

REPORT OF THE PORTFOLIO COMMITTEE ON PUBLIC WORKS, ROADS AND TRANSPORT; COMMUNITY SAFETY, SECURITY AND LIAISON

TAKING LEGISLATURE TO THE PEOPLE IN THE NKOMAZI LOCAL MUNICIPALITY, EHLANZENI DISTRICT, 16 – 20 SEPTEMBER 2019

OVERSIGHT VISITS TO SCHULZENDAL AND MIDDELPLAAS CLINICS (DPWRT)

1. INTRODUCTION

The Mpumalanga Provincial Legislature (the Legislature) has a responsibility in terms of Section 118 of the Constitution of the Republic of South Africa, Act 108 of 1996, (the Constitution) to facilitate public involvement in its legislative and other processes. Sections 114 and 133 of the Constitution, read with Rule 190(4) and Rule 131 of the Rules and Orders of the Mpumalanga Provincial Legislature (the Rules) directs the Legislature to hold the Executive accountable for the exercising of powers and performance of their functions. Therefore, the Portfolio Committee on Public Works, Roads and Transport; Community Safety, Security and Liaison (the Committee) regularly conducts public hearings and oversight visits to projects of the Department of Public Works, Roads and Transport (the department) and other projects; in the various municipalities of the Province.

In terms of Rule 190(4) and Rule 131 of the Rules and Orders of the Mpumalanga Provincial Legislature (the Rules) the Committee has a constitutional mandate to oversee the performance of the department and to hold the Executive Authority accountable for the delivery of core mandated services.

One of the instruments that enable the Committee to execute its mandate is to undertake oversight-visits to various projects in the Province undertaken by the Executive authority and hold them accountable service rendered.

2. PURPOSE OF THE “TAKING LEGISLATURE TO THE PEOPLE” PROJECT (TLP)

The purpose of the TLP is to reach out to the communities and to enable the people to have access to the Legislature, especially people who are living in deep rural areas. The

Legislature seeks to hear the voice of the people and to ascertain whether provincial government delivers services effectively and efficiently within the respective municipalities.

3. OBJECTIVES OF THE VISITS

The following objectives shaped the oversight visits to the projects of the department:

- a. To evaluate the progress made on projects reflected in the Annual Performance Plan (APP) implemented by the department. The Legislature seeks to ascertain whether provincial government delivers services effectively and efficiently within the respective municipalities.
- b. To determine the extent to which public funds are efficiently, economically and effectively used by the department in the implementation of its projects.
- c. To interact with project beneficiaries in order to hear their concerns.
- d. To fast track service delivery of core services to the communities within the municipality in which the department has funded projects.

The purpose of the public hearing, which was actually a joint hearing of the Economic and Social Transformation Clusters, was to allow the MECs a platform to report back to the community and the Committee on the range of service delivery concerns. The public hearing thus provided Members of the Legislature with an opportunity to engage the public on a range of service delivery issues.

3. METHOD OF WORK

In preparation for the TLP, the research section conducted pre-site visits to the municipality. Comprehensive research reports were compiled that informed the Committee's programme. The Committee conducted oversight visits to the Schulzendal and Middelpaas Clinics on Tuesday 17 September 2019. The Committee participated during the joint public hearing of the Economic and Social Clusters of the Legislature, which was conducted on Thursday, 19 September 2019.

4. OVERSIGHT ON GOVERNMENT FUNDED PROJECTS

4.1. SCHULZENDAL CLINIC (PHASE 2)

4.1.1. Background and Project Information

The department of Public Works, Roads and Transport reported the following in terms of contractual information:

- Contractor : Gumza Technologies
- Architects : Mr. M Nienaber
- Quantity surveyors : Mr. JT Lukhele
- Contract start date : 10 April 2019
- Completion date : 10 August 2019
- Contract amount : R6 615 000.00
- Progress to date : 100%

The department is utilizing in-house services for Principal Agent/ Architects Quantity Surveying Consultant, Civil/Structural Engineering Consultant and Electrical/Mechanical Engineering Consultant. It is noted that the in-house services offered by the department are supposed to curb issues of delays, poor quality work and ensure that the project is completed.

4.1.2. Scope of work

The scope of work was for the construction of new perimeter fence, medical waste area, carports, guardhouse and renovation of existing building into additional waiting area.

4.1.3. Local labour

According to the Department of Public Works, Roads and Transport, 13 local people were employed on the project of which, eleven (11) were men, two (2) were women and four (4) were youth.

4.1.4. Report from the Department of Health (DoH).

The Director: Health Services attended the oversight visit at the Schulzental Clinic. The DoH reported that the clinic has been handed over to the department. Furthermore, the equipment and staff for the clinic have been procured and the clinic will be officially opened

on the 27 September 2019. The DoH reported that the clinic will operate for eight (8) hours and five (5) days.

4.1.5. Report from the Local Councillor

The councillor appreciated the construction of the clinic and requested the DoH to speed up the process of opening the clinic. He raised a concern that the Middelpaas clinic was over crowded because most of the people go to that clinic. He further indicated that the clinic will service ±4000 people from the local community.

4.1.6. Deliberations during the TLP Oversight visit

- a. The Committee requested the department to pay more emphasis on the appointment of women in its projects.
- b. The Committee raised a concern that most concerns that are raised by the community are related to clinics. The Committee urged the DoH to open the clinic as a matter of urgency and not wait for the official opening by the MEC to avoid vandalism.
- c. The MEC reported that the clinic is being built through use of a material called IBT (Integrated Building Technologies).

5.1.7. Finding

The Committee made the following finding:

- a. The project is completed and has been handed over to the client department.

5.1.8. Recommendation

The Committee recommends that:

- a. The Committee commends the department for completing the project and handing it over to the client department on time.

4.2. MIDDELPLAAS CLINIC (PHASE 2)

4.2.1. Background and Project Information

The department of Public Works, Roads and Transport reported the following in terms of contractual information:

- Contractor : Bullpool JV
- Architects : Mr. M Nienaber
- Quantity surveyors : Mr. JT Lukhele
- Contract start date : 10 April 2019
- Practical Completion date : 10 August 2019
- Final completed date : 30 January 2020
- Contract amount : R 4 075 000.00
- Progress to date : 100%

The department is utilizing in-house services for Principal Agent/ Architects Quantity Surveying Consultant, Civil/Structural Engineering Consultant and Electrical/Mechanical Engineering Consultant. It is noted that the in-house services offered by the department are supposed to curb issues of delays, poor quality work and ensure that the project is completed.

4.2.2. Scope of work

The scope of work was for the construction of new perimeter fence, medical waste area, carports, and renovation of existing guardhouse.

4.2.3. Local labour

According to the department, nine (9) local people were employed on the project of which, eight (8) were men, one (1) was women and two (2) were youth.

4.2.4. Report from the Department of Health (DoH)

The Director: Health Services attended the oversight visit at the Middelpaas Clinic. The DoH reported that the waiting period was a challenge in the clinic and that the construction

of the new facility will address that challenge. The DoH reported that the clinic will be officially opened on the 30 September 2019.

4.2.5. Report from the contractor

The Contractor reported that he experienced the following challenges during the construction of the clinic:

- The first contractor did not do a proper job and as the second contractor, he had to correct some of the defects.
- There were community unrest that caused a delay in the construction of the clinic.
- The contractor reported that he was forced to hire local people that did not do the job properly.

4.2.6. Report from the Local Councillor

The councillor raised a concern that there is currently no waiting area in the clinic and members of the public have to queue outside, which is a challenge during rainy days. He requested the department to finish the clinic and also officially open it on the 27 September 2019. The councillor raised a concern on the poor workmanship on some construction areas of the project.

4.2.7. Deliberations during the TLP Oversight visit

- a. The Committee noted that there is poor workmanship on some areas which includes the management of water flow, drainage system and fixing of the pavement.
- b. Mr. Xolani Sithole, the Community Liaison Officer (CLO) reported that the first challenge identified was that the site was not suitable for the construction of the clinic. He raised a concern that the first drawings for the clinic were incorrect. Furthermore, he reported that there was a lack of monitoring by the department in the project.
- c. The MEC reported that the clinic is being built through use of a material called IBT (Integrated Building Technologies).

- d. The MEC made a commitment that the officials of the department will work together with the contractor and the community representatives to ensure that all the challenges are addressed and the clinic is completed.

4.2.8. Findings

The Committee made the following findings:

- a. Poor workmanship was noted in some construction areas of the clinic.
- b. There seemed to be a lack of monitoring by the department in the construction project.

4.2.9. Recommendations

The Committee recommends that:

- a. The department must ensure that the contractor attends to the defects to ensure that good quality work is delivered.
- b. The department must strengthen its monitoring of projects to curb issues of delays and poor quality work.

5. PUBLIC HEARING

The Committee participated during the joint public hearings of the Economic and Social Clusters. The public hearings were conducted in Ka-Mhlushwa Stadium on Thursday, 19 September 2019.

5.1. Report back session

The Leader of Government business reported that the department rehabilitated a number of roads in the municipality, including the following roads:

- Road D25 and D250
- Road to Tonga Hospital
- Magogeni Road
- Road D233 will be completed soon.

5.2. Issues raised by the public

- a. Members of the public raised a number of concerns on the poor condition of roads in the local municipality.
- b. In ward 22: community members requested for a pavement.
- c. In Ward 6: community members reported that they were promised a tared road but nothing has been done to date.
- d. Ward 15: members of the public requested the department to grade access roads.

5.3. Recommendation emanating from the public hearing:

The department together with the Nkomazi Local Municipality must attend to all the concerns raised by members of the public concerning poor conditions of roads.

6. CONCLUSION

The Chairperson of the Portfolio Committee, Hon SK Mashilo, extends his appreciation to Members of the Committee, the MEC and departmental officials, all stakeholders and the support staff of the Legislature for their participation during this oversight visit to the community of the Nkomazi Local Municipality, in enhancing the oversight role of the Legislature. The Portfolio Committee tables this report to the House for adoption with its recommendations.

Unless otherwise stated, the department should provide progress reports on all issues raised to the relevant Portfolio Committee by **29 November 2019** and thereafter on quarterly basis.



HON. TM MAKARINGE (MPL)

**ACTING CHAIRPERSON: PORTFOLIO COMMITTEE ON
PUBLIC WORKS, ROADS AND TRANSPORT;
COMMUNITY SAFETY, SECURITY AND LIAISON**

REF: 13/4/3/5/4



DATE

Appointed in terms of Rule 114 of the Rules and Orders of the Mpumalanga Provincial Legislature.