



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

DUE AT 11:00 ON

BID CLOSING DATE: 31 JULY 2024

CALL FOR EXPRESSION OF INTEREST

EOI Notice No: DWS07-0524 WTE

EXPRESSION OF INTEREST – FOR THE SELECTION OF PROPOSALS TO DEVELOP RECREATION, TOURISM, OR RELATED ACTIVITIES ON STATE LAND AND/OR PRIVATELY OWNED LAND ADJACENT TO STATE DAMS

SUBMIT PROPOSAL DOCUMENTS TO:

The respondents who are interested are requested to submit their proposal/lease application along with a Concept Proposal and lease application, including the details of envisaged recreational/sport and/or tourism activities, qualifications and experience, of joint venture/ partnership to EOI@dws.gov.za.

BIDDER: (Company Address or Stamp)

COMPILED BY: DEPARTMENT OF WATER AND SANITATION



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Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

ERRATUM TO THE EOI NOTICE NO: DWS07-0524WTE AS ADVERTISED ON THE 09TH OF MAY 2024 ON THE DEPARTMENTAL WEBPAGE UNDER THE HEADING TENDERS AND THE NATIONAL TREASURY E-TENDER PORTAL

ERRATUM TO THE EXPRESSION OF INTEREST - FOR THE SELECTION OF PROPOSALS TO DEVELOP RECREATIONAL, TOURISM, OR RELATED ACTIVITIES ON STATE LAND AND PRIVATELY OWNED LAND ADJACENT TO STATE DAMS

The Department of Water and Sanitation has invited expressions of interest from private or public entities to obtain access rights to state dams and/or to enter into lease agreements over a period as described in the Department of Water and Sanitation's Lease Policy. These access rights and/or lease agreements relate to the selection of proposals to develop recreational, sport, tourism, or related activities on DWS land and/or privately owned land adjacent to State dams.

The EOI stated that the proposals would be on a design, built, finance and operate model. This implies that the Department would own the assets at the end of the operation period. This is not correct, the department does not intend to own the assets at the end of the operation period.

The Erratum also addresses the requirements in terms of the allocation of points to the identified criteria. These points were omitted by the Department in the original Expression of Interest issued on the 09th of May 2024 and as advertised on the Departmental Webpage under the heading Tenders and the National Treasury E-Tender Portal.

Note: The Erratum to the Expression of Interest urges all interested parties including parties which have already applied, to submit a proposal in terms of recreational, sport, tourism and related activities and to provide supporting documents in line with the Expression of Interest to the Department.

Entities of Government e.g. Municipalities and Provincial Government Departments will receive preference when applying to manage a Government Waterwork in terms of recreational, sport, tourism and related activities. In this regard, a Memorandum of Agreement will be concluded with the Government Entities and the Department of Water and Sanitation.

The access rights and/or leasing contracts will be based on the following regulatory framework:

- Department of Water and Sanitation's Lease Policy
- Regulation R654 (available on DWS website)
- Section 113 of the National Water Act 1998, (Act no 36 of 1998)
- The Public Finance Management Act.

Queries relating to this EOI may be addressed to e-mail: EOI@dws.gov.za or leaseapplication@dws.gov.za

1. BACKGROUND AND INFORMATION TO THE EXPRESSION OF INTEREST

The Department of Water and Sanitation (DWS) aims to make available all dams for recreational, sport, tourism, or related activities.

DWS is the custodian of South Africa's water resources, the mandate is to ensure that the resources are protected, used, developed, conserved, manage and controlled in a manner that seeks to achieve sustainability, transformation and socio-economic development. Section 113 of the NWA stipulates that the water of a government waterworks and the surrounding State-owned land may be made available for recreational purposes, either generally or for a specific purpose, on the conditions and to the persons determined by the Minister. R654 regulates access and use of the dams for recreational purposes. The Department owns 335 government waterworks that are distributed widely across the country.

The primary goal of this initiative is to promote recreation, sport and tourism related to state dams. By inviting expressions of interest, the DWS aims to promote sustainable development and economic growth. This initiative presents a unique opportunity for private entities and government agencies to collaborate with the department in developing recreational and tourism facilities that can benefit both local communities and visitors and generate economic growth. Successful proposals have the potential to create job opportunities, stimulate local economies, and promote environmental conservation through responsible land use practices.

The Expression of Interest issued by the Department of Water and Sanitation represents a strategic effort to unlock the potential of state dams for recreational and tourism development.

2. OBJECTIVES

The objective of the EOI is to grant access to the dams owned by the Minister of Water and Sanitation including the water surface of a government waterworks for recreational and tourism related activities.

Proposals may be made relating to:

- a) Proposals to obtain access rights to state dams for recreational and tourism activities. These access rights apply to access into the land between the dam boundary line and the water in the dam, and access to the surface of the dam itself.
- b) Proposals to lease DWS owned land adjacent to state dams (i.e. the land within the dam boundary line as defined in Section 1(1)(x) of the National Water Act no 36 of 1998).
- c) A combination of a) and b).

3. DWS STATE LAND

DWS State land is within the dam boundary line of State dams and is the land owned or controlled by the Minister of Water and Sanitation as per the National Water Act 36 (Act no. 36 of 1998).

No permanent structures will be allowed by the Department to be constructed within the dam boundary line and no structures whatsoever (whether permanent or temporary) are allowed within the 100 year flood line.

Should the applicant prepare an application which involves leasing of DWS land, the applicant is cautioned to take into account the Departmental lease policy.

For some of the state-owned dams, approved Resource Management Plans are in place, and proposals will need to take account the Resource Management Plans.

4. LEGISLATIVE FRAMEWORK

Access to use government waterworks for recreational purposes including tourism and recreation activities must be controlled. The Department uses the following legislation / regulations / policy for control and compliance purposes:

- NWA, section 113
- Regulation R654
- DWS Leasing Policy
- Public Finance Management Act (PFMA)

The Department has an approved lease policy which aims to facilitate the process in relation to the leasing of all State within a Government Waterwork under the control of the Minister of Water and Sanitation.

The objective of the leasing policy is to promote equitable access to the Departmental immovable assets by promoting the following:

- Promoting access to land and water for socio and economic development.
- Expediting the processing of lease applications.
- Ensure an open, fair, equitable, dignified and prompt process; and
- Ensuring that a consistent approach towards leasing of State land as evaluated by a Professional Valuer or the Office of the Valuer-General at a market related rental and in accordance with the activities.

Applicants must indicate the duration of the access rights and/or lease that they would require to make their proposals viable and provide a motivation in this regard.

5. RESOURCE MANAGEMENT PLAN (RMP)

Some dams have RMP's. The RMP serves an important role to manage the utilisation of water resource and the surrounding environment in ways that promote community participation and beneficiation, environmental sustainability and unlock the socio-economic potential of the water resource.

All proposals must be aligned to the zonation maps of the Resource Management Plans, where applicable, for each targeted dam. Where there is Resource Management Plan for a particular dam, the potential EOI responder can obtain it from the departmental website (dws.gov.za – go to Document Library / Documents / Approved RMPs) or request such from the Department.

6. POSSIBLE REQUIREMENT FOR WATER USE LICENSE APPLICATION

Depending on the nature of the proposal, DWS may require a water use license application and grant access under stipulated conditions for the required water surface area.

7. EVALUATION CRITERIA FOR THE LEASING OF THE STATE LAND UNDER THE CONTROL OF THE MINISTER OF WATER AND SANITATION

7.1 EVALUATION CRITERIA

- DWS will evaluate the applications and or proposals with reference to DWS set and approved evaluation criteria as noted below and within the approved Lease Policy.
- The evaluation will be carried out by the Land Lease Committee of DWS to recommend the successful applicant for a specific dam site to the delegated authority.
- All applicants will be informed of the results of their applications once the process is completed.

7.1.1 Proposals which involve leasing of DWS owned land

The following preference point system is applicable to all proposals involving leasing of DWS owned land:

- a) 20 points will be allocated for proposals made by existing local landowners or local communities (local means within 30 km of the dam boundary)
- b) 35 points will be allocated for the content of the proposal – the degree to which the proposal is likely to result in increased recreational or tourism economic activity
- c) 20 points for preference for historically disadvantaged individuals (all 20 points for applications from government entities or communities, otherwise based on ownership of the company, or individual status) (Black: 11 points, Youth: 3 points, Women: 3 points, People with disabilities: 3 points)
- d) 15 points for experience in the recreation and tourism industry
- e) 10 points for local community empowerment strategy

Evidence to motivate for the above preference points must be provided.

These preference points will only take effect where there are competing proposals for the leasing of the same land or for the same access rights.

8. SUBMISSION DATA

- 8.1 The conditions for the calling for expressions of interest are the latest edition of SANS ISO10845-4:2022 Ed 2, Standard conditions for the calling for expressions of interest.
- 8.2 SANS ISO 10845-4:2022 Ed 2, which can be obtained on-line from the South African Bureau of Standards (see www.store.sabs.co.za), makes several references to the Submission Data for details that apply specifically to this submission. The Submission Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions for the calling for Expressions of Interest.
- 8.3 Each item of data given below is cross-referenced to the clause in SANS ISO 10845-4:2022 Ed 2 to which it mainly applies.

Number	Submission Data
1.	The Advertiser is the Department of Water and Sanitation
2.	The documents and information issued by the Advertiser comprise the documents listed on the contents page
3.	The Advertiser's agent's email address is EOI@dws.gov.za
4.	The language for communications is English
5.	<p>The respondents will be asked to submit their conceptual proposal/lease application including their Local Community Empowerment Strategy.</p> <p>The following aspects of the proposal/lease application will also be considered during the evaluation of the proposal/lease application by the Departmental Land Lease Committee:</p> <ul style="list-style-type: none"> • Recreational, Sport and Tourism Potential • Community Development • Environment • Local Employment • Community participation in proposed concept • Youth development • Transformation programmes • Accessibility • Current use and activities • Social Development • Economic Growth
6.	<p>Following the EOI-process, a leasing process will be rolled out.</p> <p>Respondents are encouraged to provide a conceptual proposal for the advancement of recreational/sport and tourism or related activities. The furnished information should be well supported with relevant documents.</p> <p>The respondents who are interested are requested to submit their proposal/lease application along with a Concept Proposal and lease application, including the details of envisaged recreational/sport and/or tourism activities, qualifications and experience, of joint venture/ partnership to EOI@dws.gov.za on or before 31 July 2024.</p> <p>The Departmental Land Lease Committee will evaluate the proposals and submissions using the evaluation criteria established in the submission data.</p> <p>The respondent is requested to provide a scanned PDF copy of the complete submission in electronic format.</p>
7.	The closing date for submissions is as stated above.

Successful proposals involving leasing will be required to submit additional information as required by the Department's leasing policy before a leasing contract is entered into. This will be done as a second phase after the completion of the EOI phase.

9. CONCEPTUAL PROPOSAL

Please note the requirement for submission of financial information that was in the original EOI has been removed in this Erratum.

Detailed description of the proposed recreational, sport, tourism and related activities concept.

- Give a comprehensive description of concept while taking into account following criteria of the EOI:

Recreation / Tourism

- Attraction of new activity participants and / or tourist to the dam / local community.
- Affiliation to relevant federations, clubs, etc. example SASCOC federations, Tourism organisations, etc.
- Level of co-existence with other recreational / tourism activities at dam
- Infrastructure needed for proposed concept.
- Time required to establish the infrastructure.
- Safety of participants and other dam visitors
- Any other details relating on how the proposed proposal will benefit recreation / tourism at the dam.

Community development

- Local employment
- Community access in relation to participate in proposed concept.
- Youth development
- Transformation programmes

Environment

- Contribution to environmental upliftment
- Contribution to alien & invasive species management
- Contribution to conservation
- Pollution management

Land

- Give a comprehensive description of land requirements:
- Land ownership (privately or DWS State owned)
- Accessibility
- Current use and activities.

Experience related to proposed proposal.

- Give a comprehensive description and proof of qualifications and experience related to the proposed concept.

NOTE:

- Where relevant – include joint venture/ partnership information.
- Furnished information should be well supported with relevant documents.
- Monitoring of the impact of the activities on the dam, the associated water resources or the environment around these activities which will be done by the Departmental Operational Offices and the Directorate: Environmental Impact Monitoring.

10. DISCLAIMER

- DWS has issued this Expression of Interest (EOI) with the best intention to explore the market for eligible and interested Respondents and reserves the right not to enter into definitive contractual agreements.
- The EOI contains information seeking to clarify and direct companies/organisations in submitting documents to the department, that is, the point of view of the department, addressing the needs, documents, etc of the DWS. The information contained herein does not purport to contain all information deemed necessary to arrive at a possible solution or information the parties interested require in arriving at a conclusive decision. Each prospective respondent(s) should therefore conduct its investigation and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of assumptions, assessments, and technicality in their EOI.
- The prospective respondent(s) acknowledge and agree that responding to the EOI is a purely voluntary action on their part and for any expenditure on this account shall be borne by the respondent(s). The prospective respondent(s) shall bear all costs and expenses from the EOI stage to the end-of-life stage of the project. The department shall not, in any manner, be held liable for any costs arising from this process and undertaking.
- The department does not accept any liability whether resulting from negligence or otherwise howsoever caused arising from the EOI to be submitted.
- DWS may in its absolute discretion and under no obligation, request supplemental information deemed necessary when assessing submitted documents from the prospective respondent(s).
- DWS in its sole discretion may reject any or all EOI(s) made by respondent(s), may change the conditions relating to the EOI or cancel this EOI at any time without assigning any reason.
- This EOI and the information contained therein are confidential and proprietary to DWS and may not be used, reused, copied or distributed for any purpose, other than in relation to the EOI process, without DWS's prior written consent.
- The Department reserves the right to request additional information from applicants to this EOI over and above to that listed above, and to request further clarity regarding submitted information.