TERMS OF REFERENCE FOR DEVELOPMENT OF THE ORASECOM OPERATIONAL MANUAL

December 2019
1. Background

1.1 The Orange Senqu River Commission (ORASECOM)

The Orange-Senqu River originates in the Lesotho Highlands, from where it flows westwards to its mouth at Alexander Bay/Oranjemund on the Atlantic West Coast. The river basin is the third largest in Southern Africa, after the Zambezi and the Congo, covering a total area of 1,000,000 km$^2$ of which almost 600,000 km$^2$ is inside the Republic of South Africa. Four countries – Botswana, Lesotho, Namibia and South Africa - share the Basin, and the river forms the border between South Africa and Namibia at its lower reaches.

Lesotho, the upstream country falls entirely within the basin and contributes over 40% of the stream flow from only 3.4% of the total basin area but is one of the smallest users of water from the basin. South Africa is by far the biggest user of water from the Orange-Senqu River Basin, and this use drives the economic heartland of South Africa. The Botswana part of the Basin is entirely covered by the Kalahari Desert with very little surface runoff, but groundwater contributes to the water demands in this portion of the basin.

The water requirements in the lower reaches of the river are driven primarily by irrigation demands from both Namibia and South Africa, and the need to maintain environmental flows to the estuary. As the most downstream portion of a heavily used basin, water resources quality in this stretch is a concern. Similarly, the middle and lower reaches of the river are subject to periodic and often devastating floods. The Orange River estuary is ranked as one of the most important wetland systems in Southern Africa but has experienced environmental degradation. This wetland system was re-designated as a Ramsar Site, but because of its threatened status it was placed on Montreux Record in 1995.

The effective management of the Orange-Senqu River Basin is, therefore, particularly complex, but is also vital to the economy of the region. As a result, the riparian States prioritised this basin for the establishment of a Shared Watercourse Institution under the revised Southern African Development Community (SADC) Revised Protocol on Shared Watercourses. ORASECOM was one of the first of the Shared Watercourses Institutions to be established in SADC.

ORASECOM is an advisory body, issuing recommendations to its Member States (The Parties) aimed at optimizing the development and management of the water resources of the Orange-Senqu River Basin for the benefit of all the people in the Parties.
1.2 The ORASECOM Agreement

The Agreement establishes Council as a technical advisor to the Parties on matters relating to the development, utilization, and conservation of water resources in the River System. The Parties may also assign other functions pertaining to the development and utilisation of water resources to the Commission. Article 5 of the Agreement empowers Council to take all measures to make recommendations on *inter alia*; water availability in the basin, equitable and reasonable sharing of water, studies on the development of the River System, the extent to which stakeholders should be involved in management of the system, the prevention of pollution and the control of aquatic weeds, and plans for emergency situations.

All recommendations provided by Council to Parties must be contained in a report, signed by the leader of each Delegation. These reports must also include estimates of the cost of implementing the recommendation and may suggest how these costs may be apportioned between the Parties. Recommendations to Parties must therefore not only indicate what must be done, but also how it must be done.

1.3 The ORASECOM UNDP-GEF Project to support the Strategic Action Programme Implementation

ORASECOM, with support from UNDP, managed to secure further financial support from GEF to implement selected priority activities of SAP. The UNDP-GEF project titled, Support to the Orange-Senqu River Strategic Action Programme Implementation, will be implemented by UNDP and executed by ORASECOM in the next 5 years to support ORASECOM and its member states to implement SAP. The project has been built on the Transboundary Diagnostic Analysis (TDA) which has carried out the necessary causal chain analyses in order to identify the transboundary threats to the sustainable development and management of the water resources of the Orange-Senqu Basin. Having identified and understood the threats and their causes, it was possible to identify the barriers which are preventing the removal of these threats, so that sustainable development/management of the basins water and related resources can proceed.

The overall objective of the SAP Implementation project is the strengthening of joint management capacity for implementation of the basin-wide IWRM Plan and demonstrating environmental and socioeconomic benefits of ecosystem-based approach to water resources management through the implementation of SAP priority actions in the Orange-Senqu River basin.

The fact ORASECOM is the executing agency for the UNDP GEF ORASECOM project means that the project should provide resources ORASECOM’s operations covering Financial Management, Procurement and Human Resources Management. This operational manual to be produced will strengthen that capacity of ORASECOM to execute any other donor funded projects beyond the UNDP GEF ORASECOM SAP Implementation Project.
2. Purpose of the study

The purpose of this Consultancy is to produce an operational manual for ORASECOM that covers Financial Management; Procurement and human resources Management

   1. A Procurement specialist who will be the team Leader
   2. A Financial management expert
   3. A human resources management expert

3. Scope of Work

The Consultant will develop an operational manual that will guide Financial Management, procurement and human resources management aspects of ORASECOM.

Specifically, the Consultants will be responsible to perform the following tasks:

FINANCIAL MANAGEMENT

In terms of Financial Management, The Consultant will need to update and elaborate the following policies and procedures for ORASECOM:

1. Internal Risk Control processes
2. Administration and Financial management system
3. Reliability and integrity of financial and operational information
4. Information systems environment
5. Effectiveness of operations
6. Compliance with ORASECOM policies and RSA regulations
7. Safeguarding of assets
8. Effective, efficient and economical use of resources
9. Identifying capacity gaps and areas that may require improvement
10. Gender and disability

PROCUREMENT

In terms of procurement, The Consultant will need to:

1. provide detailed guidance on the procurement processes;
2. provide uniform measures for the procurement of goods, works and services;
3. ensure transparency and accountability in all operations, and consistency with the UNDP/Africa Development bank/GIZ Procurement Guidelines;
4. improve the efficiency and effectiveness of procurement operations;
5. promote the consistent application of the best procurement practices and international standards;
6. Provide guidance on risk assessment, mitigation and management.
HUMAN RESOURCES MANAGEMENT

In Terms of Human Resources Management Resources Issues, The Consultants will need to make provisions for the following areas:

1. Recruitment and Selection:
   • How to maintain up-to-date recruitment progress reports, talent database and all related staffing communication.
   • How to establish a Process for all recruitment requests in an effective and timely manner.
   • How to manage orientation programmes for staff and present HR policies and procedures at the orientation; and ensure that all staff who arrive after the orientation are made aware of relevant policies and procedure;
   • How to manage risk in recruitment processes.

2. Human Resource Information System to provide for the following:
   • How to monitor timely update of personnel records (personal details, position, salary, appraisal outcomes, leave records, training and awards).
   • How the ORASECOM HR official can improve liaison with cost centre heads and Project Manager to understand all necessary aspects and needs of HR development, and to ensure they are fully informed of HR objectives, purpose and achievements, and are updated of any new policies/procedures.

3. Performance Management System (PMS) to provide for the following:
   • Development and implementation of an effective system of staff performance evaluation and staff development and linking the results of the process to salary review, performance targets, promotion, training and, where appropriate, termination and replacement of employees.
   • How to review employee bi-annual feedback and develop/amend any policies/procedure, if deemed necessary.

4. Compensation and Benefits should:
   • Provide input that can assist the ORASECOM finance department in payroll administration by providing input with respect to attendance, overtime, increment, special payments, etc.
   • Make a provision to avail information to all employees regarding their entitlements.

5. Training and Development:
   • Generate policies and procedures for continuous identification of training needs of the staff.
   • Organize appropriate training programs for employees
   • Follow up on all training activities and make suggestions for deployment to enhance utility of the human capital of ORASECOM

6. Employee Relations:
   • How to Handle complaints, disputes and grievances of all employees, including arbitration and disciplinary processes.
   • How to Foster a conducive working environment through employee relations activities and communication.
• How to Conduct exit interviews with employees leaving ORASECOM and provide feedback to their supervisors.
• Develop ORASECOM’s Welfare policy.

7. Rules and Regulations
• The need to review the HR Service Manual on a regular basis and update with any new policies and procedures as per the law of the country and communicate to employees.
• How to maintain awareness and knowledge of latest HR developments (including visa laws) and communicate to relevant employees.
• Ensuring enforcement of rules and regulations.

4. Deliverables:
The Consultants are expected to Produce a report that covers the following:

a) Financial Management for ORASECOM

b) Procurement Guidelines for ORASECOM and ORASECOM executed projects

c) Human Resources Guidelines for ORASECOM and ORASECOM executed projects

5. Consultancy Timeframe:

For the Consultant / Team of Experts to achieve the set deliverables, a total period of 12 Weeks (3) months are estimated to complete the assignment. Table 3 presents the anticipated days for consultant to execute the assignment. Table 3 also shows how payments for Milestones will be done. The Consultants shall receive payments for service fees upon certification of the completed tasks satisfactorily as indicated below:
Table 1. Proposed timeframe to deliver target outcomes of the consultancy by the consultant.

<table>
<thead>
<tr>
<th>Schedule of Deliverables</th>
<th>Timing</th>
<th>Payment of Milestones</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) An Inception Report detailing consultant appreciation of Terms of Reference, methodological approach and work plan.</td>
<td>2 weeks days after signing the contract.</td>
<td>20 %</td>
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<tr>
<td>The Consultants are expected to produce a <strong>draft report</strong> that is presented to a stakeholder meeting that covers the following:</td>
<td></td>
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<tr>
<td>a) Financial Management Manual</td>
<td>Week 5</td>
<td>30 %</td>
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<tr>
<td>b) Procurement guidelines</td>
<td></td>
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<tr>
<td>c) Human resources Guidelines</td>
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</tr>
<tr>
<td>Acceptable final draft of the report with stakeholder input</td>
<td>Week 12</td>
<td>50%</td>
</tr>
<tr>
<td><strong>Total estimated days for the deliverables</strong></td>
<td><strong>3 months</strong></td>
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6. **Profile of The Consulting Team.**

The Consultant or Consulting Team should comprise of the following profiles:

- The Lead Consultant: A Procurement Specialist with knowledge in designing a procurement guideline for a donor funded intergovernmental body. He must have a minimum 10 years’ experience conducting similar work within developing countries / economies in transition.
- The lead consultant should be complemented by the following specialists preferably from the riparian states with speciality in the following fields: A Financial management Expert and a Human Resources Management Specialist.
- The Lead Consultant should have conducted similar work in the last 5 years, of which three (3) recent references of previous similar consultancy work should accompany the proposal.
- All consultants’ in the group should have relevant tertiary qualifications.
- The Consulting firm should show proof that they are a legal business. Relevant documents should accompany the proposal.
Only applications from consultants meeting the above requirements will be considered.


In addition to ORASECOM internal evaluation processes, the Consulting Team will be evaluated based on qualifications and the years of experience, as outlined in the qualifications/requirements section of the Terms of Reference. Furthermore, the Consultant will also be evaluated on the following methodology:

- Technical Criteria weight: 70% (only applications meeting minimum of 70% of technical criteria shall be considered for the financial evaluation);
- Financial Criteria weight: 30%.

Contract awarding shall be made to the Consulting Team through the focal Team Leader whose offer has been evaluated and determined as responsive/compliant/acceptable; and having received the highest score out of a predetermined set of weighted technical and financial criteria specific to the Terms of Reference.

Please note that only applicants who are short-listed will be contacted.

8. Time Schedule

The Consultancy is expected to start on 01 March 2020 and be completed by no later than 30th May 2020.

9. Submission of the tender

Consultants are invited to submit their Technical and Financials Proposals through email to Monica Rakhuhu (monicandivhuwor@ymail.com) with a copy to communication.orasecom@gmail.com and info@orasecom.org no later than 1600hrs on Wednesday 22 January 2020.

Request for clarifications should be emailed to the above contacts no later than 1200hrs on Wednesday 15 January 2020.