

REQUEST FOR TENDERS

RFT: POLP- 2023/004
File: AP_6/19/4
Date: 5 September, 2023
To: Interested consultants
From: POLP - Senior Project Officer

Subject: Request for tenders (RFT): Consultancy – To Conduct Assessment of the effectiveness of bans, levies, and other instruments in the Pacific Islands region.

1. Background

- 1.1. The Secretariat of the Pacific Regional Environment Programme (SPREP) is an intergovernmental organization charged with promoting cooperation among Pacific islands countries and territories to protect and improve their environment and ensure sustainable development.
- 1.2. SPREP approaches the environmental challenges faced by the Pacific guided by four simple Values. These values guide all aspects of our work:
 - We value the Environment
 - We value our People
 - We value high quality and targeted Service Delivery
 - We value Integrity
- 1.3. For more information, see: www.sprep.org.

2. Specifications: statement of requirement

- 2.1. SPREP wishes to call for tenders from qualified and experienced consultants who can offer their services to Conduct Assessment of the effectiveness of bans, levies, and other instruments in the Pacific Islands region.
- 2.2. The Terms of Reference of the consultancy are set out in Annex A.
- 2.3. The successful consultant must supply the services to the extent applicable, in compliance with SPREP's Values and Code of Conduct: <https://library.sprep.org/sites/default/files/sprep-organisational-values-code-of-conduct.pdf>. Including SPREP's policy on Child Protection, Environmental Social Safeguards, Fraud Prevention & Whistleblower Protection and Gender and Social Inclusion.
- 2.4. SPREP Standard Contract Terms and Conditions are non-negotiable

3. Conditions: information for applicants

- 3.1. To be considered for this tender, interested consultants must meet the following conditions:
 - i. Submit a detailed Curriculum vitae detailing qualification and previous relevant experience for each proposed personnel;
 - ii. Provide three referees relevant to this tender submission, including the most recent work completed;
 - iii. Provide examples of past related work outputs;

- iv. Complete the **tender application form** provided (*Please note you are required to complete in full all areas requested in the Form, particularly the Statements to demonstrate you meet the selection criteria – DO NOT refer us to your CV. Failure to do this will mean your application will **not** be considered*).
For the Technical and Financial proposals you may attach these separately.
 - v. Provide Financial Proposal which should outline the schedule of priced tasks in accordance with tasks outlined under the Terms of Reference's *Deliverables - Timeline* section; and
 - vi. Provide a copy of valid business registration/license.
- 3.2 Tenderers must declare any areas that may constitute conflict of interest related to this tender and sign the **conflict of interest form** provided.
- 3.3 **Tenderer is deemed ineligible due to association with exclusion criteria, including** bankruptcy, insolvency or winding up procedures, breach of obligations relating to the payment of taxes or social security contributions, fraudulent or negligent practice, violation of intellectual property rights, under a judgment by the court, grave professional misconduct including misrepresentation, corruption, participation in a criminal organisation, money laundering or terrorist financing, child labour and other trafficking in human beings, deficiency in capability in complying main obligations, creating a shell company, and being a shell company.
- 3.4 Tenderer must sign a declaration of **honour form** together with their application, certifying that they do not fall into any of the exclusion situations cited in 3.3 above and where applicable, that they have taken adequate measures to remedy the situation.

4. Submission guidelines

- 4.1. Tender documentation should demonstrate that the interested consultant satisfies the conditions stated above and in the Terms of Reference and is capable of meeting the specifications and timeframes. Documentation must also include supporting examples to address the evaluation criteria.
- 4.2. Tender documentation should be submitted in English and outline the interested consultant's complete proposal:
- a) **SPREP Tender Application form and conflict of interest form.** (*Please note you are required to complete in full all areas requested in the Form, particularly the Statements to demonstrate you meet the selection criteria – DO NOT refer us to your CV. Failure to do this will mean your application will **not** be considered*).
Provide examples of past related work outputs
For the Technical and Financial proposals you may attach these separately.
 - b) **Honour form**
 - c) **Curriculum Vitae** of the proposed personnel to demonstrate that they have the requisite skills and experience to carry out this contract successfully.
 - d) **Technical Proposal** which contains the details to achieve the tasks outlined in the Terms of Reference.
 - e) **Financial Proposal** – provide a detailed outline of the costs involved in successfully delivering this project submitted in United States Dollars (USD) and inclusive of all associated taxes.
- 4.3. Provide three referees relevant to this tender submission, including the most recent work completed.

- 4.4. Tenderers/bidders shall bear all costs associated with preparing and submitting a proposal, including cost relating to contract award; SPREP will, in no case, be responsible or liable for those costs, regardless of the conduct or outcome of the bidding process.
- 4.5. The tenderer/bidder might be requested to provide additional information relating to their submitted proposal, if the Tender Evaluation Committee requests further information for the purposes of tender evaluation. SPREP may shortlist one or more Tenderers and seek further information from them.
- 4.6. The submitted tender proposal must be for the entirety of the Terms of Reference and not divided into portions which a potential tenderer/bidder can provide services for.
- 4.7. The Proposal must remain valid for 90 days from date of submission.
- 4.8. Tenderers must insist on an acknowledgement of receipt of tender.

5. Tender Clarification

- 5.1. a. Any clarification questions from applicants must be submitted by email to procurement@sprep.org before 04 October 2023. A summary of all questions received complete with an associated response posted on the SPREP website www.sprep.org/tender by 06 October 2023.
- b. The only point of contact for all matters relating to the RFT and the RFT process is the SPREP Procurement Officer.
- c. SPREP will determine what, if any, response should be given to a Tenderer question. SPREP will circulate Tenderer questions and SPREP's response to those questions to all other Tenderers using the SPREP Tenders page (<https://www.sprep.org/tenders>) without disclosing the source of the questions or revealing any confidential information of a Tenderer.
- d. Tenderers should identify in their question what, if any, information in the question the Tenderer considers is confidential.
- e. If a Tenderer believes they have found a discrepancy, error, ambiguity, inconsistency or omission in this RFT or any other information given or made available by SPREP, the Tenderer should promptly notify the Procurement Officer setting out the error in sufficient detail so that SPREP may take the corrective action, if any, it considers appropriate.

6. Evaluation criteria

- 6.1. SPREP will select a preferred consultant on the basis of SPREP's evaluation of the extent to which the documentation demonstrates that the tenderer offers the best value for money, and that the tender satisfies the following criteria:
- 6.2. A proposal will be rejected if it fails to achieve 70% or more in the technical criteria and its accompanying financial proposal shall not be evaluated.

I. Technical Score – 90%

Criteria	Detail	Weighting
Qualification	<p>A qualification from a recognised tertiary institution in a field that covers one or a combination of the following areas:</p> <ul style="list-style-type: none"> • Environmental law and policy (enforcement and compliance) • Economics (of instruments to promote environmental management) • Environmental and or natural resource management preferably around waste management and plastic pollution. • Behavioural change theory and application. 	10%
Experience	<ul style="list-style-type: none"> • Minimum 5 years' experience in doing research, inventories, mapping exercises and conducting quantitative and qualitative assessments and economic analysis. • Demonstrated experience of having successfully worked with government, non-government stakeholders (academic and research institutions) and communities in the Pacific Region. • Experience in facilitating virtual stakeholder sessions. • Ability to deliver within the timeframe. 	30%
Language Requirements	<ul style="list-style-type: none"> • Fluency in English (oral and written) is a requirement, along with sound written and presentation skills. 	10%
Methodology	<ul style="list-style-type: none"> • Proposed project methodology noting schedule, activities, concurrent or sequential development, engagement with country representatives, etc. 	40%

II. Financial Score – 10%

The following formula shall be used to calculate the financial score for ONLY the proposals which score 70% or more in the technical criteria:

$$\text{Financial Score} = a \times \frac{b}{c}$$

Where:

a = maximum number of points allocated for the Financial Score

b = Lowest bid amount

c = Total bidding amount of the proposal

7. Variation or Termination of the Request for Tender

7.1 a. SPREP may amend, suspend or terminate the RFT process at any time.

- b. In the event that SPREP amends the RFT or the conditions of tender, it will inform potential Tenderers using the SPREP Tenders page (<https://www.sprep.org/tenders>).
- c. Tenderers are responsible to regularly check the SPREP website Tenders page for any updates and downloading the relevant RFT documentation and addendum for the RFT if it is interested in providing a Tender Response.
- d. If SPREP determines that none of the Tenders submitted represents value for money, that it is otherwise in the public interest or SPREP's interest to do so, SPREP may terminate this RFT process at any time. In such cases SPREP will cancel the tender, issue a cancellation notice and inform unsuccessful bidders accordingly.

8. Deadline

- 8.1. **The due date for submission of the tender is: 13 October 2023, midnight (Apia, Samoa local time).**
- 8.2. Late submissions will be returned unopened to the sender.
- 8.3. Please send all tenders clearly marked '**RFT POLP – 2023/004: Consultancy – To Conduct Assessment of the effectiveness of bans, levies, and other instruments in the Pacific Islands region.**

Mail: SPREP
Attention: Procurement Officer
PO Box 240
Apia, SAMOA
Email: tenders@sprep.org (MOST PREFERRED OPTION)
Fax: 685 20231
Person: Submit by hand in the tenders' box at SPREP reception,
Vailima, Samoa.

Note: Submissions made to the incorrect portal will not be considered by SPREP. If SPREP is made aware of the error in submission prior to the deadline, the applicant will be advised to resubmit their application to the correct portal. However, if SPREP is not made aware of the error in submission until after the deadline, then the application is considered late and will be returned unopened to the sender.

SPREP reserves the right to reject any or all tenders and the lowest or any tender will not necessarily be accepted.

SPREP reserves the right to enter into negotiation with respect to one or more proposals prior to the award of a contract, split an award/awards and to consider localised award/awards between any proposers in any combination, as it may deem appropriate without prior written acceptance of the proposers.

A binding contract is in effect, once signed by both SPREP and the successful tenderer. Any contractual discussion/work carried out/goods supplied prior to a contract being signed does not constitute a binding contract.

For any complaints regarding the Secretariat's tenders please refer to the Complaints section on the SPREP website
<http://www.sprep.org/accountability/complaints>

Annex A: Terms of Reference

Assessment of the effectiveness of bans, levies, and other instruments in the Pacific Islands region.

Assignment Title	As stated above.
Project	Pacific Ocean Litter Project
Contract Type	Individual Contractor or Consultancy Firm
Contract Duration	All activities are to be completed within 4 months from when the contract is signed.

1) BACKGROUND

The Pacific Ocean Litter Project (POLP) (2019-2027) is funded by the Australian Government and implemented by the Secretariat of the Pacific Regional Environment Programme (SPREP) in collaboration with Pacific Island countries (PICs). The POLP is working to reduce single-use plastic marine litter in the coastal environments of PICs. It has been developed in recognition of the threat marine litter poses to the environment, public health, and economic development of the Pacific region.

POLP reflects the regional objectives of Pacific Island countries. Many PICs have implemented bans or levies to reduce single-use plastics. The 2017 Pacific Island Leaders Forum agreed to fast track the development of policies to ban the use of single-use plastic bags, and plastic and polystyrene packaging. The Leaders reaffirmed this commitment in 2018 by recognising the urgency of implementing the Pacific Regional Action Plan: Marine Litter (2018-2025). The POLP also embeds, and directly contributes to the policy objectives of PICs as stated through the Pacific's Cleaner Pacific 2025.

POLP's long-term goal is *Cleaner coastal environments for Pacific Island Countries*. The end-of-project outcomes are:

1. Measures, policies, or practical strategies to reduce single-use plastic are developed and provided to pilot countries.
2. Local and visiting consumers (women, men, girls, and boys) are using less single-use plastics and more alternative products.
3. Target sectors, companies and businesses adopt plastic reduction measures
4. Alternative products are identified for adoption.

POLP supports the phase out of single-use plastics from land-based sources in participating PICs (Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu). Specifically, single use plastics targeted by the POLP include (but are not limited to) household litter and tourism waste such as PET bottles, plastic bags, polystyrene take-way containers and plastic straws.

POLP also supports behavioural change in the users, consumers, and producers of plastics, including through the introduction of alternative products. This emphasis on behavioural change is important to create an enduring legacy for positive impacts during the project's lifetime.

POLP is designed to support a scalable roll-out to multiple PICs. The project builds skills and capacity for PICs through the provision of technical support at regional and national levels and by the development of regionally appropriate plastic reduction initiatives.

2) CONSULTANCY AND ACTIVITY OBJECTIVES

Under this TOR, SPREP is seeking the services of a consultant or firm to provide an assessment of the effectiveness of regulatory and other measures to reduce the import and use of single-use plastics (SUPs) in PICs such as laws, policies, and other economic instruments (e.g., bans, levies, and

incentives). As part of this assessment the underlying root causes and behavioural factors that contribute to non-compliance (at consumer, business, or government level) will be identified.

The assessment will make recommendations on the types of regulatory measures that could be most impactful for reducing the import and/or use of SUPs in the region.

POLP will endeavour to assist PICs implement one or more of the recommended measures.

3) SCOPE OF WORKS

The Consultant is required to undertake the tasks outlined in Table 1 below. They will also be required to have an inception meeting with SPREP’s POLP Project Management Unit (PMU) to agree upon the final scope of works, methodology and workplan.

Table 1: Required tasks

1	<p>Produce an assessment the effectiveness of bans, levies and other instruments intended to reduce the import and use of SUPs in PICs</p> <p>The assessment will contain the following information:</p> <ul style="list-style-type: none"> a. Identification of the regulatory and other measures currently in place as of 2023 to ban, reduce and/or replace single-use plastics in PICs (i.e., Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu). b. An analysis of the effectiveness of existing measures – what is or is not working well? c. An analysis of why existing measures are effective or not, including consideration of root causes and behaviour that lead to non-compliance by customs, businesses, and consumers. d. An analysis of where regulatory and policy gaps exist and what additional measures could be effective in PICs. e. Recommendations on measures that would be most impactful for reducing the import and/or use of SUPs in individual PICs. f. Recommendations on actions that could be implemented under the POLP to improve effectiveness of regulatory or other measures in individual PICs, including actions based on behavioural insights (i.e., improving compliance). <p>The Review and analysis will be a desktop exercise. The consultant, with guidance from SPREP, is expected to engage virtually with relevant stakeholders, such as government officials, academic and research organisations, NGOs and community groups, and document meetings.</p>
2	<p>Present the consultancy findings to SPREP (POLP PMU) and stakeholders virtually for feedback, revision, and finalisation as appropriate, and then present the final report at a regional meeting to be convened by the tenderer in 2024.</p>

4) PROJECT SCHEDULE AND DELIVERABLES

The consultancy is to be completed within 4 months of signing the contract. Expected project activities are detailed in Table 1 below. The tender response should detail how and when these steps will be delivered by submitting a Technical Proposal.

Activity	Description	Indicative Timeline
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1	Inception Meeting between the POLP Project Management Unit and the successful consultant/firm detailing the proposed methodology and workplan for the Consultancy. Approval of Workplan and methodology.	No later than one (1) week from date of Contract execution)
2	Review and Consultations addressing the TOR Scope of Works (Section 3).	No later than twelve (12) weeks from the date of approved Workplan.
3	Draft Report to SPREP and its stakeholders.	No later than thirteen (13) weeks from the date of approved Workplan.
4	Presentation of findings to SPREP and its stakeholders.	No later than thirteen (13) weeks from the date of approved Workplan.
5	Submission of Final Report.	No later than two (2) weeks from receiving final feedback from SPREP and relevant stakeholders.

5) EVALUATION CRITERIA

The successful consultant shall satisfy the following criteria:

Qualification	A qualification from a recognised tertiary institution in a field that covers one or a combination of the following areas: <ul style="list-style-type: none"> • Environmental law and policy (enforcement and compliance) • Economics (of instruments to promote environmental management) • Environmental and or natural resource management preferably around waste management and plastic pollution. • Behavioural change theory and application.
Experience	<ul style="list-style-type: none"> • A minimum of 5 years' experience in small island developing states or developing countries. • Demonstrated experience of having successfully worked with government, non-government (academic and research institutions) and community stakeholders in the Pacific Region. • Experience in facilitating virtual stakeholder sessions. • Ability to deliver within the timeframe.
Competencies	<ul style="list-style-type: none"> • Professionalism: Ability to review and develop a guideline document; credibility to engage with key Pacific stakeholders (Government officials, private sector, civil society, etc.); ability to apply judgement in the context of assignments given, plan own work and manage conflicting priorities. • Leadership: Establishes and maintains relationships with a broad range of people to understand needs and gain support; anticipates and resolve conflicts by pursuing mutually agreeable solutions. • Communication: Speaks and writes clearly and effectively; exhibits interest in consultative approaches; demonstrates openness in sharing information and keeping people informed. • Teamwork: Works collaboratively with colleagues and stakeholders to achieve goals. • Planning and Organising: Develops clear goals that are consistent with agreed strategies; identifies priority actions and assignments; adjusts priorities as required; allocated appropriate amount of time and resources for completing work; foresees risks and allows contingencies when planning; monitors and adjusts plans and action, as necessary.
Language Requirements	<ul style="list-style-type: none"> • Fluency in English (oral and written) is a requirement, along with sound written and presentation skills.

Proposed Methodology	<ul style="list-style-type: none"> Submitted proposed methodology to include noting schedule, activities, concurrent or sequential development, engagement with country representatives, etc.
Financial Proposal	<ul style="list-style-type: none"> Detailed budget according to workplan activities.

6) BUDGET

The Financial Proposal is to be priced based on a work plan on where, when, and how the technical assistance will be conducted. As the work is a desk top exercise, the proposal should be for the fees component only.

Submissions must include an annotated budget listing for each task.

Proposals above USD 50,000 will only be considered if there is a clear justification provided as to why costs above this limit are necessary.

SPREP reserves the right to withdraw this tender at any time, to accept or reject any or all bids and to waive any formal defects or irregularities in this bid, when deemed to be in the interest of SPREP.

7) REPORTING

The consultant will report to the POLP PMU Manager and Project Coordination Officer.