

## REQUEST FOR TENDERS

File: CONV 1/3/1; CONV 1/5/1  
Date: 25 April, 2019  
To: Interested suppliers  
From: Anthony Talouli, Pollution Adviser

**Subject: Request for tenders: Review of the Noumea and Waigani Convention**

### 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. For more information, see: [www.sprep.org](http://www.sprep.org).

### 2. Specifications: statement of requirement

- 2.1. SPREP would like to call for tenders from qualified and experienced consultants to provide expert assistance in reviewing the effectiveness and efficiency of the Noumea and Waigani Conventions, including whether existing international treaties, e.g. the Basel Convention, can alone deliver on the objectives of the regional Noumea and Waigani Conventions.
- 2.2. The successful applicant will need to provide a comprehensive proposal in response to the attached TOR by 17<sup>th</sup> May 2019. The “work” is expected to be completed by 26<sup>th</sup> July 2019.
- 2.3. The Terms of Reference and the Specific Duties of the Contractor are set out in Attachment “A”.

### 3. Conditions: information for applicants

- 3.1. To be considered for this tender, interested suppliers must meet the following conditions:
  - a) Have a demonstrated record of successfully managing a similar project or legal project in the Pacific;
  - b) Have a demonstrated pre-existing relationship with national environment agencies in the Pacific;
  - c) Have demonstrated knowledge of Noumea and Waigani Conventions or similar international or regional conventions such as the Basel Convention;
  - d) 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 or your Technical Proposal. Failure to do this will mean your application will **not** be considered).*

- e) Submit details of relevant experience; and
- f) Provide at least 3 referees as part of this tender application.

#### **4. Submission guidelines**

- 4.1. Tender documentation should demonstrate that the interested supplier 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 supplier'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 [tenders@sprep.org](mailto:tenders@sprep.org) before 3rd May 2019. A summary of all questions received with an associated response will be posted on the SPREP website [www.sprep.org/tender](http://www.sprep.org/tender) by 6th May 2019.

#### **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.
- 6.2. The successful supplier will demonstrate:
  - 6.2.1 Experience in successfully managing a similar project or legal project in the Pacific (15%);
  - 6.2.2 Evidence of a pre-existing relationship with national environment agencies in the Pacific (20%);
  - 6.2.3 A working knowledge of Noumea and Waigani Conventions or similar international or regional conventions such as the Basel Convention (20%); and
  - 6.2.4 A Capacity to provide concise and thorough reports of assessments, recommendations and project or programme due diligence or performance reviews (15%).
  - 6.2.5 Financial Proposal (30%)

#### **7. Deadline**

- 7.1. **The due date for submission of the tender is: 17th May 2019 (Apia Time).**
- 7.2. Late submissions will be returned unopened to the sender.
- 7.3. Please send all tenders clearly marked 'TENDER: **Review of the Noumea and Waigani Conventions**' to one of the following methods:

Mail: SPREP  
Attention: Procurement Officer  
PO Box 240

Apia, SAMOA  
Email: [tenders@sprep.org](mailto:tenders@sprep.org)  
Person: Submit by hand in the tenders box at SPREP reception,  
Vailima, Samoa.

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**

### **BACKGROUND:**

1. The Secretariat of the Pacific Regional Environment Programme (SPREP) are secretariats to two regional conventions: 1) Convention for the Protection of the Natural Resources and Environment of the South Pacific Region and Related Protocols (Noumea Convention); and 2) Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and the Management of Hazardous Wastes within the South Pacific Region (Waigani Convention).

### **CONFERENCE OF THE PARTIES (COP) KEY DECISIONS:**

2. At the Noumea COP13 in September 2015 Parties requested the Secretariat to develop an options paper on the Conventions financial, strategic and workplan priorities, in consultation with Parties, in the context of developing the next SPREP Strategic Plan, for discussion inter-sessionally, and for decision at CoP14.
3. At the Waigani COP9 in September 2017 the Meeting approved the Secretariats request to undertake a comprehensive evaluation of how the Waigani Convention is being implemented at all levels, whether its objectives are being met by the actions of the Parties, the effectiveness of the Secretariat and to provide recommendations on how these can be improved. The Meeting explored ways in which this could be carried out such as through Friends of the Chair (FOC) approach in drafting the TOR of which Australia, Samoa, and Cook Islands agreed to take part in the process. Other Parties such choose to reserve its decision for later.

### **OBJECTIVES:**

4. The objective is to undertake a comprehensive evaluation of how Noumea and the Waigani Conventions is being implemented at all levels, whether its objectives are being met by the actions of the Parties, the effectiveness of the Secretariat and to provide recommendations on how these can be improved.

### **SCOPE OF WORK:**

5. The scope of work covers the following tasks:
  - a. To work with the Noumea and Waigani Convention Parties and their Secretariats along with key stakeholders to define what effectiveness means in terms of its goals and objectives.
  - b. To prepare a detailed survey for the review of the Noumea and Waigani Conventions that will be the basis for determining the degree to which effectiveness has been met. The survey shall:
    - i. be as comprehensive as practicable considering the varying levels of capacity and implementation within Pacific island countries and territories that will take account of the following:
      - a. the various Pacific uniqueness in terms of capacity, geography, and resources with respect to economic, social, and environmental aspect in the implementation of the Conventions;
      - b. emerging environmental challenges and that place additional pressure on the Parties; and
      - c. best international practices in relation to regional seas; and
      - d. the provision of guidance notes for the Parties.
    - ii. provide sufficient detail to enable the Parties to the Conventions to evaluate the effectiveness of their respective Conventions.
  - c. To prepare a summary document of the survey describing the process, background, context, outcomes and recommendations including key issues or problems and the different responses and the reasons for the recommendations providing a score for each Convention in terms of effectiveness.