is intended to offer a basket of critical services, including technical and financial support, for land reform projects that are currently distressed.

The restitution projects identified for revitalization under RADP have been thrown a lifeline to ensure optimum and sustainable productivity of the land. Through this process, the beneficiaries stand to benefit from the involvement of strategic partners who, among other interventions, will provide mentorship (skills development) and much needed functional agricultural infrastructure, all of which are geared towards ensuring productivity and food security.

The following steps represent the restitution business process flow:



# THE THEORY OF CHANGE FOR THE RESTITUTION PROGRAMME



## 1.2 Purpose of the Evaluation

The purpose of the implementation evaluation is to assess whether the restitution programme has been implemented efficiently, effectively and how could the programme be strengthened for the next phase of Restitution.

## 2. Focus of the evaluation

### 2.1 Key evaluation questions

The evaluation will respond to the following key questions:

- Are the set outcomes of Restitution Programme being achieved?
- Is the restitution programme implemented efficiently, effectively?
- What has made this intervention difficult to implement? - (challenging cases and successful cases). Are there good examples of practises that we could learn from?
- How could we strengthen the process for the next phase of Restitution?
- How can we implement this programme more cost effectively?

No	Evaluation questions	Methodology
1	Are the set outcomes of Restitution Programme being achieved?	<ul style="list-style-type: none"> <li>• Outcome monitoring data</li> </ul>
2	Is the restitution programme implemented efficiently, effectively?	<ul style="list-style-type: none"> <li>• Interviews, focus meetings and workshop with Restitution (national and provincial) / Department staff.</li> <li>• Review of documents including files of selected claims.</li> <li>• Outcome monitoring data.</li> <li>• Case studies including process analysis of the cost of the process and alternatives tracking, (Limpopo, KZN, Western Cape, Gauteng, Eastern Cape; urban &amp; rural claims, land, financial compensation, development; examples of barriers and enablers).</li> <li>• Interviews with key stakeholders.</li> </ul>
3	What has made this intervention difficult to implement? (challenging cases and successful cases) Are there good examples of practises that we could learn from?	<ul style="list-style-type: none"> <li>• Focus meetings and interviews with Restitution (national and provincial) / Department staff.</li> <li>• Interviews with beneficiaries.</li> <li>• Interviews with other stakeholders.</li> <li>• Case studies of outstanding, good and challenging projects.</li> <li>• Review of documents including files of selected claims.</li> </ul>

4	How could we strengthen the process for the next phase of Restitution?	<ul style="list-style-type: none"> <li>• Focus meetings and interviews with Restitution (national and provincial) / Department staff, beneficiaries and other stakeholders.</li> <li>• Research synthesis.</li> </ul>
5	How can we implement this more cost effectively?	<ul style="list-style-type: none"> <li>• Econometric and statistical analysis</li> <li>• Analysis of the cost of the process and alternatives</li> </ul>

## 2.2 Intended users and stakeholders of the evaluation

The key potential users of the evaluation results and how they may use it are shown in **Table 1**.

**Table 1: Users and their use of the evaluation results**

User	Key question	How they may use the evaluation results
<b>Minister of Rural Development and Land Reform and DAFF and relevant MEC in provinces</b>	<ul style="list-style-type: none"> <li>• Are the set outcomes of Restitution Programme being achieved?</li> </ul>	<ul style="list-style-type: none"> <li>• To determine delivery</li> <li>• To look for gaps in policy</li> <li>• Reprioritise resources</li> </ul>
<b>Department (DG, DDG-Commissioners)</b>	<ul style="list-style-type: none"> <li>• Is the restitution programme implemented efficiently, effectively?</li> <li>• What has made this intervention difficult to implement? (challenging cases and successful cases) Are there good examples of practises that we could learn from?</li> <li>• How could we strengthen the process for the next phase of Restitution?</li> <li>• How can we implement this more cost effectively?</li> </ul>	<ul style="list-style-type: none"> <li>• Reorganise restitution institutional arrangements.</li> <li>• Reallocation of resources</li> <li>• Overcome bottlenecks and improve implementation of the restitution programme.</li> </ul>

## 2.3 Scope of the evaluation

The evaluation will cover the implementation of the restitution programme and finalisation of claims through giving the land back or alternative land, financial compensation, or development. The time period of claims to be covered is from 1 January 1999 and 31 March 2013.

The projects to be used for the evaluation study should be selected from the list of projects that will be provided by the Department, and specifically the Restitution Programme. The selected projects to be included in the evaluation should be a representative sample in terms various restitutionary remedies of the land restitution programme (i.e. restoration of land, alternative land, financial compensation, and priority development assistance).

The following five provinces i.e. Limpopo, KwaZulu-Natal, Western Cape, Gauteng and Eastern Cape should be included in the evaluation. Limpopo and KwaZulu-Natal were selected because there are high volumes of land purchased through the programme; Western Cape and Gauteng have a high number of urban claims where claims were settled through financial compensation. The Eastern Cape has a concentration of betterment urban and rural claims. Gauteng and Western Cape have a high number of claims lodged and most are urban claims. KwaZulu-Natal has a mixture of both urban and rural claims. Limpopo has a rural bias. Eastern Cape is peri-urban.

The scope of the systematic review of the programme evaluation will cover 5% of all cases (78 000) and will compose a stratified sample.

There will be 5 case studies per province in the selected provinces based on criteria identified in the stratified sample.

### 3. Evaluation Design

#### 3.1 Methodological Framework

A multi method approach will be used in order to evaluate the effective and efficient implementation of the programme. **Table 2** below is a summary of the various methods that will be used linked to key evaluation questions.

**Table 2: Key evaluation questions and methodology**

No	Evaluation questions	Methodology
1	Are the set outcomes of Restitution Programme being achieved?	<ul style="list-style-type: none"> <li>• Outcome monitoring data taking into consideration the quality of the data.</li> </ul>
2	Is the restitution programme implemented efficiently, effectively?	<ul style="list-style-type: none"> <li>• Interviews, focus meetings and workshop with Restitution (national and provincial) / Department staff.</li> <li>• Review of documents including files of selected claims</li> <li>• Outcome monitoring data</li> <li>• Case studies including process tracking</li> </ul>

		<p>(Limpopo, KZN, Western Cape, Gauteng, Eastern Cape; urban &amp; rural claims, land, financial compensation, development; examples of barriers and enablers)</p> <ul style="list-style-type: none"> <li>• Analysis of the cost of the process and alternatives</li> <li>• Interviews with stakeholders</li> </ul>
3	What has made this intervention difficult to implement? (challenging cases and successful cases) Are there good examples of practises that we could learn from?	<ul style="list-style-type: none"> <li>• Focus meetings and interviews with Restitution (national and provincial) / Department staff</li> <li>• Interviews with beneficiaries</li> <li>• Interviews with other stakeholders</li> <li>• Case studies of outstanding, good and challenging projects</li> <li>• Review of documents including files of selected claims</li> </ul>
4	How could we strengthen the process for the next phase of Restitution?	<ul style="list-style-type: none"> <li>• Focus meetings and interviews with Restitution (national and provincial) / Department staff, beneficiaries and other stakeholders.</li> <li>• Research synthesis</li> </ul>
5	How can we implement this more cost effectively?	<ul style="list-style-type: none"> <li>• Econometric and statistical analysis</li> <li>• Analysis of the cost of the process and alternatives</li> </ul>

The following **qualitative and quantitative** methods will be used:

### **Systematic review of programme and project administrative records**

Collection documents on the implementation of the Restitution Programme based on the available programme and project administrative records in the Department. Sources or documents to be provided will include:

- Claim files
- Cumulative statistics of claims settled
- Restitution Act
- The rules of the commission
- Commitment register
- Annual report for the Commission
- Claims lodged
- Community and land restored information
- Verification lists of claimants and beneficiaries
- Rural and urban claim information

The service provider should analyse documents, draw conclusions as well as formulate recommendations, taking into consideration the quality of data.

## **Site visits, interviews and observation**

Collection of data at project level that could not be extracted from programme and project administrative records. This could include site visits to project and interviews with programme and project managers, land owners, beneficiaries and other relevant stakeholders. Triangulation will be used to increase the credibility and validity of the results.

## **Case studies**

Five case studies per province will be undertaken. The case study design has been selected because it results in high construct validity, in-depth insights and establishes rapport with research subjects (Mouton, 2001). Case studies are usually qualitative in nature and aim to provide an in-depth description of cases when “how” or “why” questions are being posed (Mouton, 2001; Yin, 2003). The case studies will complement the systematic review and literature review.

## **Institutional analysis**

Thorough institutional analysis to understand how the commission structures, capacity, organisational culture and leadership is facilitating or limiting the finalisation of land claims.

## **3.2 Literature review**

Good literature review to draw together existing research and evaluation. The literature review will provide a critical review of the restitution programme by looking at what research and studies have been undertaken regarding the programme and what were the results or findings of the research and studies. The literature review will set the background for the study and inform the design of data collection tools and analysis (a set of core documents will be provided at the bidders briefing).

Review of existing national restitution policies, regulations and interventions to show how these cohere or not and govern provision.

## **3.3 Data collection and Analysis**

### **3.3.1 Case studies**

Both observations and interviews will be used collaboratively to collect data. Interviews will be conducted with stakeholders using questionnaires. Data will be analysed using appropriate data analysis tools for both qualitative and quantitative data.

### 3.3.2 Systematic review

The systematic review of programme and project administrative records will be done through a desktop analysis.

### 3.4 Sample size and geographical focus

For sample size and geographical focus please refer to section 2.3.

### 3.5 Skills transfer of stakeholders and PDI evaluators

The Department would like this evaluation to transfer skills to the officials of the Department. It is required that some staff of the commissioning Departments participate extensively, although care would need to be taken in key interviews which might be biased if a government staff member participates. This will be particularly relevant for this implementation evaluation because the way the intervention is operating is the key factor to understand. In cases where there can be a tension with independence this will be considered carefully. This approach is highlighted in the National Evaluation Policy Framework as “joint evaluation”. Staff from the Chief Directorate: Planning, Monitoring and Evaluation and the Restitution Programme will be playing an active role in the evaluation.

The proposal must reflect the inclusion of this element.

## 4. Evaluation Plan

### 4.1. Products/deliverables expected from the evaluation

The evaluation must produce the key products/ deliverables which must be in the detailed report with findings and recommendations.

The report must include the following core products:

- **Inception Report** by the service provider as a follow-up to the proposal with a revised evaluation plan, overall evaluation design and detailed methodology and content structure for the final report. This forms the basis for judging performance;
- Literature review;
- Final data collection instruments and other tools;
- Analysis plan;
- Field work report, reports of engagements with stakeholders involved in implementing the Restitution Programme;
- Lessons learned concerning best and worst practices in producing outputs and linking them to outcomes – theory of change analysis;

- **Draft evaluation report** for review, full and in 1/3/25 format, with **findings and recommendations which are specific to themes/ components of the evaluation.** The report should be submitted to the contact persons of the Department of Rural Development and Land Reform and Department of Performance Monitoring at the Presidency;
- A workshop with stakeholders to discuss the draft report;
- **First draft final** evaluation report;
- The **final evaluation report**, both full and in 1/3/25 format, in hard copy and electronic; The 1/3/25 rule for evaluation reports should apply to all Government Departments i.e. a one page policy summary of implications for policy, a three page executive summary of the whole report and a 25-page main report (Arial 11 point, single space, exclusive of appendices). The 1/3/25 is what will be distributed widely, but the long report will also be posted onto the website.
- If the design is found to be inadequate then the evaluators will need to suggest what revisions to the logic model (outcomes and outputs) are needed, and the theory of change, a rating of progress towards outputs, reasons underpinning Restitution performance and information for potential replication of lessons for successful projects.
- **Provision of all datasets, metadata and survey documentation** (including interviews) when data is collected.
- A **Power point or audio-visual presentation** of the results.

#### 4.2. Activities

The evaluation approach (above) suggests the type of activities required. In addition to this it is expected that:

- There would be inception meetings and then regular meetings with the Steering Committee, and these stakeholders would also be interviewed as part of the field work.
- The evaluator is expected to provide opportunities for participating departments to be involved in the activities where this will not prejudice the information received from respondents.

#### 4.3 Time frame for the project

The duration of the evaluation will be eight (8) months. The evaluation will start in June 2013 and should be completed by the end of January 2014.

#### 5. Budget and payment schedule

Funding for this evaluation will be provided by both the Department of Rural Development and Land Reform and the Department of Performance Monitoring and Evaluation. The supply chain management processes will be undertaken by

Department of Performance Monitoring & Evaluation (DPME) and payment will be made by the same Department. The payment schedule is illustrated in **Table 3** below. The service provider should produce the project plan indicating the milestones against the deliverables in **Table 3**.

**Table 3: Outline the project plan and payment schedule**

Deliverable	Expected milestones	% payment	
Inception meeting with the selected Service Provider	30 May 2013		
Inception report submitted	6 June 2013		
Review of the inception report by the Peer Reviewer and Steering Committee	13 June 2013		
Incorporation of comments from Peer Review and Steering Committee	17 June 2013		
Final Inception report submitted and service provider contract signed	19 June 2013	20%	
Literature review	To be confirmed in proposal		
Evaluation plan			
Final data collection instruments and other tools			
Analysis plan		30%	
Provincial reports			
Draft evaluation report submitted for review, full and in 1/3/25 format		20%	
Workshop with stakeholders to discuss the draft report			
Peer Review of the Report & comments from Steering Committee			
Final evaluation report – Version 1			
Comments to service provider from Steering Committee and Peer reviewer on Final Report			
Final evaluation report – Version 2 submitted		24 January 2014	20%
Steering Committee to approve final report and agree recommendations		31 January 2014	
Provision of all datasets, metadata and survey documentation (including interviews) when data is collected.	31 January 2014		
Power point or audio-visual presentation of the results.	31 January 2014	10%	

## 6. Management arrangements

### 6.1 Role of steering committee

A steering committee comprising DPME, DRDLR, and other relevant stakeholders will be responsible for appointment of service provider; approval of all evaluation deliverables; and oversee the evaluation process. In addition the evaluation process will be externally peer reviewed.

### 6.2 Reporting Arrangements

The commissioning department is DPME and the evaluation project managers to whom the service provider will report are Ms Irene Sinovich at DRDLR and Ms Christel Jacob at DPME.

## 7. The proposal to be submitted

The evaluation and the proposal from the service provider should address the principles as shown in **Box 1** below.

### **Box 1: Guiding principles in evaluation from the Policy Framework for the GWMES**

- Evaluations should be based on the objectives of the programme
- Evaluations should be inclusive of all stakeholders involved in the development
- Methods of evaluations should be programme orientated
- Evaluations should promote learning
- Evaluations should advance Government's transparency and accountability
- Evaluators display honesty and integrity in their own behaviour, and attempt to ensure the honesty and integrity of the entire evaluation process
- Evaluations should consider other relevant programs which have direct influence on Restitution (Evaluated programme)

The evaluation should be compliant to the National Evaluation Policy Framework and should follow standard guidelines from DPME

### 7.1 Structure of the proposal

A structure of the proposal required from the service provider is shown in **Box 2** below.

### **Box 2: Structure of proposal**

The Tenderer must provide the following details. Failure to provide this will lead to disqualification.

1. Understanding of the intervention and the TORs

2. Approach, design and methodology for the evaluation (e.g. literature and documentation review, data collection, tools, sample, suggestions for elaboration or changes to scope and methodology as outlined in the TORs, examples of evaluation questions suggested, process elements)
3. Activity-based evaluation plan (including effort for different researchers per activity and time frame linked to activities)
4. Activity-based budget (in South African Rand, including VAT)
5. Competence (include list of related projects undertaken of main contractor and subcontractors, making clear who did what, and contact people for references).
6. Team (team members, roles and level of effort)
7. Capacity development elements (building capacity of partner departments and PDI/young evaluators)
8. Quality assurance plan (to ensure that the process and products are of good quality)

#### **Attachments**

Example of a land reform and agrarian related evaluation report undertaken  
CVs of key personnel  
Completed supply chain forms, tax clearance etc.

## **7.2 Evaluation Team**

The team must cover the competencies outlined in section 7.3 below, and must be enough people to undertake the work in the time available (i.e. undertake provincial case studies in parallel). Where relevant specialist skill is required it is highly recommended that service providers sub-contract this. The service provider also needs to demonstrate how it will ensure skills transfer of stakeholders and PDI evaluators. The service provider should specify the number of evaluators expected to be part of the team, their areas of expertise and their respective responsibilities. M&E officials and Restitution Programme officials of DRDLR will participate in the evaluation process.

**Table 4: Key contacts in related departments**

Name	Role	E-mail address
Ms Irene Sinovich Restitution Programme, DRDLR	Steering Committee member and Programme Manager Restitution	<a href="mailto:Sinovich@ruraldevelopment.gov.za">Sinovich@ruraldevelopment.gov.za</a>
Ms Thoko Masangu Evaluation & Research, DRDLR	Steering Committee member and Project Manager	<a href="mailto:TGMasangu@ruraldevelopment.gov.za">TGMasangu@ruraldevelopment.gov.za</a>
Ms Christel Jacob Evaluation & Research DPME	Secretary of the Steering Committee & Project Manager	<a href="mailto:Christel@po-dpme.gov.za">Christel@po-dpme.gov.za</a>

Correspondence regarding this evaluation should always be forwarded to the three individuals above.

### 7.3 Competencies and skills-set required

The competencies for evaluation are summarised from the Draft Evaluation Competencies available on the DPME website:

Domain/descriptor	Demonstrated ability to
<b>1 Overarching considerations</b>	
<b>1.1 Contextual knowledge and understanding</b>	Have knowledge of relevant sectors and government systems in relation to the 12 priority outcomes and can appropriately relate the evaluation to current political, policy and governance environments Perform appropriately in cross-cultural roles with cultural sensitivity and attends appropriately to issues of diversity
<b>1.2 Ethical conduct</b>	Understand ethical issues relating to evaluation, including potential or actual conflict of interest, protecting confidentiality/anonymity, and obtaining informed consent from evaluation participants.
<b>1.3 Interpersonal skills</b>	Lead an evaluation and its processes using facilitation and learning approaches, to promote

	commitment and ownership of stakeholders
<b>2 Evaluation leadership</b>	Lead and manage an evaluation team effectively
<b>3 Evaluation craft</b>	
<b>3.1 Evaluative discipline and practice</b>	Use knowledge base of evaluation (theories, models including logic and theory based models, types, methods and tools), critical thinking, analytical and synthesis skills relevant to the evaluation
<b>3.2 Research practice</b>	Design specific research methods and tools that address the evaluation's research needs. This may include qualitative, quantitative or mixed methods. Systematically gather, analyse, and synthesise relevant evidence, data and information from a range of sources, identifying relevant material, assessing its quality, spotting gaps
<b>4 Implementation of evaluation</b>	
<b>4.1 Evaluation planning</b>	
<b>Theory of change</b>	Develop clear theory of change with quality programme log frames with good programme logic and indicators
<b>Design</b>	Design and cost an appropriate and feasible evaluation with appropriate questions and methods, based on the evaluation's purpose and objectives.
<b>4.2 Managing evaluation</b>	Manage evaluation resources to deliver high quality evaluations and related objectives on time and to appropriate standards
<b>4.3 Report writing and communication</b>	Write clear, concise and focused reports that are credible, useful and actionable, address the key evaluation questions, and show the evidence, analysis, synthesis, recommendations and evaluative interpretation and how these build from each other

Furthermore, it is important that service providers nominated exhibit the following skills and attributes:

- Are team players and analytical and lateral thinkers;
- Have excellent communication skills with the ability to listen and learn;
- Have good facilitation skills for strategic thinking, problem solving, and stakeholder management in complex situations;
- Have the ability to work under consistent and continuous pressure from varied sources, yet be able to maintain a supportive approach; and
- Have excellent computing skills including detailed knowledge and use of: Word, Excel, Power Point, Microsoft Project or similar compatible software.

## **8. Information for service providers**

A bidders briefing will be held on 23 April 2013 at the Presidency. Tenders should be submitted by 12h00 on 06 May 2013 with 1 electronic and 6 hard copies.

The service providers should provide a proposal following the structure above. In addition shortlisted candidates will be requested to make presentation of their proposals on 15 May 2013 as part of the selection process.

### **8.1 Key background documents**

A list of key documents will be provided at the briefing session, including:

- Cumulative statistics of claims settled;
- Restitution Act;
- The rules of the commission; and
- Annual report for the Commission

### **8.2 Evaluation criteria for proposals**

There are standard government procurement processes. Proposals will be subjected to two main criteria which are functionality/capability and price. Functionality/capability factors include:

- Quality of proposal;
- Service provider's relevant previous experience including of any subcontractors;
- Team leaders' levels of expertise;
- Qualifications and expertise of the evaluation team;
- Inclusion of PDI members in the evaluation team who will gain experience.

### **8.3 Pricing requirements**

All prices must be inclusive of VAT. All quoted prices should be valid for at least three months from the closing date indicated above. Price escalations and the conditions of escalation should be clearly indicated. No variation of contract price or scope creep will be permitted. Price proposals should be fully inclusive to deliver the outputs indicated in these terms of reference.

## 8.4 Evaluation of proposals

### 8.4.1 Administrative compliance

Only proposals and quotations that comply with all administrative requirements will be considered acceptable for further evaluation. Incomplete and late bids / quotes will not be considered. The following documentation must be submitted for each quote/bid:

- Documents specified in the tender documents (distributed separately from this TOR)
- Any other requirement specified in the TOR

### 8.4.2 Functional Evaluation

Only bids/quotes that comply with all administrative requirements (acceptable bids) will be considered during the functional evaluation phase. All bids/quotes will be scored as follows against the function criteria indicated below:

- 1 – Does not comply with the requirements
- 2 – Partial compliance with requirements
- 3 – Full compliance with requirements
- 4 – Exceeds requirements

Table 5 below outlines the functional evaluation criteria as applied to the competences outlined in section 7.5 which will be used in assessing the proposals.

Table 5: Functional evaluation criteria

Domain/descriptor	Functional Evaluation Criteria	Weight (out of 4)	Score	Weight x score	Minimum
<b>The quality of the proposal</b>	Understanding of the intervention and the TORs	4			8
	Approach, design and methodology for the evaluation	4			8
	Quality of activity-based plan (including effort for different consultants per activity and time frame linked to activities)	4			8
	Demonstrated high quality experience in at least 5 related projects undertaken in last 5 years by main contractor and subcontractors	4			8
	Knowledge of and exposure to international good practice, particularly in middle-income and African countries.	1			2
	Capacity development elements (building capacity of partners, PDI/young evaluators)	1			2
<b>The quality of the team</b>	Team demonstrate the following key competences related to this assignment, with the ability to:				
<b>1 Overarching considerations</b>					
1.1 Contextual knowledge and understanding	Understand the relevant sector and government systems in relation to the evaluation and can appropriately relate the evaluation to current political, policy and governance environments	3			6
	Perform appropriately in cross-cultural roles with	2			4

Domain/descriptor	Functional Evaluation Criteria	Weight (out of 4)	Score	Weight x score	Minimum
	cultural sensitivity and attend appropriately to issues of diversity				
1.2 Ethical conduct	Understand ethical issues relating to evaluation, including potential or actual conflict of interest, protecting confidentiality/ anonymity, and obtaining informed consent from evaluation participants.	2			4
<b>2 Evaluation leadership</b>	Lead an evaluation team effectively to project completion, using facilitation and learning approaches, to promote commitment and ownership of stakeholders	5			10
<b>3 Evaluation craft</b>					
3.1 Evaluative discipline and practice	Use knowledge base of evaluation (theories, models including logic and theory based models, types, methods and tools), critical thinking, analytical and synthesis skills relevant to the evaluation	3			6
3.2 Research practice	Systematically gather, analyse, and synthesise relevant evidence, data and information from a range of sources, identifying relevant material, assessing its quality, spotting gaps	3			6
<b>4 Implementation of evaluation</b>					
4.1 Evaluation planning					
Theory of change	Develop clear theory of change with quality programme log frames with good programme logic and indicators	3			6
4.2 Managing evaluation	Manage evaluation resources to deliver high quality evaluations and related objectives on time	5			10

Domain/descriptor	Functional Evaluation Criteria	Weight (out of 4)	Score	Weight x score	Minimum
	and to appropriate standards				
4.3 Report writing and communication	Write clear, concise and focused reports that are credible, useful and actionable, address the key evaluation questions, and show the evidence, analysis, synthesis, recommendations and evaluative interpretation and how these build from each other	5			10
Total		50			

Minimum requirement: Service providers should be required to meet the minimum scores for each element as well as the overall minimum score (75%), based on the average of scores awarded by the evaluation panel members.

Proposals should clearly address the project description and the functional evaluation criteria mentioned above.

#### 8.4.3 Price evaluation: The PPPFA

Only bids/quotes that meet the minimum required indicated under functional evaluation above can be evaluated in terms of the Preferential Procurement Framework Act and related regulations. The 90/10 evaluation method must be used for bids from R1 million and the 80/20 method for bids/quotes below R1 million. Points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table contained in SBD 6.1 (see attached bid documents)

In the application of the 80/20 preference point system, if all bids received exceed R1 000 000, the bid has to be cancelled. If one or more of the acceptable bid(s) received are within the R1 000 000 threshold, all bids received have to be evaluated on the 80/20 preference point system.

In the application of the 90/10 preference point system, if all bids received are equal to or below R1 000 000, the bid will be cancelled. If one or more of the acceptable bid(s) received are above the R1 000 000 threshold, all bids received will be evaluated on the 90/10 preference point system.

#### **8.4.4. General and special conditions of contract**

Awarding of the final contract will be subject to the conclusion of a service level agreement between the Department and the successful service provider.

### **9. Intellectual Property**

In addition to all learning material, DRDLR and DPME will own copyright of the products of this assignment, except prior material in to the assignment or that owned by a third party.

The service provider will not use the material (either in part or whole) without the written permission of DRDLR and DPME.

### **10. General and special conditions of contract**

Awarding of the final contract is subject to the conclusion of a service level agreement between the Department and the successful service provider.

### **11. Enquiries**

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