

REQUEST FOR TENDERS

RFT: PBS 2023 - 003
File: AP_2/43
Date: 19 May, 2023
To: Interested consultants
From: Karen Baird; Threatened And Migratory Species Adviser

Subject: Request for tenders (RFT): (Service-based Consultancy) Plan, lead, coordinate and produce Samoa's National Marine Sanctuary Management Plan.

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 develop the Samoa National Marine Sanctuary Management Plan for all marine migratory species including whales, sharks, rays, marine turtles, and seabirds. The consultancy will involve planning, leading, coordinating and delivering stakeholder consultations in coordination with MNRE-Samoa and SPREP and using the feedback from the stakeholder consultations to develop the National Marine Sanctuary Management Plan for Samoa
- 2.2. The Terms of Reference for 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://www.sprep.org/attachments/Publications/Corporate_Documents/spreporganisationa-l-values-code-of-conduct.pdf. Including SPREP's policy on Child Protection, Environmental Social Safeguards, Fraud Prevention & Whistle-blower 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. 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*).
Provide examples of past related work outputs
For the Technical and Financial proposals, you may attach these separately.
 - iv. 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 **2 June 2023**. A summary of all questions received complete with an associated response posted on the SPREP website www.sprep.org/tender by **7 June 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 – 80%

Criteria	Detail	Weighting
Experience	a) At least 5 years' work experience and proven strong technical knowledge and experience in marine conservation or resource management in Samoa or other Pacific Island country	15
	b) Holds a post-graduate degree or relevant degree in Environmental Management, Marine Science/Policy or equivalent with proven relevant technical knowledge and experience in environmental management and planning	15
	c) Proven track record and good understanding of planning and delivering projects relating to threatened and migratory marine species, including a good understanding of issues relating to their conservation and management in the Pacific.	15
	d) Proven track record of effective communication with government, community stakeholders, NGOs, and civil society	10
	e) Technical knowledge and proven track record in planning, coordinating, and leading and delivering environmental plans or strategies relating to the marine environment	10
Technical Proposal / Methodology	Costed workplan setting out the activities to be undertaken and timing of activities	15

II. Financial Score – 20%

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: 19 June 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: PBS 2023-003: Plan, coordinate and lead the development of Samoa’s National Marine Sanctuary Management Plan”***

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

Title: Plan, coordinate and lead the development of Samoa's National Marine Sanctuary Management Plan

Background

SPREP is implementing a proposed component within the framework of an existing Financing Agreement between the Organisation of African, Caribbean and Pacific States (OACPS) and the European Union (EU) for the implementation of the Intra-African Caribbean Pacific (ACP) Support Programme for ACP Small Island Developing States (SIDS) and Coastal Countries. The programme has been approved for a total of EUR 35 million under the Intra-ACP Cooperation–11th European Development Fund Strategy Paper and Indicative Programme 2014-2020 programming actions for ACP regional organizations/institutions and countries. The programme contributes directly to Sustainable Development Goals (SDGs) 14 and 15, as well as the three Rio Conventions - the United Nations Convention on Biological Diversity (UNCBD), the United Nations Convention to Combat Desertification (UNCCD) and the United Nations Framework Convention on Climate Change (UNFCCC). It will also promote gender equality and good governance. Its overall goal is to support implementation of SDGs 14 (Life Below Water) and SDG 15 (Life on Land) concentrating on climate change, resilience building and the environment and to contribute to addressing the development challenges of ACP SIDS and coastal countries by focusing on the implementation of the SAMOA Pathway.

The programme component for the Pacific ACP region with the title The Pacific Biodiversity and Sustainable Land-Seascapes (Pacific BioScapes) Programme will be managed and implemented by the Secretariat of the Pacific Regional Environment Programme (SPREP). The programme will contribute to the sustainable development of Pacific SIDS by supporting and improving the management and sustainable use of marine and coastal resources. The programme will apply ridge-to-reef and other management approaches for both marine and terrestrial environments and to contribute to addressing barriers to effective conservation and sustainable use of biodiversity. Key Result Area 1 of the Pacific Biodiversity and Sustainable Land-Seascapes (Pacific BioScapes) Programme Activity 1.1 is to: *Strengthen the capacity of regional, national, and local stakeholders to develop and implement national and regional policy and regulatory frameworks for sustainable management and use of coastal and marine natural resources.* Sub activity 1.1.5 is: *Produce [a]marine sanctuary management plan in conjunction with current marine spatial planning implemented by IUCN.*

The deliverable is a regulatory framework for management of the Samoa Marine Sanctuary.

The Samoa government and IUCN are implementing partners and stakeholders in the development of this plan. There is a need to take on a consultant to work with the Samoa government and stakeholders to develop the Samoa National Marine Sanctuary Management Plan (SNMSMP).

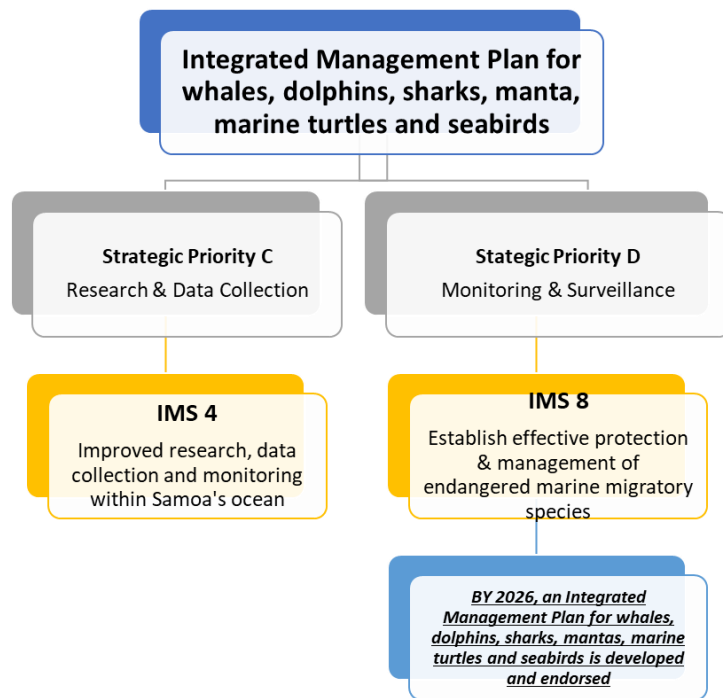
Context

Samoa National Marine Sanctuary

The National Marine Sanctuary was established under the Marine Wildlife Protection Amendment Regulations 2018 “14A National Marine Sanctuary – Samoa shall have a National Marine Sanctuary that provides and recognises the conservation of whales, dolphins, turtles and sharks within the EEZ” The establishment of the Sanctuary was supported in the new regulation by provisions that increase the protection afforded to sharks (including rays) and turtles in Samoa. The National Marine Sanctuary Management Plan will establish a regulatory framework for the conservation and management of all marine wildlife with a focus on whales, sharks, rays, turtles, (and seabirds) within Samoa’s Exclusive Economic Zone. It will provide the general mechanisms to direct and coordinate the various activities that may affect marine species within the marine sanctuary, ensuring that the purpose of the sanctuary is met to “...provide and recognise [for] the conservation of whales, dolphins, turtles and sharks...”

Samoa Ocean Strategy

The Samoa Ocean Strategy 2020 – 2030 (SOS) has identified 6 overarching Strategic Priorities (SP) for intervention and a further 13 Integrated Management Solutions (IMS) have been developed, to address many interrelated factors which collectively threaten the integrity and health of marine environments in Samoa’s ocean. Samoa Ocean Strategy 2020-2030. It is envisaged that an Integrated Management Plan for whales, dolphins, sharks, rays, marine turtles and seabirds will be developed under the Samoa Ocean Strategy and aims to address Strategic Priority C and D on; *Monitoring and Surveillance and Research and Data Collection* of the Samoa Ocean Strategy and associated Integrated Management Solutions (IMS), most specifically *IMS 8: effective protection and management of endangered marine migratory species* and *IMS 4: Improve scientific research, data collection and monitoring within Samoa’s ocean*. These aim to improve research and monitoring of important ecological and biological marine ecosystem features including migratory species of interest and conservation priority.



The development of a National Marine Sanctuary Management Plan through the Pacific BioScapes Programme will fulfil the requirement of an Integrated Management Plan for whales, dolphins, sharks, rays, turtles, and seabirds under the Samoa Ocean Strategy.

Marine Spatial Plan

The Marine spatial plan (MSP, is a practical way of spatially organising the human use of marine areas to balance the demands of human activities with the need to maintain the health of the ecosystems and the species within. For example, the MSP should seek to strengthen the protection of known migratory routes for whales on the north-eastern side of Samoa's EEZ. The yearly migratory route for whales has been identified as one of the EEZ's six offshore Special and Unique Marine Areas. Under the MSP, the annual whale's migration path, particularly for the humpback whales, overlaps with offshore located marine protected areas NTZ 5 and NTZ 10 of the network for protection.

Pacific Islands Regional Marine Species Programme 2022-2026

The most recent iteration of these strategic plans developed by SPREP in consultation with SPREP members was published in 2022. The programme covers five marine species groups, four of which are found in Samoa – whales and dolphins, sharks and rays, marine turtles, and seabirds. There are action plans for each species group as well as general actions which cover all species groups combined (multi-species action plan). Each plan is set out under 9 themes: research and monitoring; climate change; ecosystems and habitat protection; threat reduction; cultural significance and value; legislation, policy, and management; ecotourism and livelihoods; capacity building and collaboration; education, awareness, and communication. Each plan has objectives and indicators relating to these. The programme is designed to support PICTs with identifying priorities for management action for migratory species which are shared resources across the Pacific and would benefit from an integrated approach. Pacific Islands Regional Marine Species Programme 2022-2026

Description of Services

The Consultant/Project Coordinator will work in collaboration with MNRE to develop a National Marine Sanctuary Management Plan for Samoa, for all migratory marine species including whales and dolphins sharks and rays, marine turtles, and seabirds. The main tasks to be undertaken to achieve this are primarily:

1. Lead and provide overall coordination and management, in the development of Samoa's National Marine Sanctuary Management Plan.
2. Give a presentation to SPREP and MNRE (after 2 weeks of contract signing) to include detailed work plan with indicators and budget for the duration of the assignment including dates for deliverables to be submitted and outline of the methodology for the development of the Management Plan.
3. Develop a Communications and Visibility plan in collaboration with the SPREP Pacific BioScapes Communications and Outreach Specialist. Provide draft texts, photos, diagrams etc. for all communication products to the project communications officer. Proofread and provide comments on final communications products.
4. Conduct a literature review and analysis of existing international, regional, and national legal and policy frameworks for management and protection of migratory marine species in Samoa. Provide a report and recommendations including identifying any gaps in national legislation for conservation and protection of marine migratory species.
5. Conduct a workshop with MNRE staff and IUCN MSP consultants on issues relating to management of migratory marine species including for the effective implementation of the Marine Wildlife Protection Amendment Regulations 2018 and any other relevant legislation including the Lands, Surveys and Environment Act 1989
6. Collate and analyse information from the workshop and literature review for the development of a draft outline of the contents of the National Marine Sanctuary Management Plan (Management Plan) to be presented and discussed with MNRE-DEC and SPREP for initial comments.

7. Identify relevant stakeholders with assistance from MNRE-DEC. This will include all government departments, organisations including NGOs and civil society who have or will have a role in conservation and management of migratory marine species in Samoa.
8. Undertake stakeholder consultations on the draft outline of the Management Plan as approved by MNRE-DEC and SPREP. Review outline and finalise based on stakeholder consultation.
9. Develop first draft of the Management Plan followed by consultation with MNRE-DEC and SPREP
10. Undertake a second stakeholder consultation on the draft Management Plan, approved for consultation by MNRE-DEC and SPREP
11. In collaboration with MNRE - Division of Environment and Conservation (DEC) and SPREP, lead and facilitate all stakeholder workshops about the development and endorsement of the Management Plan
12. Lead the compilation of information and writing of the Management Plan in collaboration with MNRE-DEC and SPREP, incorporating comments and feedback received from the workshops.
13. In collaboration with MNRE-DEC and SPREP lead final stakeholder workshops to present the final draft Management Plan and incorporate any final comments or feedback respectively
14. Ensure all materials and documents developed are readily accessible to MNRE and SPREP, potentially through a google drive.
15. Final Integrated Management Plan draft text and photos for communication products provided to SPREP for translation, editing and printing.

Communications

The consultant will follow the Pacific BioScapes Programme Communications and Visibility Strategy in the development and approval of all external documents and media publications. The Pacific BioScapes Programme has a communications and outreach specialist who can provide advice.

Remuneration

The budget for services provided is up to **USD 23,000** based on submission and acceptance by the Threatened and Migratory Species Adviser a summary report of agreed deliverables and invoices.

SPREP will cover workshop costs including venue hire and catering. The consultant will provide the final document to SPREP for final editing, translation, design and printing.

Work Arrangements

The consultant will be expected to work in-country in Samoa and report to the SPREP, Threatened and Migratory Species Adviser and the SPREP, Turtle Database and Conservation Officer through regular virtual calls or emails.

Duration of Consultancy

This consultancy is expected to run for 9 months and will end no later than June 2024.