

**TERMS OF REFERENCE FOR THE NAMAKWA SEZ BIODIVERSITY OFFSET
IDENTIFICATION OF SITES, MANAGEMENT PLAN AND IMPLEMENTATION
AGREEMENT**

PROPOSAL NO: NCEDA/PMU-24/003

ELIGIBILITY	:	The Northern Cape Economic Development, Trade and Investment Promotion Agency herewith invites bid proposal from adequately qualified and experienced consulting companies to identify suitable biodiversity sites and prepare a biodiversity offset management plan.
DUTY STATION:	:	Kimberley.
CONTRACT PERIOD:	:	Concluded on appointment.
REPORT TO	:	The Chief Executive Officer, Northern Cape Economic Development, Trade and Investment Promotion Agency, South Africa or designated official.
APPOINTMENT BY	:	Northern Cape Economic Development, Trade and Investment Promotion Agency (NCEDA).
REFERENCE plan.	:	Namakwa SEZ biodiversity offset management

All interested and competent service professional service providers (PSP) that specialise in environmental authorisations and biodiversity offsets are hereby requested to submit a quotation with all the requisite compliance documentation for the following project:

The Namakwa Special Economic Zone Biodiversity offset site identification and management plan, located in the Khai Ma Municipal area, Namakwa District, Northern Cape Province.

The deadline for the submission of the quotation will be: **01 March 2024 at 16h00.**

1. INTRODUCTION

The Namakwa SEZ is a priority project for the country and Northern Cape alike and forms part of the Northern Cape Industrial Corridor. The corridor stretches from Kathu Industrial Park to the proposed Boegoebaai deep port harbour.

The Namakwa SEZ is a critical component and is a priority node. The investment is beyond concept and feasibility phase secured an anchor investor and a successful business case has been approved by the DTIC.

The Project Manager will be NCEDA and will represent the Northern Cape Provincial Government and the

DTIC. The project quality governance will be via the Namakwa SEZ Project Steering Committee. The operational Namakwa SEZ Project Management Unit will support the successful service provider appointed.

In 2021, NCEDA submitted an EIA application which was annexed with a biodiversity offset report. The environmental authorisation was subsequently approved with preconditions which include but not limited to special biodiversity off-set conditions. The biodiversity conditions include:

- Securing biodiversity offset sites.
- Development of management plan
- Conclude an implementation agreement between the applicant and DAEARDLR.

Section 2(4)(a)(i) of the National Environmental Management Act, 1998 (Act No. 107 of 1998)

(NEMA) provides that “sustainable development requires the consideration of all relevant factors including the following: ... that the disturbance of ecosystems and loss of biodiversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied.”. The term “remedy” in that principle includes the rehabilitation and/or restoration of areas disturbed by development as well as biodiversity offsetting. Biodiversity offsetting is required when a proposed activity would have a significant residual negative biodiversity impact after all efforts have been made to avoid and minimise negative impacts on biodiversity and to rehabilitate and/or restore areas disturbed by development.

2. SCOPE OF WORKS

Implementation of the Namakwa Special Economic Zone requires the execution of a biodiversity offset condition with the desired outcome of biodiversity offsets which ensures the following:

1. That biodiversity is secured in the long term through the protection and appropriate management of ecosystems and species.
2. That efforts to secure biodiversity in the long term contribute to the expansion of South Africa’s protected area network, and are focussed in areas identified as biodiversity priorities, with particular emphasis on the consolidation of priority areas and securing effective ecological links between priority areas.
3. That ecological infrastructure and the services and benefits it provides are maintained and where necessary restored.
4. That the cumulative impact of the authorised activity, or activities, and land and resource use change does not –
 - result in the loss of irreplaceable biodiversity or jeopardise the ability to meet biodiversity targets.
 - lead to any ecosystem with a threat status of Vulnerable or Least Concern becoming Endangered, or any Endangered ecosystem becoming Critically Endangered.
 - cause an irreversible decline in the conservation status of species and the presence of special habitats; and
 - cause a significant loss in ecosystem services.

3. MATTERS TO BE ADDRESSED IN THIS BIODIVERSITY OFFSET SCOPE:

The PSP is expected to conduct:

a) Site identification and valuation.

Provide options with valuation and associated costs

- i. purchase vs notarial lease

b) Biodiversity offset management plan.

The management plan should cover the following:

- Transition land identified to conservation land-use – processes and timelines.
- Ongoing management
- Plan for the receipt of additional resources, offset liabilities in the future.

There are four main categories of management activities, should include:

- i. site access management.
- ii. veld management.
- iii. alien species control; and,
- iv. erosion control.
- v. Costing

c) Draft an acceptable implementation agreement between the applicant and the relevant authority.

The implementation agreement concluded must provide for :

- Roles and responsibilities of the parties;
- The specific portfolio of properties that satisfy the offset requirements;
- the time frames by which areas or properties are to be secured;
- commitment to any measure required to facilitate their declaration as a protected area under the Protected Areas Act;
- the identification and appointment of a suitable management authority for the biodiversity offset areas;
- any required rehabilitation or immediate management of the properties;
- the development of a management plan pursuant to Section 41 of the Act;
- the provision of financial and other resources required to secure, establish, rehabilitate and manage the areas for thirty (30) years from the commencement of the listed

activity(ies);

- the monitoring, reporting and auditing of the financial resources provided above;
- independent performance auditing of the implementation and ongoing performance of the biodiversity offset areas at least at four-yearly intervals.
- dispute resolution and arbitration; and
- breach, rectification, and penalty provisions, including, but not limited to, the suspension of the authorisation and financial liabilities and/or penalties.

4. PHASES AND DELIVERABLES

The development of the biodiversity offset in terms of this project should comply to all the NEMA provisions and legislative prescripts. Deliverables should include but not limited to the following:

4. 1. A list of implementation actions proposed to establish and manage the biodiversity offset should include (from procurement of ideal site to management and final close):

- Proposed planning and execution methodology
- Other implementation actions, such as collaborations with other organisations, including the linkages with, or dependence on, other actions or stakeholders;
- List of Key Projects/ activities ;
- Prioritized list of developmental interventions and spatial location;
- Timelines and phasing of development;
- Possible sources of finance;
- Implementation agent and their roles and responsibilities or any recommendations legally permitted ;
- Recommendations for the revision of existing policies or strategies, where necessary;
- Institutional capacity recommendations;
- Proposals for handing over the project;
- Develop monitoring and evaluation tools to ensure that the biodiversity offset is implemented accordingly; and

5. SOLUTION PARAMETERS / INFORMATION GATHERING

The successful Service Provider is expected to make contact with all the relevant and required officials and units within and outside government to obtain relevant information that is required for the project. Existing information on EIA which are available generally will be made available to the successful service provider. ***However, the responsibility for collecting information necessary for the successful execution of the project remains entirely with the service provider.***

In order to deliver on the deliverables, the biodiversity offset scope should be in the form of text, maps, graphics and photographs. A tabular format shall be used for the purpose of summarising the information collected.

It is recommended that more visual representation (maps, graphics and photographs) form part of the deliverable and the conceptual framework section of the biodiversity offset. A text box or other mechanisms may be used to provide an explanation, relevant information, or analysis.

NCEDA will provide comment and feedback to the service provider for amendment purposes.

NCEDA will provide the EA application, the biodiversity offset report all other information to the successful bidder.

6. PROJECT TIME FRAME

It is expected that the project will be completed within four (4) months from the date of appointment. All relevant documentation will be provided to the Service provider.

7. CONTENTS OF THE PROJECT PROPOSAL

A clear and concise project proposal covering the aspect listed below is required;

- i. An executive summary.

- ii. A project plan.
- iii. The proposed methodology should indicate a detailed list of data to be gathered and how it will be processed. The methodology should also indicate the project milestones that will be used to measure the project progress.
- iv. The budget.
- v. The names and CV"s containing detailed information on relevant experiences of all the persons who will be **directly** contributing to the project, and their roles thereof.
- vi. Evidential and documentary proof of professional qualification, registration and affiliation.
- vii. Any shortcomings in the study specifications, how these ought to be addressed and the cost implications thereof.
- viii. The following technical information must be submitted with the Bid proposal:
 - Years of experience of each resource;
 - Relevant planning experience in this geographical region;
 - Relevant professional experience during the last five years;
 - Organisational, managerial and technical ability;
 - Technical backup;
 - Full CV"s of all members of the Team
 - Associations and Professional Affiliations.

Requirements for submission:

Consultants will need to demonstrate that they have a clear understanding of these Terms of Reference. Emphasis will be placed on the quality of experience and expertise of the consulting team, the extent that the team can provide the integrated knowledge and expertise required to facilitate decision making processes.

The following support documents (if PFMA or AG require additional documentation a formal request will be issued) will be required to accompany your quotation to ensure that NCEDA as a 3C government entity remain PFMA compliant:

- Detailed quotation,
- Project plan,
- Billing and payment schedule,
- SARS certificate in good standing,
- Company profile that will indicate competence and references relevant to this assignment.

COMPLIANCE DOCUMENTS

- SBD 4 - Bidders' documents
- SBD 6.1 – Preference points
- Certified BBBEE Affidavit
- Valid CSD report

80-20 PREFERENCE POINTS

SPECIFIC GOALS	PREFERENCE POINTS
Women	5
People with disabilities	4
Promotion of EME's	4
Locality	5
Youth	2
TOTAL	20

*Service providers claiming points for the above specific goals MUST provide proof by submitting a valid CSD report and documentation confirming that the business is an EME. Should you fail to provide proof, points for EME will not be allocated.
Applicable preference points – 80/20*

All enquiries can be directly forwarded to myself.

- Mr Hendrik Louw
- Hlouw416@gmail.com
- 053 110 0289

For Supply Chain related enquiries Contact:

- Mrs. Boitshepo Buang
- Email: bmatime@nceda.co.za
- Telephone Number: 053 110 0289

Closing date: 01 March 2024

Closing time: 16h00

PROPOSALS MUST BE HAND DELIVERED OR COURIERED TO

Quinn House, Ground Floor
20 -22 Villiers Street
Kimberley Central
Kimberley
8300

No emailed or Faxed proposals will be accepted.