



DRAFT TERMS OF REFERENCE

**TERMS OF REFERENCE FOR UPDATING THE  
TRANSBOUNDARY DIAGNOSTIC ANALYSIS (TDA),  
STRATEGIC ACTION PROGRAMME (SAP) AND  
ASSOCIATED NATIONAL ACTION PLANS (NAPs) FOR THE  
ORANGE-SENQU RIVER COMMISSION**

FUNDED BY:

UNITED NATIONS DEVELOPMENT PROGRAMME-GLOBAL  
ENVIRONMENTAL FACILITY (UNDP-GEF)-ORASECOM  
STRATEGIC ACTION PROGRAMME (SAP) IMPLEMENTATION  
PROJECT



*Empowered lives.  
Resilient nations.*

## 1. BACKGROUND

ORASECOM was established in 2000 by the Governments of four States, namely, Botswana, Lesotho, Namibia, and South Africa, for managing the transboundary water resources of the Orange-Senqu River Basin and promoting its beneficial development for the socio-economic wellbeing and safeguarding of the basin environment.

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<sup>2</sup> of which almost 600,000 km<sup>2</sup> is inside the Republic of South Africa.

The basin is of major economic importance to South Africa and contributes to its Gross Domestic Product (GDP) from the Vaal and Orange Rivers' development for agriculture, mining, energy production and manufacturing. In Lesotho, all economic activities (agriculture, livestock farming, and manufacturing) lie within the Orange-Senqu River basin as the entire country is in the basin. The basin also contributes to the GDPs of Botswana and Namibia, where mining and agriculture are the main areas of water usage. Development of water resources management infrastructure for assuring water for sustaining agriculture & other economic activities, and domestic needs has been taking place over the past decades. The existing infrastructure includes many raw water storage dams, water transmission systems to demand centres that are in some cases outside of the basin, raw water treatment works, and wastewater treatment works. The system yield is also augmented by several inter-basin transfer schemes, delivering water from other catchments.

The vision and objectives of ORASECOM are pursued through the implementation of an Integrated Water Resources Management (IWRM) Plan and Strategic Action Programme (SAP). Currently, ORASECOM is also consolidating a climate resilient investment strategy which seeks to place further critical climatic and investment lens/analysis on the basin level IWRM plan to provide for community and economic resilience to climate impacts while promoting sustainable investment in the water resources of the Orange Senqu River basin. The SAP forms the environmental sustainability component of ORASECOM's strategic framework.

The SAP is structured around the four environmental priority (root cause) areas of concern identified in the Transboundary Diagnostic Analysis (TDA): increasing water demand, declining water resources quality, changes to the hydrological regime and land degradation. The TDA was formulated in 2014 with an objective to provide structured information relating to the ecological, social, and economic status of the Orange-Senqu River Basin, with particular focus on transboundary impacts resulting from human activities.

Since 2014, when the TDA was undertaken, a number of assessments and studies have been carried out in the basin. This warrants the review and update of the TDA to ensure the critical key information as well as any emerging issues are included and reflected in its Causal Chain Analysis (CCA) as well as identifying any critical knowledge gaps that still exist and propose how the gaps would be addressed. Subsequently, a review of SAP and associated National Action Plans (NAPs) should be conducted, based on the updated TDA. The NAPs will link the transboundary priorities identified in the SAP and national development/s and strategic priorities as well as investments in each country in support of SAP implementation at the country level.

The ORASECOM Secretariat seeks to recruit a consulting team to update the TDA, SAP and associated NAPs. The team leader should be an international consultant with global experience in the formulation of the TDA/SAP process. The consulting team should also comprise of team members who have good knowledge of the basin (and its challenges). The consulting team is expected to work closely with the ORASECOM Secretariat, ORASECOM SAP Implementation Project Manager, regional and national expert groups to be established for the process of TDA, SAP and NAP review and updates. They will be guided by the ORASECOM Secretariat with support from the UNDP-GEF Regional Technical Specialist for Water, Ecosystems and Biodiversity.

To ensure the ownership of the documents, a highly consultative and participatory process will be adopted, involving experts and a wide range of stakeholders.

The expected end results of this consultancy are:

- 1) TDA reviewed and updated.
- 2) SAP reviewed and updated.
- 3) NAPs developed and validated at the national level in the respective State Parties.

## **2. SCOPE OF WORK**

### **2.1.General**

The consultants will facilitate the review and update of the ORASECOM TDA, SAP and NAPs. The review and update process will be highly consultative with strong engagement of the ORASECOM State Parties. ORASECOM will form expert groups for different technical themes as needed to support the review and update process.

### **2.2. Specific Focus**

#### **Result 1: TDA for the Orange-Senqu River Basin Reviewed and Updated**

The review will focus on the current TDA and the Consultant will carry out the following tasks, in consultation with ORASECOM:

- i. Identify the transboundary issues,
- ii. Gather and interpret information on environmental impacts and socio-economic consequences of each problem/impact,
- iii. Analyse the immediate, underlying, new/emerging, and root causes for each challenge; and in particular identify specific practices, sources, locations, and human activity sectors from which environmental degradation arises or threatens to arise.
- iv. Validate findings and areas of analysis prior to finalisation of the reports, to ensure ownership and close coordination with relevant state Party representatives and within the framework of transboundary water cooperation including promotion of joint actions to address basin environmental sustainability and management challenges.

The TDA will provide the factual basis for the formulation of the ORASECOM SAP. It is expected that the consultants will facilitate a process that will enable the Parties to agree on and

prioritise the transboundary issues and strengthen the existing cooperation amongst the ORASECOM State Parties.

## **Result 2: SAP Reviewed, Updated, and Presented to ORASECOM Council**

The Consultant will update the current SAP in close collaboration with ORASECOM. The SAP will address the priority transboundary problems identified in the TDA and lessons learnt from the implementation of some of the actions of the current SAP.

The SAP will establish clear priorities for action including *inter alia*, policy, legal, institutional capacity development, management measures and sources of funding. In addition to the policy actions, the consultants are expected to develop monitoring and evaluation procedures, with a clear baseline and indicators, to measure the effectiveness of SAP implementation by ORASECOM during the SAP period.

## **Result 3: NAPs Reviewed, Updated, and Validated at the National Level in the Respective Countries**

The NAPs will define technical and management interventions at State Party (country) level that will contribute to the effective implementation of the SAP. Furthermore, the plans will be aligned with the State Party's (country's) national development and sector plans. These national plans will be developed through extensive consultation processes.

### **2.3. Expected outputs**

The consultants will deliver the following outputs:

- 1) Inception report;
- 2) First report on transboundary problems/issues and table of contents for the TDA;
- 3) Draft TDA revised report which will include an updated causal chain analysis and critical knowledge gaps;
- 4) National and regional level validation reports on the TDA;
- 5) Final TDA revised report incorporating comments from the validation meetings and from ORASECOM;
- 6) Draft objectives, thematic areas, and policy & intervention options as well as the outline for the SAPs and NAPs;
- 7) Draft elaborated SAP and NAPs;
- 8) National validation reports on the SAP and NAPs and regional validation of the SAP;
- 9) Presentation of the SAP and NAPs to Council; and
- 10) Final draft SAP and NAPs.

## **3. TIMELINE**

It is anticipated that the consultancy will run from February 2023 to June 2024.

## **4. WORK STATION**

This is a home-based assignment with travels to ORASECOM State Parties (Botswana, Lesotho, Namibia, and South Africa) as necessary. All travels require prior authorization by the ORASECOM Secretariat.

**5. QUALIFYING REQUIREMENTS FOR THE CONSULTANT/FIRM**

**5.1. Eligibility**

The Consultant is expected to provide in the proposal key staff, based on the needs of the assignment. When one expert has several domains of skills enabling them to occupy several positions, the corresponding Curriculum Vitae (CV) must clearly show such capabilities through education background and experiences. Each CV must be maximum 5 pages. The Consultant will determine the number and levels of professional and support staff required to complete the assignment effectively, efficiently, on-time and on-budget.

The team should comprise of an international consultant with proven experience in the GEF TDA/SAP process and preferably with experience on River Basin Organisations. The team should also consist of individuals with experience in the Orange-Senqu River Basin.

**5.2. Qualifications of Consultant(s)**

The consultants are required to have the following qualifications and expertise:

- A relevant Master’s degree, preferably Doctor of philosophy (PhD);
- Global experience in the development of the GEF TDA/SAP process;
- Previous involvement with inter-governmental and multilateral cooperation initiatives, as well as with consultative process of the implementation of decisions related to the (natural) environment in general, and Orange-Senqu River Basin in particular;
- Demonstrated, successful experience in working collaboratively with a broad array of stakeholders;
- Demonstrated ability to facilitate processes and to work with a broad array of sectors and stakeholders;
- Well-developed analytical and reporting skills; and
- Good command of spoken and written English language.

**6. ADDITIONAL INFORMATION**

**6.1. Evaluation of Tenders**

- a) The contract will be awarded from the qualifying tenders as per the following criteria:
  - i. Responsive/compliant/acceptable, and
  - ii. Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the tender proposal. In this regard, the respective weight of the proposals are as follows:
    - a. Technical Criteria weight is **70%**
    - b. Financial Criteria weight is **30%**

Criteria	Weight	Max. Point
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<b>Technical Competence (based on CV, Proposal, and interview (if required))</b>	<b>70%</b>	100
▪ Knowledge and experience of the consultants in TDA/SAP process		25%
▪ Knowledge and experience of the consultants in RBOs, Orange-Senqu River Basin in particular		25%
▪ Understanding of ToR and Comprehensiveness of the methodology/approach		30%
▪ Participation of consultants from the ORASECOM region		20%
<b>Financial (Lower Offer/Offer*100)</b>	<b>30%</b>	30%
<b>Total Score</b>	<b>Technical Score * 70% + Financial Score * 30%</b>	

## 6.2. Modification of Terms

The ORASECOM Secretariat reserves the right to add, modify or omit certain portions of the tender scope at any time at its sole discretion. This includes the right to cancel this tender at any time prior to entering into a contract with the successful bidder.

## 6.3. Tender Award

The contract will be awarded to a successful bidder within 60 days of closing of this tender and the successful bidder will commence work within four (4) weeks from the date of signature, by all parties.

## 6.4. Prime Contractor Relationship

ORASECOM Secretariat will enter into a contract with only one successful bidder.

## 6.5. Confidentiality

- i. Tenders submitted will not be revealed to any other bidders.
- ii. The Secretariat reserves the right to seek clarification or verification of any information contained in the tenders.
- iii. All information pertaining to ORASECOM obtained by the bidder as a result of participation in this tender is confidential and must not be disclosed without written authorisation from the Executive Secretary.

## 6.6. Ownership of Data

All tenders, including any supporting documents and/or training materials or any other documentation with reference to this tender, submitted to the ORASECOM Secretariat becomes the property of ORASECOM.

Any data of whatever nature resulting from the provision of the Products and Services shall be the property of ORASECOM and may be used by ORASECOM without restriction.

## **7. Other Provisions**

### **7.1 Taxes**

The statutory levels of taxes – if relevant – shall be invoiced by the Consultant and reimbursed by ORASECOM in addition to the remuneration (Tax Invoice). ORASECOM shall not be liable for any taxes due to tax Authority/ies in the country of origin of the Consultant. The onus is on the Consultant to submit the tax returns and declare all income/monies received from ORASECOM to the tax Authority/ies in her own country.

### **7.2 Travel**

The Consultancy Team will be expected to conduct consultations with key role players on the subject matter of the assignment in the Orange-Senqu River Basin. The details of officials and institutions to be consulted will be agreed upon with the Secretariat.

## **8. Submission of the tender**

The bidder should submit a separate **Technical and Financial Proposals** clearly detailing total number of days to complete work and daily rates inclusive of all anticipated costs in South Africa Rand (ZAR) during the period of assignment. The term “all-inclusive” implies that all costs (professional fees, communications, consumables, Value Added Tax (VAT), etc.) that could be incurred by the consultant in completing the assignment are already factored into the daily fee submitted in the proposal. Travel costs and daily allowance costs should be identified separately in line with allocated consulting days.

Electronic Technical and Financial proposals should be submitted with a subject line clearly titled: **“Consultancy Services to Update the Transboundary Diagnostic Analysis (TDA), Strategic Action Programme (SAP) and associated National Action Plans (NAPs) for the Orange – Senqu River Basin Commission”** through email to Mr Michael Ramaano ([mike.ramaano@orasecom.org](mailto:mike.ramaano@orasecom.org)) with a copy to [viviane.kinyaga@gmail.com](mailto:viviane.kinyaga@gmail.com) and [mike.ramaano@gmail.com](mailto:mike.ramaano@gmail.com) no later than 1600hrs on Monday 15 January 2023.

Request for clarifications should be **emailed** to the above contacts, no later than 1600hrs on 9 December 2022.

