

REQUEST FOR TENDERS

RFT: PWP-260-CON
File: AP_6/5/8/3
Date: 23 August, 2023
To: Interested consultants
From: PacWastePlus Finance and Procurement Officer

Subject: Request for tenders (RFT): Development of the Federated States of Micronesia (FSM) National Solid & Hazardous Waste Strategy and Policy.

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 assist in the development of the Federated States of Micronesia (FSM) National Solid & Hazardous Waste Strategy and Policy.
- 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/spreporganisational-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. 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 pwp.procurement@sprep.org before 11 September 2023. A summary of all questions received complete with an associated response posted on the SPREP website www.sprep.org/tender by 13 September 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	Demonstrate experience in the development of national strategies/systems.	25%
	Preference given to tenderers that have developed waste management strategies and have experience in the Pacific region.	

	Demonstrate an understanding of solid and hazardous waste management, treatment, and disposal systems.	15%
	Demonstrated experience in national and local monitoring and evaluation processes that include strengthened reporting, monitoring, and evaluation mechanisms	15%
Methodology	Proposed project methodology noting schedule, activities, concurrent or sequential development, engagement with country representatives, etc. Preference given to consultants to provide details of their preferred strategy structure and provide specific information on how they will deliver and manage the requested works.	25%

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: 20 September 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 **‘PWP-260-CON: Development of Federated States of Micronesia (FSM) National Solid & Hazardous Waste Policy.**



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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

Development of the Federated States of Micronesia National Waste Strategy

1. 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 PacWastePlus Programme (the 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.

PacWastePlus 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 PacWaste Plus 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).

SPREP is also working with the United Nations Environment Programme (UNEP) to execute the GEF ISLANDS Pacific Project. The project is part of the GEF 7 cycle of funding aimed at supporting 14 Pacific Island Countries (PICs) in meeting their obligations to various multilateral environment agreements (MEA's) relating to chemicals and waste management. These MEA's include the Basel, Rotterdam, Stockholm, Minamata, and Waigani Conventions.

GEF ISLANDS Pacific Project will work with 14 Pacific island countries for the sound management of chemicals and waste addressed through strengthening the capacity of sub-national, national, and regional institutions and strengthening the enabling policy and regulatory framework in these countries to work towards the delivery of the Cleaner Pacific 2025 Regional Waste Strategy and made funding available to support this work.

2. INTRODUCTION TO PROJECT

The National Government of the Federated States of Micronesia (FSM) has requested PacWastePlus and GEF ISLANDS Pacific Project's support to review the current development of a National Solid and Hazardous Waste Management Strategy.

The Intent of the Strategy is to ensure a cohesive coordinated approach to waste management throughout the States of Micronesia, that appropriately recognises the existing State Strategies, considers the mandate given to the National Government, and provides the overarching Policy and Strategy setting to assist the FSM to deliver coordinated value environmental service to the people of FSM.

The National Government has undertaken extensive consultation with members states, and developed a zero draft strategy that will be provided to the successful tenderer for:

- Review and update into a full National Strategic context that appropriately represents the National government mandate, and the State responsibilities.
- Reflects strong strategic intent for waste management, both solid waste and hazardous waste and burning is prevalent.

3. EXPECTED OUTCOME

The PacWastePlus Programme and GEF ISLANDS Pacific Project seeks to engage a consultant to deliver the following:



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- Development of National Solid & Hazardous Waste Management Policy
- Development of National Solid & Hazardous Waste Management Strategy

4. SCOPE OF WORK

The expected delivery of this consultancy will be developed in stages and is described in the following table.

Phase	Description	Documentation to be provided	Consultant Output
Inception	<p>Lead an inception meeting with the PacWastePlus team to discuss the delivery of the project, addressing all issues likely to cause delays (risk management), and ensure a common understanding of the action, and required outputs.</p> <p>The Inception Meeting minutes shall:</p> <ul style="list-style-type: none"> • Confirm activities agreed upon • Confirm scope to be developed as agreed by meeting participants prior to commencement of any activities. <p>The Contractor shall create and submit to SPREP a Work Plan that shall upon execution ensure effective delivery of services under this contract.</p> <p>The Draft Work Plan shall contain at a minimum a</p> <ul style="list-style-type: none"> • Proposed time schedule and sequence of events that the Contractor shall use to meet the contract deliverables. • General description of the methods which the Contractor proposes to adopt for executing the contract. • Comprehensive risk plan to ensure effective delivery of services. • Any further details and information as SPREP may reasonably require. 	<p>Zero draft FSM National Solid & Hazardous Waste Management Strategy</p> <p>4 x FSM State Waste Management Strategies</p> <p>Waste Management Strategies from throughout the Pacific Region</p> <p>Cleaner Pacific 2025 Regional Waste Management Strategy</p> <p>FSM National and State Waste & Environmental Legislation</p>	<p>Inception meeting</p> <p>Minutes of the inception meeting with confirmation of activities, and scope of work to be developed and agreed by meeting participants prior to commencement of any activities.</p> <p>Draft Work Plan</p> <p>The Draft Work Plan shall be delivered to SPREP for its consideration and comment.</p> <p>Final Work Plan</p> <p>Final work plan incorporating revisions and addressing all comments by reviewers on the draft work plan</p>
Develop National Solid & Hazardous Waste Management Policy and Strategy (draft document)	<p>Develop a National Solid and Hazardous Waste Management Policy and Strategy for FSM.</p> <p>The FSM does not currently have a National Solid and Hazardous Waste Management Policy and feels the development of such a Instrument may assist the overall coordination and implementation of waste management services to the people of FSM.</p> <p>The Zero Draft Strategy, and State Strategies provide ample information to enable the development of Policy positions, so the development of the National Policy whilst completing the drafting of the National Strategy is believed to be an aligned and relatively easy task. It is noted that current State and Zero Draft National Strategies do not reference</p>	<p>Sample FSM Policy Document (for Format)</p>	<p>Draft National Solid & Hazardous Waste Policy and Strategy</p> <p>The draft Policy and Strategy shall address requirements identified in the Description of this Phase.</p>

Phase	Description	Documentation to be provided	Consultant Output
	<p>Hazardous Waste, so this element of work will need to commence from first principles.</p> <p>The Policy Shall be developed following FSM Policy structure (as provided in example policies).</p> <p>The National Solid and Hazardous Waste Strategy shall be structured roughly as follows:</p> <ul style="list-style-type: none"> • Where are we now (current status of solid & Hazardous Waste in FSM) • Where do we want to be (Vision, objectives, goals – much of the initial thinking is included in the zero draft) • How will we get there (Action plan and description of tasks, utilising zero draft and State Strategies) • How do we know when we are there (monitoring and evaluation) <p>The consultant is expected to consider the Zero Draft, and the described strategic intent to develop a proposed Strategy Structure for agreement by FSM. Once framework structure is agreed, utilisation of existing materials, and consultation with FSM officers will transfer and build necessary content to populate the Strategy.</p> <p>Consultation with FSM officers and the four states would be expected to occur in this Phase of work.</p>		
<p>Final National Solid & Hazardous Waste Management Policy and Strategy (draft document)</p>	<p>The Final Policy and Strategy documents are to be created following the detailed feedback provided from FSM and SPREP on the Draft documents.</p>		<p>Final National Solid & Hazardous Waste Policy and Strategy</p> <p>The Final Policy and Strategy shall address all comments made to the draft Policy and Draft Strategy reviewed from the previous Phase.</p>

Institutional Arrangement

It is expected that this project will be undertaken remotely, and not require any travel. Introductions to representatives of the FSM will be facilitated by the SPREP team.

Consultant Responsibilities

The consultant will be responsible for scheduling meetings with stakeholders and SPREP, taking minutes, and distributing draft documents for comment prior to finalising.

5. SCHEDULE OF WORK

The activities are to be completed no later than **30 March 2023** with a preference for the activities to be completed much earlier.

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

Table 2: Project Schedule

Activity/Deliverable	Timeline
Draft Work Plan	No later than two (2) weeks from date of Contract Execution
Final Work Plan	No later than two (2) weeks from date of receipt of final comments on draft Work Plan
Draft National Solid & Hazardous Waste Management Policy & Strategy and consultation with the 4 states	No later than ten (10) weeks from date of approved Work Plan
Final National Solid & Hazardous Waste Management Policy & Strategy	No later than two (2) weeks from date of receipt of final comments on Draft documents.

6. BUDGET

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

- Salary costs (hourly rate)
- All applicable taxes

Submissions must include an annotated budget listing for each task.

Proposals above \$50,000 USD will not be considered.

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. Other Information

The successful consultant will be provided with any relevant project documentation.

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.

Including SPREP's policy on Child Protection, Environmental Social Safeguards, Fraud prevention & Whistleblower Protection and Gender and Social Inclusion.