



REQUEST FOR TENDERS

RFT: PWP-188-CON
File: AP_6/5/8/3
Date: 23 September 2024
To: Interested consultants
From: PacWastePlus

Subject: Request for tenders (RFT): Drafting of legislative guidance for the management of end of life tyres in the Pacific.

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:
 - Draft legislative guidance for the management of end-of-life tyres in the Pacific
 - Develop training manual on the de-pollution of end of life vehicles.
- 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 pwprocurement@sprep.org before 11 October 2024. A summary of all questions received complete with an associated response posted on the SPREP website www.sprep.org/tender by 14 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	Description	Weighting
Experience	Demonstrated experience in legislation analysis and policy assessment/drafting	10%
	Demonstrated experience in management of End-of-Life Tyres and End of Life Vehicle Management	15%
	Demonstrated experience in planning/facilitation of training in waste management or environmental management, and/or policy development	10%
	Demonstrated experience in Small Island Developing States (SIDS) presenting complex topics in simplified way	10%
	Examples provided of past works relevant to this activity (links to initiatives or products that provide insight into research approach)	10%
Methodology	Detailed methodology to deliver the required project components and provide detail to the panel the value proposed by the tenderer.	20%
	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: 21 October 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 'PWP-188-CON: **Drafting of legislative guidance for the management of end of life tyres in the Pacific.**

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

Drafting of Legislative Guidance for the Management of End Of Life Tyres in the Pacific & Training Manual on Depollution of End Of Life Vehicles.

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**); and solid wastes (specifically **recyclables**, **organic waste**, **disaster waste**, and **bulky waste**).

2. INTRODUCTION TO THE PROJECT

PacWastePlus is assisting countries to manage bulky waste (end-of-life vehicles (ELV), end-of-life tyres (ELT), white goods, furniture, and other large household goods) through research into management methods, infrastructure provision, capacity building, and community education.

The two main elements of PacWastePlus' actions to assist PICs to manage Bulky waste, is to address ELVs and ELTs.

(ELVs pose a growing problem in Pacific Islands Countries and Territories (PICTs) as populations and consumption increase. Limited recycling infrastructure and capacity and high costs of transportation to remove ELVs; coupled with a lack of a clear legislative framework, including sustainable funding mechanisms, has led to the mismanagement and improper disposal of this bulky waste stream.

Pacific Island country (PIC) volumes of ELTs are approximately 7,000 tonnes per year (approximately 470,000 tyres). Existing ELT stockpiles throughout the region are unknown due to incomplete record keeping but are estimated (from import/export data) to be around 125,000 tonnes (approximately 8.3 million tyres). Auditing of the current situation is recommended because the conclusions of this study are based on these figures. Current efforts at reducing ELT stockpiles appear to be sporadic at best, with waste tyre burning still a common occurrence. Awareness raising of the issues of ELTs among the public to encourage the public sector to establish a system to deal with ELT properly would be beneficial.

PacWaste Plus published the following reports:

1. Assessment Report on Assessment of End Of Life Tyres in the Pacific: <https://pacwasteplus.org/wp-content/uploads/2022/02/Research-Report-Assessment-of-ELT-in-the-Pacific.pdf>
2. Practitioner's Guideline on Depollution on End-Of-Life Vehicles: <https://pacwasteplus.org/wp-content/uploads/2024/02/Practitioners-guideline-on-ELV-Dismantling.pdf>
3. Legislative Guidance on Management of End Of Life Vehicles in the Pacific: <https://pacwasteplus.org/wp-content/uploads/2024/04/Legislation-Guidance-for-ELV-Management.pdf>
4. Thermal Processing of End of Life Tyres: <https://pacwasteplus.org/wp-content/uploads/2022/02/ELT-Thermal-Processing-Options-Booklet.pdf>
5. Mechanical Processing of End Of Life Tyres: https://pacwasteplus.org/wp-content/uploads/2022/02/ELT-NonProcessing_Final-1.pdf



6. Non-Mechanical Processing of End-of-Life Tyres: https://pacwasteplus.org/wp-content/uploads/2022/02/ELT-NonProcessing_Final-1.pdf

This TOR seeks to engage a consultant to establish:

- a Training Manual for the Depollution of End-of-Life Vehicles with set of instructions to trainers for delivery.
- legislative guidance for End-of-Life Tyres to assist PICs to create an enabling environment for the management of End-of-Life Tyres.

3. EXPECTED OUTCOME

The PacWastePlus Programme seeks to engage a consultant to deliver the following:

1. Develop a Training Manual to guide training delivery to local staff to implement the depollution of End-of-Life Vehicles guideline.
2. Develop legislative drafting instructions for the introduction of legislation or Regulations on importation standards for vehicle and vehicle parts, and improvement of deregistration process of vehicles for inclusion in local legislation. Options to be explored should include, but not be limited to:
 - a. Importation standards (quality of tyres, age of tyres, minimum tread, re-treads v. used tyres, etc., restriction on allowance of importation of auctioned used tyres)
 - b. Importation bans (used tyres, etc.)
 - c. Levies as a driver for behaviour (e.g. increase levy on used tyres and decrease levy on new tyres)
 - d. Introduction of Product Stewardship programmes that seek to implement a deposit and refund system (similar to Product Stewardship Schemes already implemented in some PICs)
 - e. Fines / Penalties / Management Fees for imported used tyres that are not sold to retail markets but sent directly to waste management facilities

4. SCOPE OF WORK

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

Phase	Description	Documents SPREP will provide	Supplier Output
Inception	<p>Lead an inception meeting with the PacWastePlus team to discuss the delivery of the project, addressing delivery of the outputs of the project, issues likely to cause delays (risk management), and ensure a common understanding of the action, and required outputs.</p> <p>The Contractor shall create and submit to SPREP a Work Plan that shall upon execution ensure effective delivery of services under this contract. The Draft Work Plan shall contain at a minimum:</p> <ul style="list-style-type: none"> Proposed time schedule and sequence of events that the Contractor shall use to meet the contract deliverables. General description of the methods which the Contractor proposes to adopt for executing the contract Comprehensive risk plan to ensure effective delivery of services. Any further details and information as SPREP may reasonably require. 	Nil	<p>Inception meeting</p> <p>Minutes of the inception meeting with confirmation of activities, and scope of work to be developed and agreed by meeting participants prior to commencement of any activities.</p> <p>Draft Work Plan</p> <p>The Draft Work Plan shall be delivered to SPREP for consideration and comment. The workplan should provide confirmation of process and timing for the various stages of works described in this table. The workplan should also include details of the proposed methodology to be used to complete the necessary tasks.</p> <p>Final Work Plan</p> <p>Final work plan incorporating revisions and addressing all comments by reviewers on the draft work plan</p>
Training Manual on Depollution of End-of-Life Vehicles	<p>The Consultant is required to review the PacWaste Plus ELV Depollution Guideline and establish a training Manual to guide the training of workers to follow the guidelines for ELVs. The manual will adequately address the following:</p> <ul style="list-style-type: none"> (i) Guideline on selecting site requirements to undertake depollution of ELV 	PacWaste Plus ELV Depollution Guideline	<p>Draft Training Manual with Draft PowerPoint Presentation</p> <p>Draft Manual and accompanying power point presentation submitted for PacWaste Plus for comments.</p>

Phase	Description	Documents SPREP will provide	Supplier Output
	<ul style="list-style-type: none"> (ii) Tools and machineries needed for each of the pollutants targeted for removal (iii) Safe Dismantling and Handling of ELV (Step by Step Process) (iv) Minimum Storage Standards for each type of chemicals and other hazardous material (v) Identification of ELV parts that can be recovered for re-use or re-purposing in country (vi) Identification of ELV parts that can be recovered for recycling (vii) Minimum Standard for packing of ELV parts for export (viii) Biosecurity Import/Export Requirements or MEA requirements for ELV parts into the three most economical destination for Pacific Island Countries (ix) Minimum standard for disposal of residual waste from ELV Dismantling process. <p>The training manual must be accompanied with a PowerPoint Presentation and include detailed trainer notes to ensure they are able to present and transfer knowledge to training participants.</p>		<p>Final Training Manual</p> <p>Manual adequately address all PacWaste Plus comments.</p> <p>Final PowerPoint Presentation</p> <p>All comments on draft power point addressed.</p>
<p>Legislative Guidance for the Management of ELT</p>	<p>The consultant will undertake a desktop legislative options assessment and establish a legislative/policy reform that will allow for the following process in Pacific Island Countries:</p> <ul style="list-style-type: none"> • Importation standards (quality of tyres, age of tyres, minimum tread, re-treads v. used tyres, etc., restriction on allowance of importation of auctioned used tyres) • Importation bans (used tyres, etc.) • Levies as a driver for behaviour (e.g. increase levy on used tyres and decrease levy on new tyres) • Introduction of Product Stewardship programmes that seek to implement a deposit and refund system 	<p>PacWaste Plus Research Report: Assessment of End-of-Life Tyres in the Pacific</p> <p>Palau ELT Legislative Assessment Report</p>	<p>Report on Legislation needed to create an enabling environment</p> <p>Report must recommend a suite of legislation/policy reform needed to create an enabling environment for ELT management in the Pacific. The report must clearly identify the objective of each of the legislation recommended, and any proposed amendments to existing legislation.</p> <p>Draft Technical Drafting Note for Legislation Drafting</p>

Phase	Description	Documents SPREP will provide	Supplier Output
	<ul style="list-style-type: none"> • Fines / Penalties / Management Fees for imported used tyres that are not sold to retail markets but sent directly to waste management facilities <ul style="list-style-type: none"> ○ The consultant should assess the issues related to each option, identify the potential benefits and barriers to use, complexity of solutions, specific guidance on suitability for Palau, and guidance on wording / structure / etc. for the use of these tools. 		<p>Drafting must clearly highlight the legislation title identified in the report above and the required content. Submitted to SPREP for review and comment ahead of finalising for distribution to PICs.</p> <p>Final Technical Drafting Note for Legislation Drafting</p> <p>Report must address all comments raised by SPREP on the draft report.</p>
<p>OPTIONAL DELIVERABLE:</p> <p>Facilitation of Training utilising the Training Manual (Component 1)</p>	<p>Consultants are requested to quote on the use and delivery of the Training Manual established under Component 1. The training will be undertaken in a Pacific Island Country (likely Tonga). An Evaluation Form will be distributed participants at the end of the training to understand success in achieving training objective.</p>	<p>Details of Participating country and Participants.</p>	<p>Training Report</p> <p>The Training Report must clearly highlight the number of Officers trained (Male and Female), number of agencies participated. The Report must include an analysis of the Evaluation Form.</p>

Consultant Responsibilities

The consultant will be responsible for scheduling meetings with relevant stakeholders, taking minutes of meetings and ensuring meeting minutes are distributed for comment prior to finalisation.

5. Schedule of Work

The activities are to be completed no later than 29 November, with a preference for the activities to be completed much earlier.

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

Table 2: Project Schedule

Contract Signing and Execution	
1. Draft Workplan	No later than Two (2) days prior to Inception Meeting
2. Final Workplan	No later than One (1) week from receipt of final comments on draft workplan
3. Draft Training Manual for Depollution of End-of-Life Vehicle	No later than Three (3) weeks from date of contract execution
4. Final Training Manual for Depollution of End-of-Life Vehicle	No later than One (1) week from receipt of final comments on draft manual
5. Draft Legislative Guideline on Management of End-of-Life Tyres	No later than Four (4) weeks from date of contract execution
6. Final Legislative Guideline on Management of End-of-Life Tyres	No later that One (1) week from receipt of final comments on draft guideline
Optional Deliverable:	
7. Training Report	No later than Nine (9) weeks from date of contract execution

6. Budget

Quotes 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

Quotes above \$30,000 USD will not be considered.

SPREP reserves the right to withdraw this activity at any time, reserves the right to accept or reject any or all quotes and to waive any formal defects or irregularities in the quotes, when deemed to be in the interest of SPREP.

7. Other Information

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

The successful consultant must supply the services to the extent applicable, in compliance with SPREP's Values and Code of Conduct: https://www.sprep.org/attachments/Publications/Corporate_Documents/sprep-organisational-values-code-of-conduct.pdf