

ON A JOURNEY TO A SAFER SOUTH AFRICA

Creating a safe and secure, crime free environment, that is conducive for social & economic stability, supporting a better life for all.



Challenges pertaining to services rendered by the National Department of Public Works

Presentation to the Portfolio Committee on Police

13 November 2018

#Patriotic & Selfless Service



Presentation Overview

- Purpose
- Legislative Framework
- Mandate
- Challenges and Possible Solutions
- Directorate for Priority Crime Investigation (DPCI)
 - Challenges and Solutions

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Purpose



- To highlight various challenges experienced with the National Department of Public Works (NDPW) and request for the intervention of the Portfolio Committee on Police (PCoP).
- To propose solutions to enhance effective service delivery at the premises of the South African Police Service (SAPS).

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Legislative Framework



- The Constitution of South Africa (Act No. 108 of 1996).
- Government Immovable Asset Management Act, 2007 (Act No. 19 of 2007)(GIAMA).
- The Public Finance Management Act, 1999 (Act No. 1 of 1999)(PFMA).
- Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000)(PPPFA).
- Memorandum of Understanding between the SAPS & NDPW dated, 15 December 2015.
- Service Level Agreement, signed on 15 December 2015.

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Mandate



▪ NDPW

- Responsible to provide solutions for accommodation of all National Government Departments.
- Custodian of all state Immovable Assets.
- Memorandum of Understanding, signed in April 2009, for the devolution of 279 police stations.
- Facilitate the conclusion of New, Alternative and Renewal of Leases for SAPS.
- Facilitation and acceptance of donations for submission to National Treasury.
- Facilitate the acquiring of land and buildings through the Land Affairs Board.
- Payment of Municipal Services, Rates & Taxes.
- Disposal of Assets not utilised by SAPS.
- Perform custodial functions/responsibilities for Non-Devolved Police Stations (Maintenance: Planned & Unplanned).



- **SAPS**

- Implementation and Execution of all new built and existing Capital Projects for Functional Accommodation.
- Perform custodial functions/responsibilities for Devolved Police Stations (Maintenance: Planned & Unplanned).

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Challenges and Possible Solutions

Challenges and Possible Solutions (1)



SUBJECT:	TELKOM TOWERS
CHALLENGES	<ul style="list-style-type: none">• Telkom Towers, comprising of nine towers, was purchased from Telkom Retirement Fund (TRF), by NDPW on behalf of SAPS, on 29 June 2015. The first challenge was that out of the nine towers:<ul style="list-style-type: none">• The feasibility study reflected that one tower (Central Building is condemned by the municipality, due to Water Contamination, which will require an estimated R 20 million to be compliant)• The Central, Somerset and West Wing are Heritage Buildings and need to be protected and renovated, unfortunately no estimation was revealed.• Two towers were leased back to TRF namely; PR Building Leased for three years (Aug 2015 to Aug 2018) & IT Buildings Leased for 2 years (Aug 2015 to Aug 2017).• The Mechanical and Electrical installation at all Towers need to be upgraded due to the fact that it is approximately 30 years old and would require approximately R100million.

Challenges and Possible Solutions (2)



SUBJECT:	TELKOM TOWERS... <i>continued</i>
CHALLENGES	<ul style="list-style-type: none">• The feasibility study received from NDPW during the acquisition of the Telkom Towers, clearly stipulates that NDPW will be responsible to conduct remedial maintenance work to bring the building to an acceptable and habitable standard, however, NDPW has requested funding from SAPS for the required maintenance work.• The initial occupation date agreed upon, was 1 April 2016. However, the statutory compliance and remedial maintenance requirements as reflected in the feasibility study was not attended to.• The migration plan for phase 1 to 6 was submitted to NDPW, on 7 April 2017, with phase 1 & 2 being a priority due to the delays regarding the changes within the Organisation that derailed the finalisation of the migration plan.

Challenges and Possible Solutions (3)



SUBJECT:	TELKOM TOWERS... <i>continued</i>
CHALLENGES	<ul style="list-style-type: none">• Subsequent to that, numerous meetings were held with Senior Officials from NDPW and SAPS, to facilitate the process leading to the occupation date of Phase 1 & 2. The Project Execution Plan for Phase 1 (North Tower & Annex Building) that was presented, in July 2018, reflected 1 July 2019, as the practical completion date, while most of the leases that were targeted to be terminated are on a month to month basis and some during February 2019.

Challenges and Possible Solutions (4)



SUBJECT:	TELKOM TOWERS... <i>continued</i>
CHALLENGES	<ul style="list-style-type: none">• The commitment made by NDPW during a meeting held, on 9 April 2018, that the North Tower would be ready for occupation by the National Commissioner, on 1 May 2018, led to the National Commissioner taking occupation, on 7 May 2018, thereafter a letter was received indicating that the building is not compliant despite the presentation that was forwarded to the National Commissioner's office, reflecting the status of the progress of the Repair & Upgrade to be between 80% to 100% complete.• The condition based assessment report for Phase 1 to 6 has not yet been provided by NDPW.• The stalemate on the relocation to the Telkom Towers is exerting pressure on the lease Budget, as well as compromising planning, as 11 leases have expired and are kept on a month-to-month basis. These leases cannot be renewed as they were earmarked for relocation to Telkom Towers.

Challenges and Possible Solutions (5)



SUBJECT:	TELKOM TOWERS...continued
CHALLENGES	<p>None of the Telkom Towers buildings acquired for SAPS, are compliant/ready for occupation, including the two buildings that were leased out to TRF.</p>
IMPACT	<ul style="list-style-type: none">• SAPS members accommodated at Telkom Towers (North Tower) are exposed to occupational health & safety risks, as the building does not have fire detection, fire protection, lifts are malfunctioning, lack of ventilation and malfunctioning HVAC system.• SAPS continues to incur expenses for leases, whereas the procurement of Telkom Towers was to alleviate the pressure on the lease budget and reduce the SAPS Leasing Portfolio.• Majority of Pretoria CBD leased buildings, which are earmarked for migration to Telkom Towers, are on a month to month basis and not adequately maintained, thus exposing SAPS members to OHS Risks, possible evictions and lock outs.• The vacant/unoccupied Telkom Towers buildings degenerate, due to non occupation, resulting in exorbitant amounts required for repairs and upgrades.

Challenges and Possible Solutions (6)



SUBJECT:	TELKOM TOWERS... <i>continued</i>
POSSIBLE SOLUTIONS	The NDPW must submit a detailed Project Execution Schedule with cost breakdowns for phase 1 to 6, this would in turn assist the SAPS to have a clear understanding and knowledge of what is going to take place, as well as have the capability to fast-track the process where required.

Challenges and Possible Solutions (7)



SUBJECT:	CAPITAL WORKS PROGRAMME: IMPLEMENTING AGENTS
CHALLENGES	Utilisation of implementing agents as a procurement strategy by NDPW without consultation with SAPS with regards to projects and generators.
IMPACT	<ul style="list-style-type: none">• Exorbitant fees that cripple the capital budget e.g. the initial estimated project value for Kagisanong was R66 million which was parachuted to R147 million as an effect of the appointment of the implementing agent.• SAPS is not able to forecast and plan as a result of these exorbitant figures claimed by implementing agents.• Generators-NDPW is currently utilising implementing agents to install standby generators and the fees charged are overpriced when compared to the fees charged by the service provider contracted by the SAPS e.g. Majority of newly installed Eastern Cape generators are R1.5million whereas the SAPS is installing generators in the Eastern Cape at a value of R300 000.
POSSIBLE SOLUTIONS	NDPW must engage the SAPS with regard to the proposed procurement strategy so as to allow SAPS to forecast.

Challenges and Possible Solutions (8)



SUBJECT:	CAPITAL WORKS PROGRAMME: THE WORKS CONTROL SYSTEM (WCS) DATA INTEGRITY
CHALLENGES	<ul style="list-style-type: none">• Milestones populated by the Regional Offices of NDPW are not always a true reflection of the projected completion dates of projects.• Projects captured as completed and closed on the system, physical inspections reflect that the facilities are in a condition that is worse prior the execution of the project.
IMPACT	The SAPS is unable to monitor and track projects executed by NDPW as there are no realistic milestones and therefore inaccurate information is communicated to stakeholders.
POSSIBLE SOLUTIONS	The Works Control System must be constantly updated by NDPW to reflect accurate project milestones and progress.

Challenges and Possible Solutions (9)



SUBJECT:	CAPITAL WORKS PROGRAMME: REGISTERING OF NEW SERVICES
CHALLENGES	<ul style="list-style-type: none">• Delay in the registration of new services requested by SAPS to NDPW.• Planning Instruction not forwarded to SAPS for recording purposes.
IMPACT	<ul style="list-style-type: none">• Backlog in the implementation of projects.• Allocated Budget not spent.• Stakeholder dissatisfaction and continuous complaints
POSSIBLE SOLUTIONS	<ul style="list-style-type: none">• The Programme Management Schedule (PMS) for all regions must be submitted to SAPS consistently on a monthly basis.• Convening of regular Client Forum Meetings.

Challenges and Possible Solutions (10)



SUBJECT:	CAPITAL WORKS PROGRAMME: PROGRAMME MANAGEMENT SCHEDULE (PMS)
CHALLENGES	Inaccurate information captured on the Programme Management Schedule (PMS), which is utilised as a measuring tool to track performance or activities of projects currently being undertaken or executed by NDPW.
IMPACT	The SAPS is unable to monitor and track project executed by NDPW as there are no realistic milestones and therefore inaccurate information is communicated to stakeholders.
POSSIBLE SOLUTIONS	NDPW is expected to submit the PMS to the SAPS on a monthly basis, currently SAPS does not receive the PMS timeously and if received there is omissions of regions.

Challenges and Possible Solutions (11)



SUBJECT:	PLANNED MAINTENANCE PROGRAMME
CHALLENGES	<ul style="list-style-type: none">• The NDPW has put a moratorium on all Planned Maintenance Projects, without informing the SAPS as a client department. This affects the operations of the SAPS as the condition of stations is appalling, thus resulting in the issuing of contravention and prohibition notices by the Department of Labour.• The major concern with regards to the Planned Maintenance Programme is the fact that SAPS is unable to activate any new services that are urgently needed. This is due to the fact that NDPW does exert pressure on the contractors that they appoint and currently, the SAPS Planned Maintenance Programme purely consists of Projects from the 2013/2014 and 2014/2015 financial years.• No indication of how funding is distributed for all client departments as sometimes SAPS is informed that funding has been exhausted.

Challenges and Possible Solutions (12)



SUBJECT:	PLANNED MAINTENANCE PROGRAMME...<i>continued</i>
IMPACT	<ul style="list-style-type: none">• Prohibition notices and contravention notices by Department of Labour• Buildings are condemned by Department of Labour and local authorities.
POSSIBLE SOLUTIONS	<ul style="list-style-type: none">• NDPW must urgently submit an Intervention Strategy depicting the long term and the short term strategies that seek to address the appalling condition of the facilities occupied by SAPS.

Challenges and Possible Solutions (13)



SUBJECT:	PROJECTS
CHALLENGES	<ul style="list-style-type: none">• Poor Project Management• When projects are initiated, no consultation from NDPW is done with the Provincial Personnel on scope of work.• Project Team not conversant with the Project 5 Star specification• Slow pace in finalising contractors disputes by DPW on projects.• Appointment of inexperienced service providers.
IMPACT	<ul style="list-style-type: none">• Projects taking very long time to be completed.• Substandard Quality on projects implemented by NDPW.
POSSIBLE SOLUTIONS	<ul style="list-style-type: none">• Integrated quality control measures during execution before hand over.

Challenges and Possible Solutions (14)



SUBJECT:	RENTAL AND LEASES
CHALLENGES	<ul style="list-style-type: none">• Lack of maintenance on Leased Facilities by the landlord, which has resulted in appalling conditions of the facilities.• Renewals/ Extension of Lease Agreements done without consulting SAPS, i.e. Veritas.• Copies of lease agreements, new and renewed, not timeously received from NDPW.• Unjustifiable leased amount paid on buildings, whereby the gross lettable area does not appropriate assignable area, i.e. Tulbagh Building.• Free Leases, suddenly owners request payment and therefore, SAPS is not able to effectively budget.• Eviction: Lock outs due to non-payment by NDPW.• Discrepancies on measurement in m², with regard to Contract versus Actual.

Challenges and Possible Solutions (15)



SUBJECT:	RENTAL AND LEASES... <i>continued</i>
CHALLENGES	<ul style="list-style-type: none">• Landlords/ Owners liaise with SAPS and not NDPW.• High Sites (Maintenance on access roads) – Lock outs by owners. Maintenance should be included in the contract as the responsibility on the owner.• Change in ownership without informing SAPS accordingly.• Incorrect information on Property Management Information System (PMIS) from NDPW.• Limited assistance from DPW Regional offices pertaining to challenges experienced, as a result of landlords evicting the SAPS or refusing to conduct maintenance.• Disconnection of Electricity & Water at the leases office accommodation• Outstanding Contracts for repeater sites.• Lack of Certificate Of Compliance (COC) for occupied leased facilities.• DPW not withholding payment to landlords that default on maintenance.

Challenges and Possible Solutions (16)



SUBJECT:	RENTAL AND LEASES...continued
IMPACT	<ul style="list-style-type: none">• Evictions and Lockouts• Prohibition notices and contravention notices by Department of Labour• Buildings are condemned by Department of Labour and local authorities• Employees exposed to health risks and hazards
POSSIBLE SOLUTIONS	<ul style="list-style-type: none">• NDPW must urgently submit an Intervention Strategy depicting the long term and the short term strategies that seek to address the health hazards posed by the appalling condition of the facilities occupied by SAPS.• NDPW must present proposed solutions to circumvent lock outs as well as challenges posed by landlords• NDPW must present proposed solutions to address the non-payment of rent to landlords by DPW Regional Offices• NDPW to withhold payments to landlord, as a result of the lack of maintenance of leased properties.• Monthly spreadsheets on the proof of payments done for the month w.r.t. disconnections of water & electricity.

Challenges and Possible Solutions (17)



SUBJECT:	DONATIONS
CHALLENGES	Protracted time frames taken by NDPW to approve donation applications.
IMPACT	<ul style="list-style-type: none">• Donors withdraw donations.• Donated sites are forfeited or illegally occupied.
POSSIBLE SOLUTIONS	NDPW should have faster turnaround times

SUBJECT:	ASSET REGISTER
CHALLENGES	Discrepancies regarding SAPS Asset Register and NDPW Asset Register, i.e. location and identification of facilities
IMPACT	<ul style="list-style-type: none">• Information does not correspond and verification takes too long.• Payment of leases that have been vacated.• Irregularities that result in Audit findings.
POSSIBLE SOLUTIONS	Proposed quarterly review sessions between SAPS and NDPW

Challenges and Possible Solutions (18)



SUBJECT:	ESTABLISHMENT OF VICTIM FRIENDLY FACILITIES AT POLICE STATION
CHALLENGES	<ul style="list-style-type: none">• Majority of Police Stations are non-devolved and remain without Victim Friendly Facilities (VFF), thus compromising the service delivery to the victims of sexual crimes.• Some police stations are faced with space constraints to an extent that they convert office accommodation into VFF.• Numerous requests for the authorisation submitted by SAPS since 2016 has not been responded to and thus promoting non-compliance to legislative framework.
IMPACT	<ul style="list-style-type: none">• SAPS does not conform to the Sexual Offences Act.• Tarnishes the image of SAPS and compromises the effective investigation of cases.• Increases the risk of secondary victimisation.
POSSIBLE SOLUTIONS	<ul style="list-style-type: none">• NDPW must urgently submit an Intervention Strategy depicting the long term and the short term strategies that seek to address the challenges around the availability of VFF at non devolved police stations.• NDPW to grant SAPS approval for the establishment of Victim Friendly Facilities at non-devolved police stations

Challenges and Possible Solutions (19)



SUBJECT:	OFFICIAL HOUSING & OFFICE ACCOMMODATION
CHALLENGES	<ul style="list-style-type: none">• Lack of Maintenance of official housing• Numerous requests have been forwarded to NDPW without any success• Non-payment of municipal accounts, Rates & Taxes in arrears at Office Accommodation.• Renovation of Living Quarters are not included in Renovation processes for stations• Application for the utilisation of market related rentals outstanding• Delay in the approval of converting houses into office accommodation
IMPACT	<ul style="list-style-type: none">• Houses are vacated and cannot be relocated due to the condition resulting in further deterioration• Vandalism occurs
POSSIBLE SOLUTIONS	NDPW to urgently submitted an Intervention Strategy depicting the long term and the short term strategies that seek to address the health hazards posed by the appalling condition of the facilities occupied by SAPS.

Challenges and Possible Solutions (20)



SUBJECT:	MISCELLANEOUS
CHALLENGES	<ul style="list-style-type: none">• Generators: Not in good condition. No Contracts in place for servicing and repairing of emergency generators.• Elevators are not regularly serviced and thus OHS non-compliance occurs.• Lack of communication especially Client Liaison Forum Meetings between SAPS & DPW.• Turnaround time for complaints and calls logged at DPW takes very long.• DPW decline or rather neglect to provide reasons for non-compliance in cases of emergency.• DPW often refers other departments to view and share premises with SAPS, i.e. SANDF: Maluti, Queenstown, Bulembu & East London.• Eskom Electricity: there are still numerous stations dependable either on generators or solar panels for the provisioning of electricity, due to the fact that there are long delays between Eskom & DPW.

Challenges and Possible Solutions (21)



SUBJECT:	MISCELLANEOUS...<i>continued</i>
IMPACT	<ul style="list-style-type: none">• Stations are left in the dark, due to generators not working and this hampers service delivery.• OHS non-compliance, due to malfunctioning lift.• Hinders service delivery to disabled members of the public.• Neglected maintenance of generators results in increased replacement costs.
POSSIBLE SOLUTIONS	<ul style="list-style-type: none">• Contracts to be renewed timeously• Supplier payments to be expedited to ensure that the service can be rendered when needed.• Enhance effective communication and constant feedback• DPW to urgently submit a Turnaround to address challenges

Challenges and Possible Solutions (22)



SUBJECT:	MAINTENANCE OF SAPS FACILITIES
CHALLENGES	<ul style="list-style-type: none">• Day-to-day maintenance:<ul style="list-style-type: none">○ Painting of Police Buildings to enhance the image of SAPS○ Buildings rapidly dilapidating○ Increase of threshold amount without increasing scope of works has not assisted. Increase of scope of works has been outstanding since 2015.• Poor/non-maintenance of buildings and cell blocks.• Non-compliance to 5 Star specifications and Disability conformance.
IMPACT	<ul style="list-style-type: none">• Stations are left in the dark due to generators not working and this hampers service delivery.• Most facilities are contravening the OHS Act 85 of 1993, resulting in Civil Claims. (e.g. George Goch, Waltloo Single Quarters & Pretoria Central Complex)

Challenges and Possible Solutions (23)



SUBJECT:	MAINTENANCE OF SAPS FACILITIES... <i>continued</i>
POSSIBLE SOLUTIONS	<ul style="list-style-type: none">• Contracts to be renewed timeously.• Supplier payments to be expedited to ensure that the service can be rendered when needed.• Enhance effective communication and constant feedback.• DPW to urgently submit a turnaround, to address challenges that surround the condition of the dilapidating buildings.

Challenges and Possible Solutions (24)



SUBJECT:	CLIENT FORUM MEETINGS
CHALLENGES	<ul style="list-style-type: none">• Lack of client forum meetings between SAPS and DPW
IMPACT	<ul style="list-style-type: none">• Protracted turnaround times on emergencies and priority projects• Ineffective communication between SAPS and DPW• Pertinent issues regarding projects not timeously communicated to SAPS• Devolution agreement not fully enforced• Lack of response to official communication
POSSIBLE SOLUTIONS	<ul style="list-style-type: none">• Enhance effective communication and constant feedback• Establishment and activation of the steering committee meetings as directed by the Devolution agreement

DPCI Challenges and Possible Solutions (1)



- The DPCI is co-occupying most of the buildings with other SAPS components and **other external tenants** which is a serious risk to the functioning of the Directorate.
- Most of the buildings **are over utilised and overpopulated** because of the shortage of office space in the buildings.
- The DPCI , in some areas, is **placed in a fragmented manner** and members are placed in different buildings within one town /city which has an adverse effect on the effective functioning and on service delivery.
- The majority of the buildings occupied by the DPCI **do not conform** to the Occupational Health and Safety Regulations.

DPCI Challenges and Possible Solutions (1)



- Some of the buildings, like Eastern Cape: East London- Allied building, Western Cape: Old SARS building and 131 York Road in Umtata, have been condemned due to **malfunctioning fire detection systems and other contraventions of the Occupational Health and Safety Regulations.**
- The DPCI experiences regular **lock-outs by the landlords for the non-payment of the leases** and the DPCI personnel cannot access their equipment and assets in the building (eg: Vaal Maseru building in the North West).
- The buildings are **not properly maintained** by the landlords as per agreement in the lease agreement as obligated in terms of Clause.11 of the lease agreement.
- The **landlords are not put on terms by the DPW** for the non-compliance in terms of maintenance of their buildings.

Breakdown of the exorbitant expenditure in terms of the payment of leased buildings



NR	PROVINCE	NUMBER OF LEASED BUILDINGS	MONTHLY EXPENDITURE ON LEASES	TOTAL COST OF LEASES PER ANNUM
1	DPCI HEAD OFFICE	SEVEN (7)	R10 418 784.77	R 125 025 417.24
2	EASTERN CAPE	SEVEN (7)	R877 420,55	R10 529 046,60
3	FREE STATE	FIVE (5)	R1 004 358,54	R12 052 302, 48
4	GAUTENG	EIGHT (8)	R 2 008 461.96	R112 598 170.51
5	KWAZULU NATAL	SEVEN (7)	R886 617,17	R10 639 406,04
6	LIMPOPO	THREE (3)	R194 189,71	R2 330 276,52
7	MPUMALANGA	FOUR (4)	R409 221,61	R4 910 659,32
8	NORTH WEST	SIX (6)	R786 691,66	R9 440 299,92
9	NORTHERN CAPE	THREE (3)	R218 602,97	R2 623 235,64
10	WESTERN CAPE	ONE (1)	R22 745,11	R272 941,32
TOTAL ANNUAL EXPENDITURE ON DPCI LEASES NATIONALLY				R 177 823 585.28



- Procurement of **cellular stand-alone buildings** that would meet the end –user’s requirements
- The accommodation of the DPCI to be more focused on the **procurement of state-owned buildings than leased facilities** in order to cut the costs of rental and poor maintenance of the buildings by the landlords.
- All the **state buildings allocated to the DPCI to be devolved** to enable the proper and speedy attendance to the maintenance of all the DPCI facilities.

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