



## **TERMS OF REFERENCE**

**For**

**Consulting Services to provide technical support and facilitate private sector engagement within the Orange-Senqu River Basin**

**December 2023**

## 1. Background

### 1.1 The Orange Senqu River

The Orange-Senqu River Commission (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.

ORASECOM desires to strengthen collaboration with external partners, particularly the private sector with the goal of fostering improved water resources management within the basin for the sustainability of the system and benefit of all water users. In the past ORASECOM facilitated a successful Public-Private-Partnership (PPP) in the basin between SASOL (a major producer of petroleum-related products) and the Ekurhuleni municipality (situated in the eastern part of the Greater Johannesburg Metropolitan Area). This partnership triggered the desire to further investigate the potential for wider collaboration with private sector institutions. ORASECOM therefore wishes to explore options and modalities for private sector engagement, e.g. direct private sector investments, public private partnerships, payment for ecosystem services etc, with the goal of improved water resources management within the basin for the benefits of the population of the basin.

## **1.2 The ORASECOM Agreement**

The Agreement established the Council as a technical advisor to the Parties on matters relating to the development, utilization, and conservation of the water resources in the River System. The objective of the Commission is to initiate, enhance and maintain greater collaboration between the Parties on matters relating but not limited to; the development and utilisation of water resources in the watercourse, the control of catchment degradation, the mitigation of the effects of environmental degradation and climate change, watercourse-wide environmental flow regimes as well as the management of the Orange–Senqu Watercourse sources and mouth. The Parties may also assign other functions pertaining to the development and utilization 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.

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

ORASECOM, with support from the United Nations Development Programme (UNDP), managed to secure financial support from the Global Environmental Facility (GEF) to implement selected priority activities of the Strategic Action Programme (SAP). The objective of the UNDP-GEF project titled, Support to the Orange-Senqu River Strategic Action Programme (SAP) Implementation is to strengthen joint management capacity for implementation of the basin-wide IWRM Plan and demonstration of environmental and socioeconomic benefits of an ecosystem-based approach to water resources management.

The SAP is aimed at dealing with the four main threats related to, i) increasing water demand, ii) changes to the hydrological regime; iii) declining water resources quality and iv) land degradation.

One of the outcomes of this project is strengthening private sector engagement in addressing the threats to environmental sustainability in the basin.

## **2. Objectives of the assignment**

This assignment aims to support ORASECOM in identifying, developing and implementing models of engaging the private sector in addressing the environmental threats as outlined in the Strategic Action Programme.

The consultant is expected to:

- i. Facilitate identification of relevant private sector stakeholders who would contribute towards addressing water and environmental threats in the basin.
- ii. Review existing private sector engagement models in the four basin states e.g. water stewardship programmes and develop appropriate model(s) at basin level.
- iii. Facilitate implementation of the basin-wide private sector engagement model(s).

### 3. Scope of the Consultancy

**Facilitate identification of relevant private sector stakeholders who would contribute towards addressing water and environmental threats in the basin.**

Proposed tasks may include:

- Identification of relevant private sector stakeholders to participate in the management of Orange-Senqu River basin to address challenges related to pollution, promotion of water demand management and water use efficiency, catchment management including control of invasive species, rehabilitation of degraded areas etc.
- Determine and evoke private sector interest in management and development of water resources as well addressing environmental threats.
- Establish private sector expectations from their participation in management and development of water resources as well addressing environmental threats.

The targeted stakeholders should operate in the basin. However, interested international private sector entities should also be identified and considered.

**To review existing private sector engagement models in the four basin states e.g. water stewardship programmes and to develop an appropriate model at basin level.**

Proposed tasks may include:

- Identification and analysis of private sector engagement models in the four basin states as well as in other River Basin Organisations in the region and internationally
- Recommendation of the best and appropriate model(s) of private sector engagement for ORASECOM

**To facilitate the implementation of the basin-wide private sector engagement model(s)**

Proposed tasks may include:

- Develop ORASECOM's private sector engagement plan. The Plan should include at minimum for concrete concept notes, targeting any of the priority environmental concerns identified in the SAP.
- Develop a roadmap for implementation of ORASECOM's private sector engagement plan
- Facilitate engagement/consultations between ORASECOM and the private sector to develop concrete joint projects/activities
- Facilitate partnership agreements between ORASECOM and the private sector where appropriate
- Facilitate the convening of a private-sector conference/forum

- Build the capacity of the ORASECOM Secretariat in private-sector engagement
- Develop awareness-raising material to promote private sector engagement

#### 4. Deliverables

- Inception report
- An analysis report on private sector stakeholders relevant to ORASECOM
- Private sector engagement model/strategy/plan for ORASECOM with at least four concrete concept notes
- Minutes from engagements with the private sector
- Partnership agreements
- Awareness raising material
- Conference report
- Process report including capacity building efforts

#### 5. Time Schedule

The Consultancy is expected to start on 01 February 2024 and be completed by no later than 30 August 2024.

#### 6. Competency & skills required

The Consultant or Consultancy Team must have at least the following:

- Ideally the consultants must be citizens of any ORASECOM Parties (Botswana, Lesotho Namibia and South Africa);
- Master's degree
- A postgraduate qualification in stakeholder engagement is added advantage
- Demonstrable experience in the following; facilitation of multi-stakeholder platforms, private sector engagements, institutional capacity building and negotiation
- Must have worked on water and/or environmental projects/activities in Orange- Senqu River basin.

#### 7. Project and Contract Management

The Consulting Team is expected to commence work as soon as possible after concluding all necessary contractual arrangements with ORASECOM.

The Consultant/ Consulting Team will work under direct supervision of the ORASECOM Project Coordinator

#### 8. Other Provisions

##### 8.1 Taxes

The statutory levels of taxes – if relevant – shall be invoiced by the Consultant and reimbursed by ORASECOM in addition to the remuneration. 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.

## 8.2 Travel

The Consultant will be expected to conduct consultations with key role players in the subject matter of the assignment in the Orange-Senqu River Basin. The list of stakeholders will be agreed with ORASECOM

## 9. Submission of the tender

Consultants are invited to submit their **Technical and Financials Proposals** through email to [boniface.mabeo@orasecom.org](mailto:boniface.mabeo@orasecom.org) with a copy to; [bbmabeo@gmail.com](mailto:bbmabeo@gmail.com) no later than 1600hrs on Wednesday 31<sup>st</sup> January 2024. —