



SPREP

Secretariat of the Pacific Regional
Environment Programme



10th Pacific Islands Conference

NATURE CONSERVATION AND PROTECTED AREAS

Nature Conservation Action for a Resilient Pacific

REQUEST FOR TENDERS

File: AP_6/5/8/3
Date: 9 June, 2020
To: Interested consultants
From: Sela S.Simamao, PacWastePlus Finance and Procurement Officer

Subject: Request for tenders: Technical Assistance to support the expansion of the existing Deposit Legislation for the Republic of Marshall Islands

1. Background

- 1.1. The Secretariat of the Pacific Regional Environment Programme (SPREP) is an intergovernmental organisation 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 would like to call for tenders from qualified and experienced consultants who can offer their services to provide technical assistance to support the expansion of the existing deposit legislation for the Republic of Marshall Islands.
- 2.2. The Terms of Reference of the consultancy are set out in Annex A.

3. Conditions: information for applicants

- 3.1. To be considered for this tender, interested suppliers must meet the following conditions:
 - Submit a detailed Curriculum Vitae detailing qualification and previous relevant experience for each proposed personnel
 - Provide at least 3 references as part of the Tender Application
 - Provide examples of past related work outputs.
 - Complete the **tender application form**– (note you are required to complete all areas in full as requested, particularly the statements to demonstrate you meet the selection criteria. **DO NOT** refer us to your CV or Technical proposal. Failure to do so will result in the application **NOT** being considered)

4. Submission guidelines

- 4.1. Tender documentation should demonstrate that the interested consultant satisfies the conditions stated above and is capable of meeting the specifications and timeframes. Documentation must also include supporting examples to address the evaluation criteria. Describe any additional minimum content and format requirements.



- 4.2. Tender documentation should outline the interested consultant's complete proposal: methods, personnel (and their skill sets/curricula vitae), timeframes and costs.
- 4.3 Tenderers/Bidders must insist on an acknowledgement of receipt of tenders/proposals/bids.

5. Tender Clarification

- 5.1. Any clarification questions from applicants must be submitted by email to Sela Simamao on selas@sprep.org before 17 June 2020. A summary of all questions received with an associated response will be posted on the SPREP website www.sprep.org/tender by 19 June 2020.

6. Evaluation criteria

- 6.1. SPREP will select a preferred supplier 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 tenderer satisfies the following criteria:
 - (a) Has a minimum of 5 years' experience in the development of Container Deposit Legislation (CDL)/Waste Deposit regulations/Sustainable Financing methods, with particular preference given to Pacific experience (CVs for each member of project team to be provided) 25%
 - (b) Demonstrated experience in the development of feasibility studies in the Pacific region 15%
 - (c) Demonstrated experience and knowledge of developing technical guiding documents and legal framework 15%
 - (d) Detailed methodology for how the project is proposed to be delivered (including timeframe and team responsibilities) 25%
 - (e) Detailed financial proposal 20%

7. Deadline

- 7.1. **The due date for submission of the tender is: 24 June 2020, midnight (Apia, Samoa local time).**
- 7.2. Late submissions will be returned unopened to the sender.
- 7.3 Please send all tenders clearly marked 'TENDER: Technical Assistance to support the expansion of the existing Deposit Legislation for the Republic of Marshall Islands' to one of the following methods:

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.



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

**For any complaints regarding the Secretariat's tenders please refer to the
Complaints section on the SPREP website**

<http://www.sprep.org/accountability/complaints>



TERMS OF REFERENCE

Technical assistance to support the expansion of the existing Deposit Legislation for the Republic of Marshall Islands

1. BACKGROUND

PacWaste Plus Project Background

The Secretariat of the Pacific Regional Environment Programme (SPREP) is working with the European Union's Delegation to the Pacific, and 14 Pacific Island Countries and Timor-Leste to undertake the PacWaste Plus Project, which seeks to improve and enhance waste management activities and the capacity of governments, industry and communities to manage waste to reduce the impact on human health and the environment.

PacWaste Plus seeks to generate improved economic, social, health and environmental benefits for Pacific Island Countries arising from stronger regional economic integration and the sustainable management of natural resources and the environment. The programme activities will be designed to assist Countries to ensure the safe and sustainable management of waste with due regard for the conservation of biodiversity, reduction of marine litter, health and well-being of Pacific island communities, and climate change mitigation and adaptation requirements.

Activities for PacWastePlus will focus on targeted priority waste streams which are: hazardous wastes (specifically **asbestos**, **E-waste** and **healthcare waste**); solid wastes (specifically **recyclables**, **organic waste**, **disaster waste** and **bulky waste**); and related aspects of **wastewater** (water impacted by solid waste).

Activity Background

The PacWastePlus programme seeks to engage a Consultant to conduct (i) a Feasibility Study into the expansion of the existing Deposit Legislation for the Republic of Marshall Islands (RMI) to include additional items such as vehicles, tyres, whiteware and other bulky waste and (ii) complete a Technical Guidance Note for the drafting of a legal framework for RMI's expansion of the existing Deposit Legislation. The Consultant will work directly with the RMI Environmental Protection Agency (EPA) in the development of these documents.

Due to the current uncertainty with travel arrangements due to COVID-19, this technical assistance is requested to be remote and not require travel to RMI. The successful consultant will have a dedicated EPA officer to work with to complete in-country components.

2. EXPECTED OUTCOMES

The activity seeks a consultant to complete the following:

- (i) Undertake a feasibility study for the expansion of the Deposit Legislation in RMI.



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- (ii) Develop a Technical Guidance Note for the drafting of a legal framework for Deposit Legislation expansion in RMI.

3. SCOPE OF WORK

RMI has had a Deposit Legislation system in place since 2016 under the *Styrofoam Cups and Plates, and Plastic Products Prohibition, and Container Deposit Act 2016*. The purpose of the Act is to establish a Recycling Program in RMI, the aim of which is to create a self-supported, safe and efficient system of disposal of beverage container throughout the Marshall Islands. The items currently included in this system are aluminum cans, polyethylene terephthalate bottles (PET), and glass bottles. The deposit amount is 6c USD.

The RMI EPA would like to expand the Deposit Legislation system to include additional problem waste items such as vehicles, tyres, whiteware and other bulky waste. These items are commonly found littered throughout RMI or disposed in the existing overloaded landfill. The existing Deposit Legislation system operator, Majuro Atoll Waste Company (MAWC), has a facility and a plan in place to receive and process these items. Additionally, a new landfill for the Majuro Atoll is currently under construction and expected to be operational in mid-late 2021. It is specified in the EPA permit for this new landfill that bulky waste will not be received.

The existing Deposit Legislation is well received by the community and the expansion to include additional items provide funding to undertake collection, processing, and recycling of these bulky items and prevent them from being disposed in the environment or landfill.

3.1 Mode of Delivery

The required activities are outlined as follows:

Task 1: Feasibility Study

Collect relevant data, liaise with relevant agencies, and complete surveys in order to report on the following items.

At the end of the Feasibility Study, the Consultant is expected to produce a report that will confirm:

- The types of bulky and recyclable items such as vehicles, tyres, whiteware, etc currently in RMI, and volumes of that waste (legacy waste/stockpiles)
- An annual forecast of the generation of the various types and volumes materials, by assessing product import data.
- The current processing and estimated expenditure to manage/export each material proposed to be included in the expanded Deposit Legislation system.
- Recommendations for which items to be included in the expanded Deposit Legislation system
- Recommendations for how the system can be expanded to ensure the effective collection and safe disposal of bulky and recyclable waste generated in RMI



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- Recommendations on starting 'deposits' for specific items, and advice on how deposit amounts should be reviewed and updated once the system is established in law.

Deliverable: Feasibility Report with Recommendations

Task 2: Technical guiding note for the drafting of a Legal Framework

From the findings of the Feasibility study, the consultant is expected to:

- compile a set of principles to be applied when drafting legal framework for the expansion of the Deposit Legislation in RMI; and
- create legislative draft language (a template) for use by RMI in crafting the necessary legislation to expand the Deposit Legislation.

The Technical Guiding Note will:

- recommend a set of principles to be applied when drafting the legal framework for the Deposit Legislation expansion.
- Include an initial draft of legislation for use as a guidance to the legal department of the Government of RMI.

Deliverable: Technical guiding Note for drafting of legal framework

3.2 Project Schedule

The activities are to be completed no later than **31 August 2020** with a preference for the activities to be completed much earlier.

Delivery timeline will be re-visited and discussed with the successful consultant.

Expected project activity is detailed in Table 2, it is expected that tender responses will detail how and when each of these steps will be delivered.

Table 2: Project Schedule

Activity
<i>Notification of Successful Consultant & Contract Signing</i>
1. Introductory Teleconference Meeting between stakeholders
2. Approval of Workplan and Work arrangements
3. Conduct Feasibility Study
4. Submission of Feasibility Study for Review
5. Development of Technical Guiding Note
6. Submission of Technical Guiding Note for Review



3.3 Budget

Submissions are required to itemise all financial elements of their proposal, including, but not limited to, the following:

- Salary costs (hourly rate)
- All applicable taxes

Submissions must provide a dedicated budget for Task 1 and Task 2 separately.

SPREP reserves the right to only proceed with Task (i) if necessary.

Please note: Submissions that exceed USD 30,000 may not be considered.

4. Other Information

The successful consultant will be provided with appropriate documents identified and saved by RMI's EPA as part of the preparation for the activity. EPA will also provide introductions to relevant agencies required to be engaged in this study.

The successful consultant will have a dedicated EPA officer to work with to complete in-country components.

The successful consultant must supply the services to the extent applicable, in compliance with SPREP's Values and Code of Conduct

https://www.sprep.org/attachments/Publications/Corporate_Documents/sprep-organisational-values-code-of-conduct.pdf