

REQUEST FOR TENDERS

RFT: PWP-139-CON
File: AP_6/5/8/4
Date: 29 August, 2024
To: Interested consultants
From: PacWastePlus

Subject: Request for tenders (RFT): Consultancy to support the design and implementation of the Samoa Product Stewardship Scheme.

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 who can offer their services to provide support in the design and implementation of a Product Stewardship Scheme for Samoa.
- 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

- 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 30 September 2024. A summary of all questions received complete with an associated response posted on the SPREP website www.sprep.org/tender by 02 October 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	Demonstrated experience with design of waste management systems, with preference given to experience with Sustainable Financing system (Container Deposit/Advance Recovery Fee/Product Stewardship/Waste Levy etc.) schemes or similar (links to output reports or products that provide insight into research approach and writing style)	12%
	Demonstrated experience in undertaking data analysis, and assessment with reference to economic assessments, economic modelling, or business cases.	12%
	Demonstrated experience in the development and implementation of effective legislative instruments (advantageous to detail Pacific experience)	12%

	Demonstrated experience in Small Island Developing States conducting research, hosting consultation, and presenting complex topics in simplified way to obtain relevant information to inform guidance documentation (focus on both company, and officers to deliver the works) (advantageous to detail Pacific experience)	4%
Technical Proposal / Methodology	Detailed methodology to deliver the required project components and provide detail to the panel the value proposed by the tenderer.	35%
	Risk Plan (with mitigation measures) that will ensure the successful delivery of the project.	5%

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: 07 Oct 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/PWP-139-CON: **Consultancy to support the design and implementation of the Samoa Product Stewardship Scheme.**

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

Consultancy to Support the Design and Implementation of the Samoa Product Stewardship Scheme

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**).

2. INTRODUCTION TO PROJECT

Samoa is a Polynesian island country consisting of two main islands (Savai'i and Upolu), two smaller inhabited islands, and several small uninhabited islands. Samoa lies south of the equator, about halfway between Hawaii and New Zealand, in the Polynesian region of the Pacific Ocean. The total land area is 2,842 km². Samoa reported a population of 194,320 in its 2016 census with about three-quarters of the population living on the main island of Upolu. Total population for Samoa estimated in 2023 was 207,075.

Waste management services in Samoa are provided by the Ministry of Natural Resources and Environment (MNRE). Household general waste is collected twice a week, while bulky waste, including e-waste, construction waste, and old furniture, is collected quarterly in Samoa. A World Bank Funded Waste Audit in 2020 identified that almost 26,982 tonnes of waste is generated annually, and only 50% of these are landfilled. The report highlighted that with the introduction of sustainable financing schemes, such as CDL, 60% of materials generated can be recovered for recycling. PacWastePlus completed a feasibility study on the introduction of such a scheme in Samoa to manage the following material groups (example products included as sub-points):

- Beverage Containers
 - PET (Plastic) Bottles
 - Aluminium Cans
- E-Waste
 - Fridge/Freezer
 - TV
 - Laptop
 - Washing Machine
- Vehicles, Tyre, ULABs
 - Vehicles
 - Tyres
 - Car batteries

Additional work was undertaken to propose a national E-Waste Take Back Scheme for the country. MNRE have requested PacWastePlus investment to provide additional support in the design and implementation of a national Product Stewardship Scheme.

3. EXPECTED OUTCOMES

The Samoa MNRE has requested PacWastePlus investment to undertake the following activities to support the Samoa PSS design and implementation. Specific skills are requested for each component (as specified). Tenderers can submit based on internal skill sets or as a consortium of specialist companies, noting that a single contract will be made to manage all elements of the detailed work.

Specific Skill Sets needed for this project

Component / Activity	Description	Specific Skills
1. Review of Samoa’s ARFD Feasibility Report and the E-Waste Take Back Scheme Report	Technical Assistance to review the two reports and confirm: <ul style="list-style-type: none"> • Update data needed to successfully design a national PSS. • National stakeholders to be consulted on the updated data (of the ARFD Feasibility Report and E-Waste Take Back Scheme) and the introduction of a PSS covering the nine identified items. 	Data Analyst and Waste management expert with experience in sustainable financing scheme.
2. Confirm required scheme activities (including physical equipment/facilities), provide technical input, and develop Standard Operating Procedures and documentation to guide scheme operation and administration	Technical Assistance to determine recommended activities to effectively operate and administer the Samoa PSS to achieve the goals sought by the MNRE, including providing technical input and investigation to guide decision making for key scheme questions including (but limited to and confirmed at first meeting of the working group after commencement): <ul style="list-style-type: none"> • the provision of tax (Value Added Tax (VAT)) when/if added to scheme and implications to costs and accounting for operations* • inclusion of items sold at duty-free • inclusion of items manufactured in Samoa but exported* • inclusion of preforms imported for filling PET bottles, but are faulty / un-blown • potential for delegation of powers for controlling scheme finances* • options for establishing collection network (i.e. mandating by scheme or not) to provide for local business opportunities • management of legacy waste • approved uses of funds collected (e.g. provision of funding MNRE waste management activities, business / community grants for waste management actions, support for network expansion, etc.) • Model legacy waste present in Samoa and options for the scheme to collect and manage these items <p><i>*Note: many of these questions require specific guidance and decisions from government departments based on existing law, the consultant will be required to seek official response on questions to inform scheme design and potential limitations.</i></p>	Waste management expert with experience in the design and implementation of Sustainable Financing Systems (Container Deposit / Advance Recovery Fee / Product Stewardship / Waste Levy etc) schemes or similar. Experience with Pacific Island countries is preferred.

Component / Activity	Description	Specific Skills
	<p>Develop identified activities into practical Standard Operating Procedures (SOP) including development of required templates, permits, contracts, and other documentation to operate the scheme. Outputs of this component will include (but not be limited to):</p> <ul style="list-style-type: none"> • After consultation with MNRE, Identify recommended activities required to effectively operate and administer the Samoa PSS and recommended agencies in Samoa to undertake the identified activities • After consultation with MNRE Identify physical equipment and facilities to achieve effective operation of the PSS in Samoa, including identification and design of redemption centres / return depots • Development of a practical SOP to guide scheme operation, including monitoring, compliance, and auditing requirements – and including drafting of template forms, and template contracts identified • Development of a practical SOP to guide scheme administration by government agencies (MNRE, Ministry of Customs and Revenue, Ministry of Finance, etc) including monitoring, compliance, and auditing requirements – and including drafting of template forms, and template contracts identified as tasks for government agencies • Development of a practical SOPs to guide utilisation of scheme funds • Development of template agreement required to engage and manage scheme coordinators. 	
<p>3. Undertake economic modelling of different scheme operations to determine likely activities and understand scheme financial viability</p>	<p>Technical Assistance to undertake desktop economic modelling of different options for operation of the Samoa PSS to understand financial implications of different options and assess the economic viability of the scheme. Outputs of this component will include (but not be limited to):</p> <ul style="list-style-type: none"> • Modelling of various levels of the Deposit component to understand the influence on return rates, including all populated islands. • Modelling of scheme activities to determine the likely Fee component to be placed on the items included in the scheme. Model to consider different management options (i.e., export, locally recycled/repurposed using local enterprise, or landfilled), and levels of processing to be undertaken in country. • Modelling costs for scheme operations if redemption centres were to be required on each island (costs for staffing, equipment, shipping to Upolu, etc.) and its impact on scheme cost and therefore fee & deposit amount. • Modelling of staffing needs required to operate and administer the activities associated with the PSS 	<p>Economist with experience in undertaking data modelling and assessment with reference to waste management, extended producer responsibility, business cases, or similar.</p>

Component / Activity	Description	Specific Skills
	<ul style="list-style-type: none"> • Development of updatable excel template (or equivalent) for the Samoa Government to utilise to calculate if any of the Deposit or Fee components in the scheme need to be modified to account for system cost changes. • Utilise the legacy waste model to quantify the cost of accepting this legacy into the scheme on commencement. 	
<p>4. Develop legislative drafting notes for scheme legislation and regulation</p>	<p>Legal assistance to support the development of the Samoa PSS instruments through the development of the recommendations and decisions associated with components 1 and 2 into drafting notes for drafting of legislative documents. Outputs of this component will include (but not be limited to):</p> <ul style="list-style-type: none"> • Development of PSS Policy Note or other legal documentation required for the Legislation and Regulation to track through government approval processes. • Development of drafting notes for Product Stewardship Scheme <u>Regulation</u>. This output should provide for all elements to implement and regulate a successful scheme. • Development of drafting notes for Beverage Container Product Stewardship Scheme <u>Regulation</u> • Development of drafting notes for E-Waste Product Stewardship Scheme <u>Regulation</u> • Development of drafting notes for Vehicles, Tyres and ULABs Product Stewardship Scheme <u>Regulation</u> 	<p>Lawyer or legal expert with experience drafting waste management legislation, with preference given to experience drafting Product Stewardship Schemes</p>

Preference given to companies with experience in design and implementation of Sustainable Financing Systems in Australia, New Zealand and Pacific Island Countries.

4. SCOPE OF WORK

The PacWastePlus programme seeks to engage a consultant to work **with** MNRE to support the design and implementation of the Samoa PSS. The expected delivery of this consultancy will be developed in stages and is described in the following four tables.

Administration: Scope of Work – General / Project Commencement

Phase	Description	Documentation SPREP will provide	Consultant Output
<p>Inception</p>	<p>Lead an inception meeting with the PacWastePlus and MNRE 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 for each of the three technical area of this contract. The inception meeting will also discuss and come to an agreement on ongoing meetings with PWP and MNRE to discuss project progress.</p> <p>The Project Inception Report shall include:</p> <ul style="list-style-type: none"> • Meeting Minutes – The detailed minutes of the meeting would be included as an annex or appendix to the Project Inception Report. These minutes will capture the discussions, decisions and action points from the meeting. • Project Work Plan – The preliminary project work plan discussed and agreed upon during the meeting. This includes the proposed time schedule and sequence of events that the Contractor shall use to meet the contract deliverables and general description of the methods which the Contractor proposes to adopt for executing the contract. • Risk Register – Outline a Comprehensive risk plan to ensure effective delivery of services • Roles and Responsibilities – Documentation of roles and responsibilities for both the consultant team and the project team and the lines of communication to achieve the effective delivery of services under this contract. This section of the report can recommend input and responsibilities for PacWastePlus and MNRE to achieve the effective delivery of services under this contract. 	<p>Nil</p>	<p>Draft Project Inception Report</p> <p>The report encapsulates the outcomes of the initial inception meeting, providing a detailed roadmap for the project’s implementation. Key components of the report include:</p> <ul style="list-style-type: none"> ▪ Inception Meeting Minutes ▪ Project Work Plan ▪ Risk Register ▪ Roles and Responsibilities ▪ Deliverables ▪ Any further details <p>Final Project Inception Report</p> <p>Final Workplan incorporating revisions and addressing all comments</p>

Phase	Description	Documentation SPREP will provide	Consultant Output
	<ul style="list-style-type: none"> • Deliverables – The specific outputs from the three technical areas and how activities and findings will be aligned and incorporated to achieve the effective delivery of services under this contract. • Any further details and information as SPREP and MNRE may reasonably require. 		
<p>Facilitation of meetings (at an agreed frequency) with MNRE and PWP</p>	<p>The consultant will facilitate and lead meetings at an agreed frequency with MNRE and PacWastePlus, to present and discuss the delivery of the project, and ensure a common understanding of the actions, required outputs, and responsibilities. These meetings will commence at an agreed upon date following the Project Inception Meeting.</p> <p>These meetings will discuss (but not be limited to) the progress made toward the design of the Samoa PSS, reconfirm desired goals a PSS will achieve for Samoa, likely scope of scheme activities and administration arrangements, the role the MNRE would expect to have with scheme, understanding remaining scheme questions (management of VAT, exported items, etc), and required PSS physical operation.</p> <p>The Meeting Minutes shall include (but not be limited to), meeting details (date, time, location, participants, meeting purpose), agenda, summary of discussions, decisions made, action items, risks/issues, status updates of previous action items, next steps.</p> <p>The delivery method of these minutes will be via email, to all relevant stakeholders, submitted promptly after each meeting. Following submission, the meeting participants have one calendar week to review the minutes and provide feedback to enable its finalisation.</p>	<p>Nil</p>	<p>Meeting Minutes</p> <p>As an output of these meetings, the consultant will produce detailed meeting minutes that capture all key discussions, decisions, and action items. These minutes ensure a common understanding of the actions, required outputs, and responsibilities among all stakeholders.</p> <p>The minutes will be drafted promptly after each meeting and undergo a thorough review process to ensure accuracy and completeness. Participants will have the opportunity to review and provide feedback on the draft minutes before they are finalized. Once approved, the final meeting minutes will be distributed via email.</p>

COMPONENT 1 | Confirm Required Scheme Activities (Including Physical Equipment/Facilities) and Develop Standard Operating Procedures and Documentation

Phase	Description	Documentation SPREP will provide	Consultant Output
<p>Review of Samoa’s ARFD Feasibility Report and the E-Waste Take Back Scheme</p>	<p>The Consultant will undertake a review of the Samoa ARFD Feasibility Report and the E-Waste Take Back Scheme report to determine:</p> <ul style="list-style-type: none"> • legacy waste present in Samoa and options for the scheme to collect and manage these items. • Additional consultations required to enable the design of a suitable PSS for Samoa that is inclusive. <p>The consultant is expected to conduct a detailed data analysis, facilitate consultations with all relevant stakeholders and present consultation reports for review by the MNRE and PWP.</p> <p>This Data Analysis Report will include:</p> <ul style="list-style-type: none"> ▪ Updated data of the ARFD Feasibility Study (for annexing to the Original report). ▪ Updated data of the E-waste Take Back Scheme (for annexing to the Original report). ▪ Summary of consultations held with all relevant stakeholders. ▪ Recommended design options for a national PSS covering the nine items identified in Section 2 of the TOR. ▪ Annex of consultation minutes, photos (where relevant) and additional supporting information. 	<p>Samoa ARFD Feasibility Report</p> <p>Samoa E-Waste Take Back Scheme Report</p>	<p>Draft Data Analysis Report</p> <p>Develop and submit for review by MNRE and PacWastePlus an Analysis Report, detailing updates made to the Original report (ARFD Feasibility Study Report and the E-Waste Take Back System Report), a summary of the consultations undertaken with national stakeholders and the recommended design options for a national PSS.</p> <p>Final Data Analysis Report</p> <p>Report must adequately address all comments from MNRE and PWP.</p>
<p>Identify Scheme Activities to achieve effective operation of the PSS in Samoa</p>	<p>The consultant will undertake active consultation with MNRE and identified Government representatives, and relevant entities and PacWaste Plus, and conduct site visits to waste facilities and communities in Samoa, to:</p> <ol style="list-style-type: none"> 1. provide technical guidance on identified outstanding key scheme questions (refer to Component/Activity 2 above), and 2. determine recommended scheme activities to achieve effective operation of the PSS in Samoa. The consultant must ensure that the design work complements the proposed Waste Levy. 	<p>MNRE shall arrange necessary Working Group and Stakeholder Consultation sessions</p>	<p>Develop Consultation Materials</p> <p>Develop, and submit for review by MNRE, (and potential Samoa PSS Working Group) and PacWastePlus, draft consultation materials (including list of targeted stakeholders) to guide discussions to confirm activities and answer scheme questions to achieve effective operation of the PSS in Samoa.</p>

Phase	Description	Documentation SPREP will provide	Consultant Output
	<p>The consultant will lead face-to-face workshops and consultation sessions to confirm likely decisions and activities required for operation of the PSS, with particular attention on activities required by the scheme coordinator (as scheme manager who will oversee/administer contracts for scheme administration and operations) and the Samoa Government (as scheme regulator). Possible activities required may include, but not be limited to:</p> <ul style="list-style-type: none"> • scheme implementation to achieve minimum collection / recycling targets • collect and process PSS materials (in-country recycling or export to off-shore recycling markets) • managing internal logistics (shipping, transport, handling) to provide for collection of materials throughout Samoa • processing items for in-country recycling or export overseas • manage pre-processing to meet end-market contractual requirements (e.g., contamination level, etc) • achieve minimum community coverage targets, including from the outer island communities • achieve GEDSI considerations - providing access to scheme to all community members • refund the Deposit component of PSS to consumers • undertake scheme inspections/audits and managing fraudulent activities • confirm elements for inclusion in the scheme coordinator agreement • undertake scheme promotion to ensure recovery targets are met • undertake scheme administration, management, and reporting • undertake data collection and Monitoring and Evaluation / reporting of scheme performance • regulate the scheme including undertaking scheme inspections/audits and managing fraudulent activities 	<p>Documents relevant to the Waste Levy</p>	<p>Host Consultation #1</p> <p>Develop and present a Workshop with MNRE (and potential Samoa PSS Working Group), and PacWastePlus, to confirm activities and answer scheme questions to achieve effective operation of the PSS in Samoa, and the activities required by MNRE or the Government of Samoa.</p> <p>Minutes of Consultation #1 to be developed by the Consultant and submitted for review and acceptance by MNRE (and potential Samoa PSS Working Group), and PacWastePlus.</p> <p>Host Face-to-Face Meetings</p> <p>Incorporating suggested revisions to workshop materials and findings from the Workshop, the Consultant will host face-to face individual or group consultations with identified stakeholders to discuss and consider potential scheme activities, answer scheme questions, and responsibilities of the PSS Coordinator and Government of Samoa.</p> <p>Minutes of discussions (for phase "Identify Scheme Activities to achieve effective operation of the PSS in Samoa") to be supplied.</p> <p>Develop Draft List of Coordinator Activities / Responsibilities</p>

Phase	Description	Documentation SPREP will provide	Consultant Output
	<p><i>Results from this phase will inform the economic modelling in Component 2.</i></p>		<p>Using findings from desktop research and consultation activities, develop, and submit for review by MNRE (and potential Samoa PSS Working Group), and PacWastePlus, a draft list of activities / responsibilities for the Scheme Coordinator to achieve effective operation of the PSS in Samoa.</p> <p>Develop Draft List of Samoa Government Activities / Responsibilities</p> <p>Using findings from desktop research and consultation activities, develop, and submit for review by MNRE (and potential Samoa PSS Working Group), and PacWastePlus, a draft list of activities / responsibilities for the Samoa Government to achieve effective administration of the PSS in Samoa.</p>
<p>Identify options for physical equipment and facilities to achieve effective operation of the PSS in Samoa, including identification and design of redemption centres / return depots</p>	<p>Utilising the outcomes from the previous stage, and conducting further consultation and site visits as required, the consultant will:</p> <ol style="list-style-type: none"> 1. Undertake a gap analysis to understand what physical equipment and facilities are currently <u>available</u> and what <u>are not available</u> in Samoa to achieve the effective operation of the PSS 2. Determine options for physical equipment and facilities to achieve effective operation of the PSS in Samoa, including for outer island communities <p><i>Results from this phase will inform the economic modelling in Component 2.</i></p>	<p>Nil</p>	<p>Develop a Gap Analysis Report of Physical Equipment and Facilities and Recommended Options to Achieve Effective Operation of the PSS</p> <p>Using findings from desktop research, on-site visits and consultation activities, develop, and submit for review by MNRE (and potential Samoa PSS Working Group), and PacWastePlus, a Gap Analysis Report of physical equipment and facilities and recommended options to achieve effective operation of the PSS in Samoa.</p>

Phase	Description	Documentation SPREP will provide	Consultant Output
<p>Workshop / consultation on the scheme activities and operational needs to implement the PSS</p>	<p>The Consultant will convene a face-to-face with MNRE (and potential Samoa PSS Working Group), PacWastePlus, and relevant stakeholders with responsibility to implement the PSS, to take all stakeholders through the recommended scheme activities, responsibilities, and physical equipment/facilities identified above, and seek active feedback. The recommendations will be discussed, refined/amended, and agreed upon by the stakeholders.</p> <p>Individual follow-up meetings may be required to ensure alignment and agreement to finalise the documents.</p>	<p>MNRE shall arrange necessary Working Group and Stakeholder Consultation sessions</p>	<p>Draft Consultation Materials #2</p> <p>Develop and submit for review by the MNRE (and potential Samoa PSS Working Group), and PacWastePlus, draft consultation materials to be used to present recommended scheme activities, responsibilities, and physical equipment/facilities to scheme stakeholders and guide discussions to confirm activities.</p> <p>Host Consultation #2</p> <p>Incorporating suggested revisions to consultation materials, the Consultant will host a Consultation with Samoa’s stakeholders (and follow-up meetings as required*) presenting recommended scheme activities and operational needs and take active feedback to finalise the documents.</p> <p>Minutes of Consultation #2 to be developed by the Consultant and submitted for review and acceptance by MNRE (and potential Samoa PSS Working Group), and PacWastePlus.</p> <p>*Minutes of discussions (for phase “Workshop / consultation on the scheme activities and operational needs to implement the PSS”) to be supplied.</p>
<p>Develop Draft Practical Standard Operating</p>	<p>Utilising the outcomes from the previous stage, develop draft practical Standard Operating Procedures (SOP) to appropriately describe and guide how the PSS will be operated by both the Scheme Coordinator</p>	<p>Nil</p>	<p>Draft Operating Procedures</p>

Phase	Description	Documentation SPREP will provide	Consultant Output
<p>Procedures for the Management of the PSS</p>	<p>and the Samoa Government, ensuring all activities and responsibilities identified in the previous stage are detailed in the procedures. The SOPs are required to be practical and able guide the operation of the scheme upon commencement. The SOPs will include templates for the identified forms and contracts etc identified to operate and administer the PSS Scheme (detailed in following phase).</p> <p>SOPs that may be required will include (but not be limited to) the following government responsibilities related to PSS implementation:</p> <ul style="list-style-type: none"> • Regulator SOP - to guide scheme administration by MNRE or other government office • Customs SOP – to guide how Department of Customs will identify eligible items and data collected upon import • Finance SOP – to guide how the Department of Finance or other agency will administer PSS funds on behalf of the people of Samoa 		<p>Develop and submit for review by MNRE (and potential Samoa PSS Working Group), and PacWastePlus, a detailed practical SOPs to operate and administer the PSS.</p>
<p>Develop Draft Scheme Templates and Documentation</p>	<p>Develop draft documents recommended for the operationalisation of the PSS.</p> <p>At the end of the assistance, it is requested all documents for the operationalisation of the PSS will be in place, including identified:</p> <ul style="list-style-type: none"> • template contracts with entities such as the Scheme Coordinator • templates to provide for effective data collection and scheme reporting • mechanisms for changing scheme Deposit or Fees (tied to economic modelling) 	<p>Nil</p>	<p>Draft Scheme Templates and Documentation</p> <p>Develop and submit for review by MNRE (and potential Samoa PSS Working Group), and PacWastePlus, all identified documents, templates, and template contracts for the effective operation and administration of the Samoa PSS</p>
<p>Workshop / consultation on Draft Operating Procedures for the</p>	<p>The Consultant will convene a face-to-face with relevant stakeholders with responsibility to implement the PSS (likely MNRE, Customs, and Finance) and PacWastePlus, to take all stakeholders through the proposed SOPs and other documents to receive feedback.</p>	<p>MNRE shall arrange Stakeholder Consultation sessions</p>	<p>Draft Workshop/ Consultation materials of Draft Operating Procedures</p> <p>Develop and submit for review by MNRE (and potential Samoa PSS Working</p>

Phase	Description	Documentation SPREP will provide	Consultant Output
<p>Management of the PSS</p>	<p>Individual follow-up meetings may be required to ensure agreement to finalise the proposed SOPs and scheme templates/ contracts/ documentation.</p>		<p>Group), and PacWastePlus, draft consultation materials to be used to present draft SOP and other documents to scheme stakeholders and guide discussions to confirm activities.</p> <p>Host Consultation #3</p> <p>Incorporating suggested revisions to workshop materials, the Consultant will host a Workshop with Samoa stakeholders (and follow-up meetings as required) presenting the draft SOP and other documents to receive feedback to finalise the documents.</p> <p>Minutes of Consultation #3 to be developed by the Consultant and submitted for review and acceptance by MNRE (and potential Samoa PSS Working Group), and PacWastePlus.</p>
<p>Final Operating Procedures and Guiding templates/contracts /documentation for the Management of the PSS</p>	<p>Develop final SOPs with templates/ contracts/ documentation to appropriately operationalise and administer the PSS by both the Scheme Coordinator and government agencies, ensuring all responsibilities identified in previous stages are detailed in the procedures.</p>	<p>Nil</p>	<p>Final PSS Operating Procedures</p> <p>The Consultant will finalise the set of SOPs and other documents that incorporate feedback from the workshop and clearly outline the tasks and expectations of the PSS Scheme Coordinator and government to effectively operate and administer the PSS and submit for review by MNRE (and potential Samoa PSS Working Group), and PacWastePlus.</p>

COMPONENT 2 | Undertake Economic Modelling

Phase	Description	Documentation SPREP will provide	Supplier Output
<p>Determine likely inputs required to model the operation of a PSS in Samoa</p>	<p>Utilising the outcomes of Components 1 and 2 of this Technical Assistance, conduct further literature research and consultation as required and determine the likely inputs required to effectively understand costs for the operation and administration of a PSS in Samoa. Inputs should include, but not be limited to:</p> <ul style="list-style-type: none"> • Import volumes for recyclable items that may be included in Phase I or II of a PSS* • Fuel costs • Energy costs • Equipment operation and maintenance • Labour rates • Shipping and associated costs – external and internal • Management options (i.e., export, locally recycled, or landfilled), and levels of processing • Administration costs (including compliance management) • Accounting costs • Legacy waste • Current market prices / commodity value for the recyclable items at off-shore recycling facilities • social factors and job creation <p>*The Samoa Government will assist to obtain the current values for each input in Samoa</p>	<p>Nil</p>	<p>Draft Report on Cost Analysis and Operational Input for Samoa PSS Implementation</p> <p>Develop and submit for review and comments by MNRE (and potential Samoa PSS Working Group), and PacWastePlus, a detailed report outlining the literature research, outcomes of stakeholder consultations, a draft spreadsheet summarising input expenses, processing options, and other data to model the operation of the Samoa PSS</p> <p>Final Report on Cost Analysis and Operational Input for Samoa PSS Implementation</p> <p>Final detailed report addressing all comments provided.</p>
<p>Financial model determining the likely Fee component and staffing needs to enable the effective and financially sustainable</p>	<p>Using confirmed model inputs, the consultant will build a simple model (using Microsoft excel) to:</p> <ol style="list-style-type: none"> 1. Model various levels of the Deposit component to understand the influence on return rates, including from the outer island communities 2. Model scheme activities to determine the likely Handling Fee component to be placed on the items included in the scheme. Model to consider different management options (i.e., export, 	<p>Customs import data</p> <p>Waste audit data</p> <p>Litter audit data</p>	<p>Draft Economic Model</p> <p>Draft economic modelling tool shall address requirements identified in the Description of this Phase, submitted for review and comment by MNRE (and potential Samoa PSS Working Group), and PacWastePlus</p> <p>Final Economic Model</p>

Phase	Description	Documentation SPREP will provide	Supplier Output
<p>operation of a PSS in Samoa</p>	<p>locally recycled/repurposed using local enterprise, or landfilled), and levels of processing to be undertaken in country.</p> <ol style="list-style-type: none"> 3. Model administrative cost required to operate and administer the activities associated with the scheme 4. Model legacy waste present in Samoa and options for the scheme to collect and manage these items <p><i>The model output will be used to inform the Samoa Government on the necessary Deposit and Fees component of the scheme and staffing needs to enable the effective and sustainable operation of the PSS.</i></p>		<p>Final economic modelling tool addressing all comments provided.</p>
<p>Mechanism to review the Scheme Deposit or Fees</p>	<p>Develop an easy-to-update Microsoft excel template for MNRE to utilise to calculate and update the Deposit or Fee components (with respect to the Waste Levy work)of the PSS in the future as input information changes. Provide brief guidance on how and when to use and update the template which will go into the SOPs developed in Component 2</p>	<p>Nil</p>	<p>Draft Process/Mechanisms to Update Scheme Finances and Guidance Note</p> <p>Draft Process/Mechanisms (Microsoft excel template (with guidance note on how and when to use)) to Update Scheme Finances, submitted for review and comment by MNRE (and potential Samoa PSS Working Group), and PacWastePlus,</p> <p>Final Process/Mechanisms to Update Scheme Finances and Guidance Note</p> <p>Final Process/Mechanisms (Microsoft excel template (with guidance note on how and when to use)) to Update Scheme Finances addressing all comments provided.</p>

COMPONENT 3 | Develop Legislative Drafting Notes for Scheme Legislation and Regulation

Phase	Description	Documentation SPREP & MNRE will provide	Consultant Output
<p>Inception / development of Legislative Pathway</p>	<p>Lead a meeting with MNRE, relevant stakeholders involved in the legislative development process and the PacWastePlus team, to confirm pathway to ensure development and approval of the legislative instruments to guide the PSS in Samoa.</p> <p>Analyse previous work, findings/outcomes of Component 2 and 3 of this Technical Assistance, and existing documents related to Samoa PSS development, and Samoa proposed Waste Levy to determine an appropriate Project Workplan, including but not limited to:</p> <ul style="list-style-type: none"> • steps for hosting consultation necessary to design an appropriate PSS Scheme to achieve the goals of the MNRE • steps for the development and approval of the PSS Legislation and associated Regulations • determination of required amendments / reforms / repeals to existing legislation, and steps for the approval of the identified amendments / reforms / repeals • finalising Legislation and Regulation Drafting Notes <p>The consultant will undertake assessment and analysis of existing legal framework in Samoa, including current initiative by the government on introduction of Waste Levy, to determine the following:</p> <ul style="list-style-type: none"> • Suitable legal pathway for the introduction of legal framework for the introduction of a Product Stewardship Scheme (legislation vs regulations) • the provisions of existing legislations that will impact the introduction of the PSS Legal frameworks. • establish options for amendments to other legal instruments to enable the implementation of the national PSS 	<p>Output from Component 1 and Component 2 of this Contract</p> <p>E-Waste Regulations Drafting Note</p>	<p>Draft Legislative Pathway</p> <p>Submit a draft Legislative Pathway that complies with the stated requirements and provides a clear pathway for legislative steps required for the approval of the PSS.</p> <p>Final Legislative Pathway</p> <p>Final Legislative Pathway incorporating revisions and addressing all comments.</p>

Phase	Description	Documentation SPREP & MNRE will provide	Consultant Output
Samoa PSS Design	Utilising previous outcome and information conduct further consultation as required to finalise the design of the Samoa PSS.	MNRE shall arrange necessary Working Group and Stakeholder Consultation sessions	<p>Draft PSS Design Report</p> <p>Draft PSS System Design report submitted for review by Government of Samoa and PacWastePlus. The report must annex all consultation minutes and summary of decisions.</p> <p>Final PSS Design</p> <p>Final PSS design developed addressing all comments provided.</p>
Development of materials to assist the MNRE to host consultation to seek feedback on PSS design	<p>The consultant will assist the MNRE, to host the following consultations to obtain feedback on the PSS design: :</p> <p>National Stakeholder consultations</p> <p>Community consultations for Upolu and Savaii</p> <p>The consultant will, at a minimum, assist in development or material and providing background technical assistance to the MNRE or Samoa PSS Working Group as needed during the facilitation of consultation sessions.</p> <p>The consultant will work with MNRE to understand feedback provided by communities and stakeholders on the PSS and ensure feedback is incorporated into the draft PSS design and Drafting Notes</p>	MNRE will arrange necessary Working Group and Stakeholder Consultation sessions	<p>Draft PSS Design Presentation – for community consultation</p> <p>Draft presentation on PSS System Design submitted for review by MNRE (and potential Samoa PSS Working Group), and PacWastePlus. Draft presentation to consider the different groups being presented to (i.e. Stakeholders and communities).</p> <p>Final PSS Design Presentation – for community consultation</p> <p>Final PSS design presentation (catered to different groups being presented to (i.e. Stakeholders and communities) developed addressing all comments provided.</p> <p>The presentation is to be delivered by MNRE and Ministry of Finance to gather stakeholder feedback.</p>

Phase	Description	Documentation SPREP & MNRE will provide	Consultant Output
<p>Policy Note for PSS Legislation and Associated Regulations</p>	<p>Utilising outcomes and findings from previous stages, develop a Drafting Note to summarise the proposed PSS, including framework of proposed Legislation and Regulation, for submission to Government decision makers.</p> <p>The Drafting Note should clearly identify required amendments / reforms / repeals to existing legislation to enable enactment of the proposed the Samoa PSS Legislation and associated PSS Regulations</p>	<p>Nil</p>	<p>Draft PSS Drafting Note</p> <p>Draft PSS Drafting Note (Legislation and Regulation) submitted for review by MNRE (and potential Samoa PSS Working Group), and PacWastePlus.</p> <p>Final PSS Drafting Note</p> <p>Final PSS Drafting Note (Legislation and Regulation) incorporating all comments provided.</p>
<p>Legislative Drafting Notes:</p> <ul style="list-style-type: none"> • PSS Legislation • Beverage Container PSS Regulation • E-Waste Regulation • Vehicle/Tyres/ULABs Regulation 	<p>Utilising outcomes and findings from previous stages, develop two Legislative Drafting Notes providing detailed information to enable the Samoa Attorney General Office to draft the Proposed:</p> <ul style="list-style-type: none"> • PSS Legislation • Associated PSS Regulations <p>MNRE will coordinate with the State Law to finalise the Policy Drafting Notes. The consultant shall provide assistance to the Waste Management Division and Legal Division of MNRE to finalise the Drafting Notes.</p>	<p>Nil</p>	<p>Draft Drafting Notes</p> <p>Draft PSS Drafting Notes (Legislation and Regulation) submitted for review by the Government of Samoa and PacWastePlus.</p> <p>Final Draft Drafting Notes</p> <p>Final Draft Drafting Notes (Legislation and Regulation) provided incorporating all comments.</p>
<p>OPTIONAL DELIVERABLE:</p> <p>Drafting of the following legal framework for adoption and enforcement by MNRE:</p> <ul style="list-style-type: none"> • PSS Legislation • Beverage Container Regulation • E-Waste Regulation 	<p>Utilising the findings of the other component of this consultancy, the consultant must establish:</p> <ul style="list-style-type: none"> • Draft PSS Legislation • Draft Beverage Container Regulation • Draft E-Waste Regulation • Draft Vehicle/Tyres/ULABs Regulation <p>The regulations must adequately respond to the technical drafting note and must clearly identify the following at a minimum:</p>	<p>Samoa E-Waste Product Stewardship Scheme Report</p> <p>Technical Drafting Note for Samoa's E-Waste Take Back Scheme.</p>	<p>Draft Legal Instruments</p> <p>Report to clearly identify parts and contents of all legal instruments highlighted under the description of this deliverable.</p> <p>Consultation Report(s)</p> <p>The consultants must submit records of discussions for all consultations facilitated on the draft legal instruments. This</p>

Phase	Description	Documentation SPREP & MNRE will provide	Consultant Output
<ul style="list-style-type: none"> • Vehicle/Tyres/ULABs Regulation 	<ul style="list-style-type: none"> (i) parts and contents of the regulations (ii) Enforcement criteria (iii) Define Offences under the regulations. (iv) Penalties for non-compliant to the regulations. <p>Additionally, the consultant is expected to assist MNRE in facilitating national consultations on the draft regulations and establish the final regulations to be submitted to Cabinet for endorsement.</p>		<p>report must include details of those consulted and the outcome of discussions.</p> <p>Final Legal Instruments</p> <p>Report must address all comments raised by SPREP and MNRE on the draft reports.</p>

5. INSTITUTIONAL ARRANGEMENTS

Consultants outside of Samoa are asked to submit a quote for travel, but preference will be given to Samoa-based consultants to provide active support to MNRE, and to ensure an up-to-date understanding of the Samoa waste management and legislative processes.

The successful consultant will work directly with MNRE who will assist with various components such as coordinating and hosting required consultation sessions, and other meetings.

6. PROPOSED SCHEDULE OF WORK

The activities are to be completed no later than **20 weeks** after contract signing, with a preference for the activities to be completed much earlier, matching the schedule of the Samoa Government. Tender responses to provide milestone dates for all required outputs/outcomes.

7. 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 component and phase. Consultants are expected to arrange for consultations and pay for a national stakeholder consultation to present the Samoa PSS.

Submissions above USD 145,000 **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.

8. 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

