



**The Office of the Official Opposition
Free State Provincial Legislature**

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Date:	22 November 2021
To:	Vanessa Mundree Office of the Public Protector Free State Province
From:	Roy Jankielsohn MPL Leader of the Official Opposition Free State Provincial Legislature
Subject:	Request for an investigation into the construction of the Vogelfontein School

Dear Vanessa,

We would like to request an investigation into the failed project to construct a school at Vogelfontein at Bethlehem and the consequences of this on learners and families of the local community.

The Vogelfontein School construction project was first mentioned in the Free State Legislature during the State of the Province Address of the former Premier Ace Magashule on 27 February 2018 during which he indicated that this school was one of nine schools whose construction would commence in the 2018/19 Financial Year (see page 7 of the attached SOPA).

In a reply dated 13 September 2021 to a question by the Democratic Alliance (DA) the MEC for Public Works and Human Settlements in the Free State, Ms M Koloï, indicated that R18 551 351,86 has been spent on this project (see attached question and reply). The attached reply indicates the expenditure and amounts, but the following are cause for concern:

R1 906 641,90 was spent on so-called preliminaries without any explanation what such preliminaries entail. In fact the site as it stands does not justify any such expenditure.

None of the building works totalling R8 490 103,33 justify the amounts. I have attached photographs of the amounts that indicate that large sums of money were paid that cannot be justified, including:

- R5 333 009,27 for earthworks that a site visit indicates appears to be blatantly overpriced.



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- Concrete, formwork and reinforcement totalling R1 760 653,43 which is collapsing and is already in a state of decay.
- Waterproofing totalling R81 200,70 while there is nothing to waterproof and which again appears to be over-priced.
- Floor covering of R145 674, 06 that does not appear to have been installed.
- Structural steelwork of R361 035,66 that is in a state of decay and rusted and will have to be scrapped.
- Plastering of R91 028,21 that is similarly poorly done and in an advanced state of collapse and decay.
- Plumbing and drainage that is visibly not completed at a cost of R610 192,00.
- Fencing of R107 310,00 that does not exist and may have been stolen, but this would beg the question why state resources are not protected during construction.
- On site material of R28 105, 54. During the site visit we found many bags of cement that had been left in the rain and had hardened which implies that this is a further waste of state resources.
- R6 566 989,30 material off site that is not accounted for and which remains state property, even if the contract has been terminated. This material has to be accounted for.

The photographs that I attach will show the extent of the decay of the project and given that this project was only initiated in the 2018/19 Financial Year the decay and wastage of resources is significant.

It is clear that the Department has been reckless and negligent regarding this project. Money has been paid out while it is clear that no value for money has been received. No supervision has been undertaken to ensure that resources have been protected from the elements and secured.

It is not clear how the project was allocated to the contractor, Tshitshirisang Construction and Projects. It is clear from the construction that they do not have the ability to carry out construction or manage a project of this nature.



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The MEC indicates in her reply that the contractor was “generally slow and behind schedule” but it is clear that the contractor was more than this, the contractor appears to have been incapable of carrying out such a project which should have been clear long before the Mora letter was sent on 10 February 2021. The project was in all probability abandoned by the contractor before this date.

The amount of R18 551 351,86 has been totally wasted and the current construction will have to be demolished and new project initiated.

This has an impact on the community of Vogelfontein whose children have to cross busy roads to access schools long distances from their homes. The community is impoverished and these children who hoped for access to a school and education close to their homes have had these hopes dashed and continue to walk long distances to access educational facilities which is a threat to their safety.

It is our request that the Public Protector investigates the following:

1. The allocation of this project to the contractor who clearly has no experience or ability to carry out such a contract.
2. The payments of the amounts mentioned above while it is clear that the work done does not justify the payments.
3. The R6 566 989,30 off site material that remains unaccounted for and could be regarded as theft.
4. The lack of supervision by the Department and failure to secure the project from vandalism and threat after cancelling the project.
5. The wastage of resources by allowing building material such as bags cement to harden resulting in it now having to be discarded.
6. The impact of this on learners in the area who now have to wait many years for access to a school in their community.

Your assistance in this regard will be greatly appreciated.