



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **27 May, 2014**

Country: Republic of Moldova

Description of the assignment: International Consultant on EU approximating Moldovan legislation on sustainable pesticide use and data requirements for marketing of pesticides for the Ministry of Agriculture and Food Industry

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

Period of assignment/services: June - August, 2014

Proposals should be submitted online by pressing the "Apply Now" button no later than 13 June, 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 norms.

Exceeding the classical arrangements of free trade, DCFTA provides not only a mutual opening of markets for most goods and services but requires a gradual rapprochement of norms and standards such as quality standards and rules, sanitary rules, intellectual property rights, trade facilitation, public procurement and competition, energy trade and other.

Except for European Economic Area and EU candidate states, never before has the EU opened its internal market to such an extent to a third country. This reality is possible due to the commitment of the Republic of Moldova to take over the *acquis communautaire*.

In exchange to effective implementation of EU legislation Moldova will gradually become part of the EU internal market.

A deeper economic integration through DCFTA will boost the country's economic growth, will create

business opportunities and promote real economic modernization and integration into the EU. The direct result of establishing free trade area with EU is that citizens will benefit from higher quality and safer goods and services while manufacturers will be supported to access international markets.

UNDP and its international partners are committed to assist Moldova, through technical and financial assistance, in promoting costly legal and institutional reforms that DCFTA 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, including the Ministry of Agriculture and Food Industry (MAFI). The immediate focus is currently the post-negotiation and implementation phases of the AA.

Alignment of policy, institutional arrangements, legislation procedures and best practices to EU standards and requirements is a priority for MAFI to raise the level of consumer protection and competitiveness domestically and to gain access to EU markets. In particular reference is made here to relevant parts on protective measures against the introduction into the Moldovan territory of organisms harmful to plants or plant products and against their spread to third countries.

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 Ministry of Agriculture and Food Industry (MAFI) and other stakeholders in the area of upgrading and EU approximation of policy, legislation institutional arrangements, procedures and best practices in the area of sustainable pesticide use and data requirements for marketing of pesticides.

The expert will assess and report on current policy, legislation, institutional arrangements, national procedures and documentation in the area of sustainable pesticide use and data requirements for pesticide marketing in particular **Directive 2009/128/EC** of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides, **Regulation (EU) No 283/2013** of 1 March 2013 setting out the data requirements for active substances and **Commission Regulation (EU) No 284/2013** of 1 March 2013 setting out the data requirements for plant protection products; On the basis of deliverable 1 to make and agree jointly with beneficiaries a mission action plan for remedying gaps; Support MAFI in drafting legislation / legislative amendments (including regulating institutional arrangements) and supporting documentation (e.g. legislative impact analysis) for in particular **Directive 2009/128/EC** of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides, **Regulation (EU) No 283/2013** of 1 March 2013 setting out the data requirements for active substances and **Commission Regulation (EU) No 284/2013** of 1 March 2013 setting out the data requirements for plant protection products; Consultation with all stakeholders including National Food Safety Agency (NFSA) and the private sector on all elements of timing and mechanisms for implementation; Organize a workshop with all stakeholders including presentation of final mission report.

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

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

Academic Qualification

- Relevant higher education qualification, preferably in Agronomy, Horticulture, or Law

Experience

- Minimum 7 years of work experience in the area of harmonizing sanitary and phytosanitary legislation to EU standards
- Experience in transposing EU requirements in the area Pesticides and Plant Protection Products

- Specific experience especially of implementing sustainable pesticide use and data requirements for pesticide marketing in particular Directive 2009/128/EC Regulation (EU) No 283/2013 and Commission Regulation (EU) No 284/2013 would be an advantage.
- Knowledge of and experience in assisting government institutions in the newest EU member states or candidate countries.

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.

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 50 working days in Moldova.

6. EVALUATION

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

- Relevant higher education qualification in Agronomy, Horticulture, Law or other related field;

- Minimum 7 years of work experience in the area of harmonizing sanitary and phytosanitary legislation to EU standards.

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 higher education qualification in Agronomy, Horticulture, Law or other related field	Bachelor of Arts – 10 pts, Master's– 20 pts, PhD's – 30 pts	30
Minimum 7 years of work experience in the area of harmonizing sanitary and phytosanitary legislation to EU standards	7 years – 35 pts, more than 7 years of experience – 5 pts, for each additional year of experience up to a maximum of 35 additional points;	70
Experience in transposing EU requirements in the area Pesticides and Plant Protection Products	No – 0 pts, at some extent – 30 pts; yes – up to 55 pts;	55
Specific experience especially of implementing sustainable pesticide use and data requirements for pesticide marketing in particular Directive 2009/128/EC Regulation (EU) No 283/2013 and Commission Regulation (EU) No 284/2013 would be an advantage	No -0 pts, at some extent – up to 30 pts, yes – up to 50 pts,	50
Knowledge of and experience in assisting government institutions in the newest EU member states or candidate countries	No – 0 pts, to some extent – 20 pts, yes – 40 pts,	40
Strong analytical and drafting skills; ability to analyse, 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. 30	30
Fluency in written and spoken English.	English- 10 pts; Romanian – 10 pts;	25

Knowledge of Romanian or Russian would be an asset	Russian – 5 pts;	
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