



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **28 March, 2014**

Country: Republic of Moldova

Description of the assignment: International Consultant on EU approximation of legislation relating to the reduction of sulfur content of certain liquid fuels for the Ministry of Environment

Project name: Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration

Period of assignment/services: April-June, 2014

Proposals should be submitted online by pressing the "Apply Now" button no later than 11 April, 2014.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: traian.turcanu@undp.org. UNDP will respond by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all applicants.

1. BACKGROUND

Relations between the Republic of Moldova (RM) and the European Union (EU) formally started with the signing of the Partnership and Cooperation Agreement (PCA) in 1994 that entered into force in 1998. The PCA established the basic principles of cooperation between RM and EU and was designed for a 10 year period.

The Partnership and Cooperation Agreement will soon be replaced by an Association Agreement which includes a Deep and Comprehensive Free Trade Area (DCFTA). The documents provide for political association and economic integration and have been initialed in Vilnius in November 2013.

For the Republic of Moldova the AA represents a reform agenda which is based on a comprehensive program of legal harmonization with EU *acquis communautaire*.

The Association Agreement provides that the Parties shall develop and strengthen their cooperation on environmental issues, thereby contributing to the long-term objective of sustainable development and greening the economy. It is expected that enhanced environment protection will bring benefits to citizens and businesses in the Republic of Moldova and in the European Union, including through improved public health, preserved natural resources, increased economic and environmental efficiency, integration of the environment into other policy areas, as well as use of modern, cleaner technologies contributing to more sustainable production patterns. Cooperation shall be conducted considering the interests of the Parties on the basis of equality and mutual benefit, as well as taking into account the interdependence existing between the Parties in the field of environment protection, and multilateral agreements in the field.

UNDP and its international partners are committed to assist Moldova, through technical and financial assistance, in promoting costly legal and institutional reforms that the Association Agreement entails.

The Project “Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration (MFAEI)” aims at strengthening the institutional capacity of the MFAEI as lead institution in the AA negotiation process. In the same context, the Project seeks to contribute to developing EU integration capacities of key line ministries through aligning relevant policies, administrative and institutional arrangements, legislation, procedures and best practices to EU standards and requirements.

2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

The Project will contract an International Consultant to consult and raise capacity of the Moldovan Ministry of Environment in upgrading and EU approximating national legislation, institutional arrangements, procedures and best practices in the area of emissions of harmful substances into the atmosphere in connection with Directive 1999/32/EC relating to a reduction in the sulfur content of certain liquid fuels.

This will ensure effective protection, primarily, for the population of the Republic of Moldova from recognized risks from sulfur dioxide emissions and protect the environment by preventing sulfur deposition exceeding critical loads and levels.

The expert will assess and report on legislation in force, institutional arrangements, national procedures and documentation based on the requirements of the Association Agreement in relation to Directive 1999/32/EC; undertake a gap analysis, including a Table of Concordance, and needs assessment for the harmonization of the relevant Moldovan legislation and procedures with the provisions of Directive 1999/32/EC; develop an Action Plan for aligning Moldovan legislation and procedures with the requirements of Directive 1999/32/EC, according to the timeline agreed within the framework of the Energy Community Treaty; draft legislative amendments, procedural documents, and supporting documentation, as agreed with the beneficiary, for transposing the provisions of Directive 1999/32/EC, and in line with EU best practices; produce a final mission report containing with focus on specific procedures in the field emissions of harmful substances, submit it to the Beneficiary for approval, and deliver it in a presentation during a workshop with key stakeholders (including representatives of the Centre for Legal Approximation).

For detailed information, please refer to Annex 1 – Terms of Reference.

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

Academic Qualification

- Relevant Bachelor degree in environmental protection, ecology or environmental management or other related field. Relevant Master's Degree or PhD would be an asset.

Experience

- Minimum 7 years of work experience in the area of control of air quality and emissions of harmful substances;
- Sound experience in legal approximation of EU requirements in the area of air quality and control of emissions;
- Specific experience in transposing the provisions of Directive 1999/32/EC or other relevant legal acts and standards would be an advantage;

- Knowledge of and experience in assisting government institutions within projects funded by international organizations in the region of Central and Eastern Europe (experience in countries with economies in transition would be an asset)

Competencies

- Strong analytical and drafting skills;
- Ability to analyze, plan, communicate effectively with stakeholders and present ideas clearly and effectively
- Demonstrated interpersonal and diplomatic skills
- Ability to enter new environments, adapt quickly and produce immediate results.
- Computer literacy - competent user of Microsoft Office programs

Language requirements

- Fluency in written and spoken English. Knowledge of Romanian or Russian would be an asset.

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

- **Proposal:** explaining why they are the most suitable for the work;
- **Financial proposal;** in (USD, specifying a total lump sum amount and the number of anticipated working days);
- **Personal CV** including past experience in similar projects and at least 3 references.

5. FINANCIAL PROPOSAL

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals the financial proposal shall include a breakdown of this lump sum amount (including fee, taxes, travel, per diems, and number of anticipated working days).

Travel

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

Up to two travel missions are envisaged under this assignment, with a minimum 20 working days in Moldova.

6. EVALUATION

Initially, individual consultants will be short-listed based on the following minimum qualification criteria:

- Relevant Bachelor degree in environmental protection, ecology or environmental management or other related field. Relevant Master's Degree or PhD would be an asset;

- Minimum 7 years of work experience in the area of control of air quality and emissions of harmful substances.

The short-listed individual consultants will be further evaluated based on the following methodology:

Cumulative analysis

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- responsive/compliant/acceptable, and
- having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

* Technical Criteria weight – 60% (300 pts)

* Financial Criteria weight – 40% (200 pts)

Only candidates obtaining a minimum of 210 points would be considered for the Financial Evaluation.

Criteria	Scoring	Maximum Points Obtainable
<u>Technical</u>		
Relevant Bachelor degree in environmental protection, ecology or environmental management or other related field. Relevant Master's Degree or PhD would be an asset.	University degree - 10 pts, Master's – 20 pts, PhD's – 30 pts	30
Minimum 7 years of work experience in the area of control of air quality and emissions of harmful substances;	7 years – 30 pts, more than 7 years of experience – 5 pts, for each additional year of experience up to a maximum of 35 additional points;	65
Sound experience in legal approximation of EU requirements in the area of air quality and control of emissions;	No – 0 pts, to some extent – 15 pts; yes – up to 60 pts;	60
Specific experience in transposing the provisions of Directive 1999/32/EC or other relevant legal acts and standards would be an advantage;	No -0 pts, to some extent – up to 15 pts, yes – up to 55 pts,	55
Knowledge of and experience in assisting government institutions within projects funded by international organizations in the region of Central and Eastern Europe (experience in countries with economies in transition would be an asset)	No – 0 pts, to some extent – 10 pts, yes – 20 pts, experience in countries with economies in transition – up to 40 pts	40
Strong analytical and drafting skills; ability to analyze, plan, communicate effectively with stakeholders and present ideas clearly and effectively; demonstrated interpersonal and diplomatic skills; ability to enter new environments, adapt quickly and produce immediate results; computer literacy - competent user of Microsoft Office programs	Max. 25	25

Fluency in written and spoken English. Knowledge of Romanian or Russian would be an asset	English- 15 pts; Russian – 5 pts; Romanian – 5 pts;	25
Maximum Total Technical Scoring		300
<u>Financial</u>		
Evaluation of submitted financial offers will be done based on the following formula: $S = F_{min} / F * 200$ S – score received on financial evaluation; Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round; F – financial offer under consideration.		200

Winning candidate

The winning candidate will be the candidate, who has accumulated the highest aggregated score (technical scoring + financial scoring).

ANNEXES:

ANNEX 1 – TERMS OF REFERENCES (TOR)

ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS