UNEP/MAP - PRIORITY ACTIONS PROGRAMME REGIONAL ACTIVITY CENTRE

SPLIT, KRAJ SV. IVANA 11

# **INVITATION TO TENDER**

**PROCUREMENT SUBJECT:** **Providing expert services related to preparation of Feasibility study on the application of transboundary EIA/SEA in the context of the Barcelona Convention and its Protocols**

Simple procurement 5/2023

Split, February 2023

**1. GENERAL INFORMATION**

**1.1. Client information**

**Name:** Priority Actions Programme Regional Activity Centre (hereinafter: the Client)

**Registered office** - **address:** 21000 Split, Kraj Sv. Ivana 11

**PIN 27788012253**

**Telephone number:** +385 (21) 340470

**Website:** [www.paprac.org](http://www.paprac.org)

1. **Contact person:** Questions concerning the tender contents and format can be sent to the person in charge of communicating with Tenderers, Marina Marković, e-mail: [marina.markovic@paprac.org](mailto:marina.markovic@paprac.org)
2. **Procurement type:** Simple procurement
3. **Estimated procurement value:** Procurement value is estimated at EUR 20,000.00 without VAT.
4. **CPV:** 71241000-9
5. **INFORMATION ON THE PROCUREMENT SUBJECT MATTER**

**2.1. Background information**

The 2nd joint technical meeting organised by UNECE on 16 June 2022, attended by six Regional Seas Programmes, including UNEP/MAP, highlighted the importance of information sharing and coordination to strengthen implementation of existing environmental assessment provisions under the relevant Regional Sea Treaties.

In a situation where several Mediterranean countries have no legal obligation to prepare SEA, it seems wise to develop a feasibility study aimed at introducing the application of transboundary EIA/SEA in the whole Mediterranean Region taking advantage from the Mediterranean countries which have experience in the field, from other Regional Seas Programmes implementing the ESPOO Convention as well as from the Secretariat of the ESPOO Convention and its Kiev Protocol. The need to strengthen the application of the transboundary EIA/SEA becomes even more pronounced with regard to MSP.

In this respect, preparation of a feasibility study on the application of transboundary EIA/SEA in the context of the Barcelona Convention and its Protocols is much needed endeavour in order to support the Contracting Parties for the implementation of the ICZM and MSP initiatives in the transboundary context.

**2.3. Description of the procurement subject matter**

The aim of the feasibility study is the presentation at next COP in 2023, of a strategic and legal basis, launching a process to amend the legal framework of the Barcelona Convention, introducing the application of transboundary EIA/SEA in the Mediterranean Region. It will be realized based on the analysis made by PAP/RAC in 2019 (draft Guidelines for environmental assessment in a transboundary context on the procedures for notification, exchange of information and consultation among the Mediterranean States).

As part of this assignment, the selected Tenderer will need to perform the following **tasks**:

1. Analyse the Barcelona Convention legal and strategic framework, i.e. the Convention itself, the protocols and all the strategic documents adopted by COP decisions in order to provide foundation for the adoption of the transboundary EIA/SEA procedure by all Mediterranean countries. Provide rationale for the preparation of the feasibility study and explain its added value with regard to the 2019 analysis and guidelines (provided as [supporting document to this tender](http://paprac.org/storage/app/media/Dokumenti/2023/2023_02/Draft%20Guidelines%20for%20transboundary%20EA.pdf)).
2. Analyse the situation with regard to transboundary EIA/SEA in the Mediterranean countries that are not bound by the ESPOO Convention and its Kiev Protocol, in particular any new development compared to the 2019 analysis made by PAP/RAC.
3. Draft steps and measures to be taken for the introduction of the transboundary EIA/SEA throughout the Mediterranean Region.
4. Held bilateral consultations with the authorities and institutions in charge of EIA/SEA in the Mediterranean countries that are not bound by the ESPOO Convention and its Kiev Protocol to get their feedback on the proposed steps and measures.
5. Draft the feasibility study based on the elements quoted in a) to e).
6. Prepare documentation needed for the organisation of the regional consultation meeting on the subject i.e. draft invitation letter including rationale and agenda, and assembly all information material supporting the study.
7. Participate in the regional consultation meeting, present the study and draft the meeting report.
8. Finalise the feasibility study taking into account the recommendations of the regional consultation meeting.

* 1. **Deliverables and deadlines**

The deliverables and tentative deadlines related to the activities/tasks defined in 2.3 are as follows:

|  |  |  |
| --- | --- | --- |
| No. | Deliverables | Deadlines |
| 1 | Analyses of the legal and policy framework of the Barcelona Convention relevant for the adoption of the transboundary EIA/SEA procedure by all Mediterranean countries, addressing particularly aspects of the Mediterranean countries that are not bound by the ESPOO Convention and its Kiev Protocol. Provide justification for the Feasibility study, highlight methodology uses and key findings | 30 April 2023 |
| 2 | Proposal of steps and measures towards the introduction of the transboundary EIA/SEA throughout the Mediterranean Region | 30 May 2023 |
| 3 | Report on the bilateral consultations made with the authorities and institutions in charge of EIA/SEA in the Mediterranean countries; address approach/methodology used and feedback gained from the countries | 30 June 2023 |
| 4 | Draft Feasibility study submitted to UNEP/MAP for comments | 30 August 2023 |
| 5 | Final draft of the Feasibility study addressing comments made by UNEP/MAP | 30 September 2023 |
| 6 | Set of documents for the regional consultation meeting on the subject (draft invitation letter including rationale, agenda, additional information material supporting the study) | 30 September 2023 |
| 7 | Report of the regional consultation meeting | 30 November |
| 8 | Final version of the Feasibility study | 30 December |

The deliverables shall be written in English.

**3. ELIGIBILITY OF ECONOMIC OPERATORS (SELECTION CRITERIA)**

**3.1. Technical and professional capacity**

**The Tenderer shall prove it has the key expert with the following qualifications:**

* An advanced degree in environmental science, environmental policy, or a related field;
* Knowledge of the Barcelona Convention and its Protocols, as well as other relevant international agreements and regulations;
* Experience working on international environmental projects in the Mediterranean;
* Fluency in English and French languages.

**For the purposes of establishing the grounds set out in item 3.1. of the Invitation to Tender the Tenderer shall submit the following in his Tender:**

1. **CV of key expert. Additional CV(s) of experts that will be involved in preparation of the tasks can be submitted.**
2. *Company profile is optional.*

**4. INFORMATION ON THE TENDER**

**4.1. Tender contents and format**

The Tender proposal should contain the following elements:

1. **Tender sheet** signed andfilled in according to this Invitation to Tender (Annex 1);
2. **CV**, in English;
3. **List of studies verifying expertise of the qualified expert Key Expert** (Annex 2)
4. **Cost statement** signed andfilled in according to this Invitation to Tender (Annex 3).

**4.2. Tender format and submission**

Tender offers need to be drafted according to the requirements laid out in the Invitation to Tender.

Offers shall be sent electronically to the following e-mail addresses: [marina.markovic@paprac.org](mailto:marina.markovic@paprac.org) indicating “**SEA-Mediterranean**”.

**4.3. Date, time and place of tender submission**

Tender offers must be received **~~by 10 March 2023, 16:00 am CET~~. ~~Extended to the 20 March 2023, 04:00 pm CET~~. Extended to the 03 April 2023, 16:00 CET**

All offers received after the bid opening deadline will be marked as late and excluded from the procedure.

* 1. **The Tenderer may amend or withdraw his Tender before the Tender submission deadline.**

The amended Tender shall be submitted in the same manner as the original and clearly marked as amended. The Tenderer may withdraw his Tender by submitting a written statement before the Tender submission deadline. The written statement shall be submitted in the same manner as the original Tender and clearly marked as a statement of Tender withdrawal. Alternative Tenders are not permitted.

* 1. **Tender currency:** Euro.

Tender currency shall be expressed in EUR.

* 1. **Language and script:** The Tender shall be drafted in English language, using the Latin script.
  2. **Period of validity:** 15 days from the tender submission deadline.
  3. **Price setting method**

If the Tenderer is registered in Croatia and is not in the VAT system, the same amount in “Tender price with VAT” and “Tender price without VAT” fields shall be given (in Annexes 1 and 2).

The “VAT” field (in Annexes 1 and 2) shall be left blank.

For Tenderers who are not registered in the Republic of Croatia, the “VAT” field (in Annexes 1 and 2) shall be left blank. The same amounts in “Tender price with VAT” and “Tender price without VAT” fields shall be given (in Annexes 1 and 2).

However, when evaluating the Tenders, the Client will take into account the total price (with value added tax, as indicated in Annexes 1 and 2). In this case, the VAT will be paid by the Client.

The tender price net of VAT shall include all costs (including taxes up to 34% according to the Croatian Act on income tax for the individual consultants, where appropriate) and discounts.

Transport and accommodation expenses related to the Tender (if any) are not included and will be covered by the Client as an additional expense. Additional expenses, such as daily substance allowances (DSA) (if any) related to the Tender, need to be included in the Tender price.

**5. AWARD CRITERIA**

The Tender will be awarded according to the **most economically advantageous tender (MEAT) criteria**.

The following table sets out the criteria, units of measure, labels and their relative importance. They will be applied to Tenderers whose experts satisfy technical and professional capacity criteria set in ch 3.The MEAT award criteria are the following:

* **proposed price;**
* **expertise of the Tenderer’s qualified Key Expert.**

Determining the MEAT according to the above criteria for selecting the MEAT will be done as follows: after the Client has determined the score value by individual criteria for each Tenderer, the points awarded to Tenderer according to each of the criteria will be summed in order to obtain the total number of points for each Tenderer. The most favourable Tenderer will be the one who has earned the highest total score according to all the above criteria.

At that, the MEAT is equal to the highest total score resulting from the ranking of the Tenders; the total maximum number of points is 100.00 with the total points being calculated in two decimal places. In case that two or more Tenders achieve equal number of points, the one received earlier will be chosen. As a proof, data will be used on the order in which tenders have been received.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Criteria** | **Criteria label** | **Description and measuring unit** | **Methodology** | **Number of points** | **Maximum** |
| **Price** | P | The Tender price, i.e., the financial Tender amount in HRK including VAT, if applicable | C = (Lowest Tender price/price of the tender) x 30.00 | 30 | **30** |
| **Expertise** | E | Number of studies related to policy considerations of SEA/EIA in which the proposed expert had the role of (one of) the leading experts | 1 | 10 | **70** |
| 2 | 20 |
| 3 | 30 |
| 4 | 40 |
| 5 | 50 |
| 6 | 60 |
| More then 6 | 70 |

Selection of the most economically advantageous Tenders (ENP) will determine the basis for evaluating the criteria for each individual Tender according to the delivery of the requested Tenderer's documentation, in the appropriate form: **ENP = P + E**.

**For the purposes of establishing the grounds set out in item 5. of the Invitation to Tender the Tenderer shall submit the following in his Tender:**

1. **Cost statement filled in according to this invitation to Tender**, signed by the single authorised representative of the Tenderer (Annex 3.);
2. **List of studies verifying expertise of the qualified expert Key Expert** (Annex 2);

**6. DUE DATE, CONTRACT AND TERMS OF PAYMENT**

The contract will be in Euro currency.

The Client shall make the payments to the Tenderer, based on invoices drawn up by the Tenderer. The invoices shall be issued in the following manner:

* First invoice is issued upon finalisation of deliverables 1 - 4 listed in chapter 2.4 of this Tender and clearance by the Client;
* Second invoice is issued upon finalisation of all deliverables listed in chapter 2.4 of this Tender and clearance by the Client.

The Client shall pay the issued invoices, pursuant to the prices set out in the selected Tender, within 30 days of the invoice receipt.

All legal persons and natural persons which are in VAT system conducting financial transactions with the Client are required to issue electronic invoices. The invoices shall be issued as e-invoice through FINA e-invoice service or through PEPPOL Network.

An advance by the Client is not permitted.

**Due date:** Envisaged duration of the Contract is till **end of December 2023.**

# Annex 1

# Tender sheet

**Tender date**:

**Contracting Authority**: Priority Actions Programme Regional Activity Centre (PAP/RAC), Kraj Sv. Ivana 11, 21000 Split, Croatia

**Subject of procurement: Providing expert services related to preparation of Feasibility study on the application of transboundary EIA/SEA in the context of the Barcelona Convention and its Protocols**

**Tenderer information:**

|  |  |
| --- | --- |
| **Tenderer’s name and registered seat** |  |
| **PIN[[1]](#footnote-1)** |  |
| **Bank name** |  |
| **IBAN** |  |
| **SWIFT** |  |
| **The economic operator is VAT registered (select)** | YES NO |
| **Name, family name and position of a person / persons authorised to sign the public procurement contract** |  |
| **Name and title of the contact person:** |  |
| **Mail address:** |  |
| **E-mail address:** |  |
| **Telephone number:** |  |

**Tender price:**

|  |  |
| --- | --- |
| Tender price, excluding VAT (EUR) |  |
| VAT (25%)[[2]](#footnote-2) |  |
| Total price with VAT (EUR) |  |

**Bid validity date:** (at least 15 days after the bid submission deadline)

**For Tenderer:**

(Signature of a legal representative)

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# Annex 2

# List of studies verifying expertise of the Tenderer’s Key Expert

**Relevant references of the Key Expert** (*Name and Surname*) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ related to policy considerations of SEA/EIA which the proposed expert had the role of (one of) the leading experts:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No[[3]](#footnote-3).** | **Name of the study** | **Online sources of the study, if available** | **Start - end date** | **Reference contact** |
| 1. |  |  |  |  |
| 2. |  |  |  |  |
| 3. |  |  |  |  |
| 4. |  |  |  |  |
| 5. |  |  |  |  |
| 6. |  |  |  |  |
| 7. |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

# Annex 3

# Cost statement

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Providing expert services related to preparation of Feasibility study on the application of transboundary EIA/SEA in the context of the Barcelona Convention and its Protocols** | | | | | |
| No. | Task description | Unit | Approx. amount | Unit price in EUR (without VAT) | Total EUR (without VAT) |
| 1. | Analyses of the legal and policy framework of the Barcelona Convention relevant for the adoption of the transboundary EIA/SEA procedure by all Mediterranean countries, addressing particularly aspects of the Mediterranean countries that are not bound by the ESPOO Convention and its Kiev Protocol. Provide justification for the Feasibility study, highlight methodology uses and key findings | piece |  |  |  |
| 2. | Proposal of steps and measures towards the introduction of the transboundary EIA/SEA throughout the Mediterranean Region | piece |  |  |  |
| 3. | Report on the bilateral consultations made with the authorities and institutions in charge of EIA/SEA in the Mediterranean countries; address approach/methodology used and feedback gained from the countries | piece |  |  |  |
| 4. | Draft Feasibility study submitted to UNEP/MAP for comments | piece |  |  |  |
| 5. | Final draft of the Feasibility study addressing comments made by UNEP/MAP | piece |  |  |  |
| 6. | Set of documents for the regional consultation meeting on the subject (draft invitation letter including rationale, agenda, additional information material supporting the study) | piece |  |  |  |
| 7. | Report of the regional consultation meeting | piece |  |  |  |
| 8. | Final version of the Feasibility study | piece |  |  |  |
| ***Tender price in EUR without VAT (total item amount)*** | | | | |  |
| ***VAT amount (25%)[[4]](#footnote-4)*** | | | | |  |
| ***Tender price with VAT in EUR*** | | | | |  |

In\_\_\_\_\_\_, \_\_.\_\_ 2023

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Full name of the legal representative)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signature of the legal representative)

1. Or national identification number according to the economic operator’s country of establishment, if applicable [↑](#footnote-ref-1)
2. Economic operators registered in Croatia that are not in VAT system and economic operators registered outside the Republic of Croatia do not fill the column”. [↑](#footnote-ref-2)
3. Add rows, as necessary [↑](#footnote-ref-3)
4. Economic operators registered in Croatia that are not in VAT system and economic operators registered outside the Republic of Croatia do not fill the column [↑](#footnote-ref-4)