

REQUEST FOR TENDERS

RFT: 2024/020
File: AP_2/39
Date: 7 June, 2024
To: Interested consultants
From: Kenneth Kassem, BIEM Initiative Manager

Subject: Request for tenders (RFT): Building capacity of Fiji to address regulatory and legal obligations relating to CITES with Appendix II listed coral and live rock species.

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. 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 (individuals or teams) to lead the preparation of Non Detriment Findings (NDFs) for Appendix II listed coral and live rock species that occur in Fiji in partnership with the Department of Environment (DoE) and the Ministry of Fisheries (MoF) to address their legal responsibility in relation to export and permitting processes for relevant CITES-listed species.
- 2.2. The Terms of Reference of 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://library.sprep.org/sites/default/files/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.
- 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. Must meet local registration requirements where consultant is based
- 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.
 - f) Where relevant provide:
 - i. Business registration/license (For Entities/ Individual consultant's as per relevant national legislations)

- ii. Tax Identification Number (TIN) Letter (If applicable for Individual consultant's as per relevant national legislations)
- 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 24 June 2024. A summary of all questions received complete with an associated response posted on the SPREP website www.sprep.org/tender by 26 June 2024.
- 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. Be able to demonstrate that he/she has the technical qualifications from a recognised tertiary institution and expert knowledge in the conservation and management of the relevant CITES listed marine species, particularly corals;	40
	b. Demonstrate a proven track record in advising Pacific Island Countries and Territories (PICTs) or small island developing states on the regulatory and legal obligations relating to CITES decisions on trade in Appendix II listed species (preferably in preparing NDFs for marine species);	30
	c. Prior delivery of effective communication to government and community stakeholders in the Pacific.	10
Technical Proposal / Methodology	d. Proposed methodology and workplan to undertake the tasks outlined in these terms of reference, including timelines to complete the deliverables.	10

II. Financial Score – 10%

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: 05 July, 2024, 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 2024/020: Building capacity of Fiji to address regulatory and legal obligations relating to CITES with Appendix II listed coral and live rock species.'**

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

CONSULTANT - Building capacity of Fiji to address regulatory and legal obligations relating to CITES with Appendix II listed coral and live rock species.

Project Background

SPREP is leading the By-catch and Integrated Ecosystem Management (BIEM) Initiative, Key Result Area 5 of the Pacific European Union Marine Partnership (PEUMP) Programme in which the Key Result Area 5.8 is focused on capacity development on Non-Detrimental Findings (NDF) process for CITES partners. BIEM activities in Fiji are government by an Memorandum of Understanding and Steering Committee chaired by the Ministry of Environment and Climate Change – Fiji.

As a signatory to CITES, Fiji requires Non Detriment Findings (NDF's) studies be undertaken for species listed under Appendix II of CITES that are to be traded domestically and internationally. Fiji has previously undertaken some work to understand the status and trends of the live coral and live rock, particularly those being grown through aquaculture, but the data is limited. Surveys were conducted in 2004 which informed the CITES quotas set in 2014.

In 2023, the Department of Environment, under the MECC published the coral and live rock (farm only) 2017 export quota, based on the 2014 NDF. This was facilitated through the CITES Secretariat.

Considering the NDF is only valid for five years, the MECC requested that budget under BIEM Initiative KRA5.8 be used for the preparation of an NDF for Appendix II listed coral and live rock species. This is to address Fiji's legal responsibility in relation to export and permitting processes for relevant CITES-listed species, as regulated under the Endangered and Protected Species Act 2002.

This project is to be undertaken in partnership with MECC, the Fiji CITES Management Authority, the Fiji CITES Scientific Council and the Fiji NDF Working Group.

Services Required

SPREP is seeking the services of a consultant (individual or team) who is an expert in marine ecology or is a marine environmentalist or a specialist in Fisheries to undertake an NDF for live coral and live rock within the selected sites. A successful applicant should produce proven record of past related work in carrying out an NDF.

This work will include a review of available coral and live rock data, relevant scientific research and existing management arrangements relating to distribution and setting a sustainable yield for harvest and export that will minimize any detrimental impact on the remaining population. Limited field surveys at selected sites will be required, as well as preparation of the NDF and management plan/harvest strategies for Fiji's live coral and live rock Appendix listed CITES species.

Scope of work

Approach:

Review of available data and reports:

- Available data and reports from previous surveys will be made available to the consultant and will be reviewed.

- Existing management arrangements and quotas for coral and live rock species will also be reviewed.

Limited new surveys and development of survey protocol:

- 6 sites have been identified where harvest has occurred in previous years: Yanuca, Burenitu, Noi Korolevu, Galoa, Deuba and Naviti.
- Noting budget availability, in-water surveys will be conducted where recent data are lacking or limited. The consultant will conduct surveys at the identified sites and/or use other relevant existing survey data.
- The scope includes both wild and cultured live corals and live rock.
- The survey methodology will:
 - focus on the high value species, rare, threatened, most abundant and common;
 - differentiate between wild and cultured corals;
 - include species level survey and analysis; and
 - consider climate change impacts (resilient corals and impacts from extreme events to be considered).
- A survey protocol will be developed and provided to the Department of Environment for use in future surveys at additional sites.

Non Detriment Findings (NDF) and Management Plan / Harvest Strategy:

- The consultant will develop an NDF and management plan/harvest strategy including:
 - determining a sustainable quantity/volume for harvest with least/ minimal detrimental impact on the remaining population;
 - addressing current gaps and providing clear actions including criteria to be met and required activities;
 - 3- and 5- year recommendations to be achieved;
 - monitoring requirements and details;
 - spot check and coral monitoring protocols; and
 - validity of the NDF and the impacts and consequences.
- The NDF and Management Plan should follow the proposed structure (to be confirmed with relevant Ministries) and include:
 - Background / Literature Review;
 - Previous Sites; Current Sites;
 - List of potential Harvesters and proposed sites;
 - Growth and Productivity;
 - Stocktake of current coral data and science available;
 - GIS potentials/ Data and information; and

- Control Measures and a Monitoring Plan confined to areas for collection.
- The NDF will need to be presented and defended via a peer review process through the Fiji CITES Scientific Council for their endorsement. To that end, the consultant will work with the MECC to provide any support required for this process.

The consultant will be expected to liaise and consult with technical experts, the Fiji Government Ministry of Environment, Fiji CITES Management Authority, Fiji CITES Scientific Council, relevant Ministries, SPREP's Threatened and Migratory Species Adviser, BIEM Project Manager and Coordinator, and the BIEM Bycatch/CITES Coordinator from TierraMar.

The consultant will follow the PEUMP Programme Communications and Visibility Strategy and BIEM Initiative Communications and Visibility Guidance in the development and approval of all external documents and publications.

Requirements

To be considered for this tender, interested suppliers must meet the following conditions (also, refer Evaluation Criteria):

- a. Be able to demonstrate that he/she has the technical qualifications from a recognised tertiary institution.
- b. Have strong knowledge and a proven track record in coral and live rock biology, ecology and conservation and management.
- c. Demonstrate a proven track record in advising Pacific Island Countries and Territories (PICTs) or small island developing states on the regulatory and legal obligations relating to CITES decisions on trade in Appendix II listed species, or related work (preferably in preparing NDFs for marine species).
- d. Have experience in delivery of effective communication to government and community stakeholders in the Pacific.
- e. Have an excellent command of spoken and written English.

Remuneration

The budget allocated for these activities is up to US\$48,000. This is to include all out-of-pocket expenses incurred by the consultant, including any travel and field activities.

Duration of the Consultancy

This consultancy will run over a 7-month period from July 2024 to end February 2025.

ANNEX 2:

***Convention on International Trade of Endangered Species in wild fauna and flora- (CITES)
Fiji Export Quota 2020
Hard Corals, Live Rocks (farmed only) and Physeter macrocephalus teeth (Tabua)***

Hard Coral Species	Total Quota (pcs)
<i>Acropora spp</i> (up to 30 plus species).	40,000
<i>Acanthastrea spp</i>	2500
<i>Archelia spp.</i>	600
<i>Astreopora sp</i>	2100
<i>Caulastrea spp.</i>	4500
<i>Catalaphyllia jardinei</i>	880
<i>Cyphastrea sp.</i>	1200
<i>Distichopora spp</i>	600
<i>Diploastrea heliopora</i>	1950
<i>Echinopora sp.</i>	1900
<i>Echinophyllia sp.</i>	2500
<i>Echinomorpha nishihirai</i>	900
<i>Euphyllia ancora</i>	1600
<i>Euphyllia cristata</i>	700
<i>Euphyllia glabrescens</i>	4500
<i>Euphyllia parancora (hammer coral)</i>	1500
<i>Euphyllia yaeyamaensis</i>	700
<i>Favia spp</i>	5600
<i>Favites spp</i>	5900
<i>Fungia sp</i>	7800
<i>Galaxea astreata</i>	600
<i>Galaxea fascicularis</i>	2250
<i>Galaxea horrescens</i>	700
<i>Goniastrea sp</i>	3500
<i>Goniopora spp</i>	2300
<i>Hydnophora exesa</i>	700
<i>Hydnophora rigida</i>	3500
<i>Leptoseris spp.</i>	650
<i>Leptastrea sp (purpurea)</i>	200
<i>Lobophyllia spp</i>	7300
<i>Merulina ampliata</i>	2200
<i>Merulina scabricula</i>	650
<i>Millepora sp (fire corals)</i>	4700
<i>Montastraea spp. (annularis/cavernosa).</i>	1500
<i>Montipora spp (digitata).</i>	8800
<i>Mycodium elephantotus</i>	3900
<i>Oulophyllia spp</i>	1900
<i>Oxypora spp</i>	1100
<i>Pachyseris rugosa</i>	1500
<i>Pachyseris speciosa</i>	900
<i>Pavona spp</i>	4300
<i>Pectinia spp</i>	1700
<i>Platygyra spp</i>	6500
<i>Pocillopora spp</i>	15,600
<i>Polyphyllia talpina</i>	1000
<i>Porites spp</i>	5870
<i>Psammacora spp</i>	1270
<i>Seriatopora hystrix</i>	4400
<i>Stylaster spp</i>	5000
<i>Stylophora spp</i>	5000
<i>Symphyllia sp</i>	2300
<i>Trachyphyllia sp</i>	7500
<i>Tubastrea faulkneri</i>	870
<i>Tubastrea micrantha</i>	1770

<i>Tubipora musica</i>	5000
<i>Turbinaria spp</i>	7000

Species	Total Quota
Live Rock (farmed only)	340,125.00 kg

ANNEX 3:

The Pacific-European Union Marine Partnership Programme

The Pacific-European Union Marine Partnership (PEUMP) Programme addresses some of the most serious challenges faced by the region. Among these are the increasing depletion of coastal fisheries resources; the threats to marine biodiversity, including negative impacts of climate change and disasters; the uneven contribution of oceanic fisheries to national economic development; the need for improved education and training in the sector; and the need to mainstream a rights-based approach and to promote greater recognition of gender issues within the sector.

This 5-year programme started in September 2018 and is funded by the European Union (EUR 35 million) with additional targeted support from the government of Sweden (EUR 10 million). The programme provides direct assistance through regional organisations to support regional and national level activities in the Pacific.

The PEUMP Programme combines a regional and national approach, paying specific attention to actions and services delivered at country level to promote and direct positive changes for target groups, in particular women, youth and the most vulnerable groups.

The PEUMP Programme's **overall objective** is to *'Improve the economic, social and environmental benefits for 15 PACPs arising from stronger regional economic integration and the sustainable management of natural resources and the environment'*.

The **specific objective (outcome)** is to *'support sustainable management and development of fisheries for food security and economic growth, while addressing climate change resilience and conservation of marine biodiversity'*.

To address the main priority areas identified in the formulation phase, a demand-driven approach, recognising the diversity of needs and opportunities across the 15 PACP countries, the Programme adopts an integrated approach, with inter-related components implemented by several agencies, revolving around six KRAs and the Programme Management Unit based in Suva, Fiji. Four main agencies are implementing / or have been implementing the KRAs through a multisectoral approach: 1) The Pacific Community (SPC), which is the lead agency for the programme and will be responsible for its overall management, 2) the Pacific Islands Forum Fisheries Agency (FFA), 3) SPREP and 4) The University of the South Pacific (USP). In addition, the PEUMP is also partnering with Non-Government Organisations (NGOs), which include the Locally Managed Marine Areas (LMMA), Pacific Islands Tuna Industry Association (PITIA), International Union for the Conservation of Nature (IUCN) and the World Wildlife Fund (WWF).

The six KRAs are aligned with the two focal sectors of the regional roadmap – oceanic and coastal fisheries and are as follows:

Oceanic Fisheries

- KRA 1 - High quality scientific and management advice for oceanic fisheries provided and utilised at regional and national levels (SPC).
- KRA 2 – Inclusive economic benefits from sustainable tuna fishing increased through supporting competent authorities and strengthening private sector capacities to create decent employment (FFA).

Coastal Fisheries

- KRA 3 – Sustainable management of coastal fisheries resources and ecosystems improved through better quality scientific information, legal advice, support, mentoring and empowerment at community level (SPC).

Coastal and Oceanic fisheries

- KRA 4 – IUU fishing reduced through enhanced monitoring control and surveillance of both oceanic and coastal fisheries, improved legislation, access to information, and effective marine area management (FFA).
- KRA 5 - Sustainable utilisation of the coastal and marine biodiversity promoted through improving marine special planning, increasing climate change resilience, enhancing conservation, mitigation and rehabilitation measures (SPREP).

Capacity development

- KRA 6 - Capacity built through education, training and research and development for key stakeholder groups in fisheries and marine resources management (USP).

Key Result Area 5: By-catch and Integrated Ecosystem Management

SPREP has been awarded 6.3 million Euros to implement the By-catch and Integrated Ecosystem Management (BIEM) component of the PEUMP Programme and the work is due to be completed by December 2022. BIEM activities are designed to ensure they are relevant to all south Pacific countries. However, to maximise the positive impact of the work with the funding and time available, the BIEM team will focus the majority of activities in Fiji, PNG, Solomon Islands, Tonga and Vanuatu.

SPREP and its partners are dedicated to working to assist these Pacific countries meet their priorities in the sustainable management of their coastal resources and marine biodiversity, focusing on eight integrated key result areas (KRAs) identified in Table 1.

SPREP has sub-contracted the International Union for the Conservation of Nature (IUCN) and TierraMar Ltd (TierraMar) to lead the delivery of some elements of the work. The organisational responsibilities are identified in Table 1.

Table 1: The 8 integrated KRAs of BIEM

KRA-5 Component	Geographical scope:	KRA Coordinator
5.1 Marine Spatial Planning	Solomon Islands, Fiji	IUCN
5.2 Integrated 'ridge to reef' ecosystem strategies and coastal zone management planning	Fiji, Vanuatu	SPREP
5.3 Development and integration of climate change adaptation strategies into coastal community plans	Fiji, Vanuatu	
5.4 Assessment of by-catch of endangered species and extinction risk evaluated	Regional	TierraMar
5.5 Development and implementation of by-catch mitigation strategies	Fiji, Solomon Islands, Papua New Guinea, Tonga, Vanuatu	

KRA-5 Component	Geographical scope:	KRA Coordinator
5.6 Capacity development through research grants to citizens of the Pacific Islands	Regional	
5.7 Support for community monitoring and protection of endangered species	Fiji, Solomon Islands and Vanuatu	
5.8 Capacity development on Non-Detrimental Findings process for CITES partners	Regional - CITES partner countries	

Management and Operations

The BIEM Management Unit (MU) has been established by SPREP in Suva to provide logistical, financial, and administrative and communication support and coordinate the delivery of the eight BIEM components.

The MU also has responsibility to ensure that BIEM activities are coordinated effectively as part of the wider PEUMP Programme. The MU will work collaboratively with Programme members, Countries and other partners under the guidance of the PEUMP Programme Management Unit to achieve this.