



REQUEST FOR TENDERS

File: AP_3/29
Date: 3 November, 2020
To: Interested Consultants
From: Semi Qamese – PACRES M&E Officer

Subject: Request for tenders: Consultancy to develop a robust guideline document to inform development of Cook Islands Climate Change Bill - READVERTISEMENT

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 is calling for tenders from qualified and experienced local consultants who can offer their services to develop a robust guideline document to inform development of Cook Islands Climate Change Bill.
- 2.2. The Terms of Reference and the specific statement of work for the consultancy are set out in Annex A.

3. Conditions: information for applicants

- 3.1. To be considered for this tender, interested suppliers must meet the following conditions:
 - i. Must be legally able to work in Cook Islands for the duration of the consultancy;
 - ii. Provide three references relevant to this tender submission, including the most recent work completed;
 - iii. Provide examples of related past work outputs to support how you meet each of the evaluation criteria; and
 - iv. Complete the **tender application form** – *(please note you are required to complete all areas in full as requested on the form, particularly the Statements to demonstrate you meet the*



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*selection criteria – DO NOT refer us to your CV or your Technical Proposal. Failure to do this will result in the application **not** being considered).*

- v. Sign the Conflict of Interest form

4. Submission guidelines

- 4.1. Tender documentation should demonstrate that the interested supplier satisfies the conditions stated above and is capable of meeting the specifications and timeframes. Documentation must also include supporting examples to address the evaluation criteria. Describe any additional minimum content and format requirements.
- 4.2. Tender documentation should outline the interested supplier's complete proposal and include:
 - a. The CVs of proposed personnel highlighting related experience relevant to the tender;
 - b. A Technical Proposal which should outline the interested consultant's approach, including timelines to achieve the tasks outlined in the Terms of Reference.
 - c. A Financial Proposal which identifies the fees component of the consultancy.
 - d. A Completed Tender Application Form.
- 4.3. Tenderers/Bidders must insist on an acknowledgement of receipt of tenders/proposals/bids.

5. Tender Clarification

- 5.1. Any clarification questions from applicants must be submitted by email to procurement@sprep.org before **16 November 2020**. A summary of all questions received with an associated response will be posted on the SPREP website www.sprep.org/tender by **18 November 2020**.

6. Evaluation criteria

- 6.1. SPREP will select a preferred supplier 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 tenderer satisfies the following criteria.
 - i. A qualification from a recognised tertiary institution in a field related to environmental management, climate change and/or environmental/natural resource law (10%);
 - ii. Has a minimum 5 years' experience in reviewing policies and proven ability to conduct complex legislative and policy analysis (20%);
 - iii. Demonstrated high-level of skills in drafting legislation and/or policy documents and ability to deliver within the timeframe (20%);
 - iv. Demonstrated experience of having successfully worked in the areas of climate change and disaster risk management with government, non-government stakeholders and communities in Cook Islands or the Pacific Region (15%);
 - v. Detailed technical proposal/workplan and methodology (15%); and
 - vi. Detailed financial proposal (20%).



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7. Deadline

- 7.1. **The due date for submission of the tender is: 24 November 2020 midnight (Apia, Samoa local time).**
- 7.2. Late submissions will be returned unopened to the sender.
- 7.3. Please send all tenders clearly marked '**TENDER: Consultancy to develop a robust guideline document to inform development of Cook Islands Climate Change Bill - READVERTISEMENT**' to one of the following methods:

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.

SPREP reserves the right to reject any or all tenders and the lowest or any tender will not necessarily be accepted.

**For any complaints regarding the Secretariat's tenders please refer to the
Complaints section on the SPREP website**
<http://www.sprep.org/accountability/complaints>



TERMS OF REFERENCE

DEVELOPING A ROBUST GUIDELINE DOCUMENT TO INFORM DEVELOPMENT OF A NATIONAL CLIMATE CHANGE BILL FOR THE COOK ISLANDS

Background and Rationale

The €12 million European Union funded Intra-ACP¹ GCCA+ Pacific Adaptation to Climate Change and Resilience Building (PACRES) aims to ensure better regional and national adaptation and mitigation responses to climate change challenges facing Pacific ACP countries². PACRES is being implemented collaboratively by the Secretariat of the Pacific Regional Environment Programme (SPREP), the Pacific Islands Forum Secretariat (PIFS), the Pacific Community (SPC) and the University of the South Pacific (USP).

PACRES is providing support for Pacific ACP countries to review or develop climate change strategies and policies. To that end, SPREP is seeking to engage a suitably qualified local consultant to develop a robust guideline document to inform development of a Climate Change Bill in the Cook Islands

Climate Change Cook Islands (CCCI) was established under the Office of the Prime Minister in 2012 and recognises the need to fully understand and manage the increasing impacts of climate change. The Government of the Cook Islands has embarked on strengthening its policy frameworks and financial systems to better prepare and build capacity to address the growing climate change challenges. Several policies or planning frameworks exist to address the vulnerability of Cook Islands to climate change, including:

- 'Te Kaveinga Nui' which is the National Sustainable Development Plan 2016 – 2020, Goal 13 of which recognizes the need to: "Strengthen Resilience to combat the impacts of climate change and natural disasters". This national goal is intended to ensure all government, private and peoples of the Cook Islands are better prepared and resilient to the challenges of climate change and natural disasters;
- The JNAPII 'Are We Resilient', The Cook Islands Second Joint National Action Plan 2016 – 2020 which provides a sectoral approach to climate change and disaster risk management;
- The Cook Islands' Intended Nationally Determined Contributions (INDCs) 2015 recognises the potential to further reduce the country's emissions and to strengthen resilience, conditional on donor support. Due to be updated in 2020-2021, it is anticipated this NDCs will set firm enhanced targets and a pathway to meeting the Cook Islands commitment of zero net emissions by 2040;
- The Cook Islands Climate Change Policy 2018 – 2028 sets a policy target of zero net emissions by 2040, which was also announced by the Prime Minister on the global stage at the IRENA annual conference virtual platform; and
- The Cook Islands Sustainable Tourism Development Policy Framework & Goals that recognises climate change threats to tourism infrastructures and the safety of its occupants.

In recognition of existing frameworks, national intentions and international signals, consultations have been held internally in Cook Islands to develop a mandate giving CCCI legal powers to carry out its work and responsibilities with due diligence. In 2013, two legal assessments were conducted by different entities to determine the legal pathway for climate

¹ Africa, Caribbean and Pacific Group of States.

² The 15 Pacific ACP countries are: Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Republic of the Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Timor-Leste, Tonga, Tuvalu and Vanuatu.

change. Recommendation from these assessments were not in alignment with one in favor of stand-alone legislation and the other favoring a legislation with Emergency Management Cook Islands (EMCI). In 2016 another review was conducted by the then Chief of Staff to the Office of the Prime Minister. As a result, the need to develop legislation to enable the Government of the Cook Islands, through the Climate Change Office, to address the ongoing challenges and threats of climate change became an ongoing output in the CCCI business plan. However, little progress has been made in recent years.

SPREP is therefore seeking to engage a local consultant to develop a robust guideline document to provide guidance and facilitate the development of the Climate Change Bill. The local consultant will provide technical oversight, guidance and assistance to assess the existing national frameworks pertaining to climate change, as well as wider consultations to gauge public views in order to produce a robust guideline to provide enhanced understanding of issues that will assist in the development of a climate change bill.

Scope of Work

Develop a robust guideline document to inform the development of a climate change bill.

The local consultant will;

- 1 Collate and review all relevant national legislation (laws and regulations), policies, strategies, plans and agreements at local, national and international level that relate directly to development of a Climate Change Bill;
- 2 Facilitate national stakeholder consultations with the assistance of CCCI to gauge public views of a Climate Change Bill particularly the Pa Enuu;
- 3 Present desk review and consultation outcomes with recommendations to CCCI, Crown Law and relevant stakeholders;
- 4 In consultations with CCCI, Crown Law and relevant stakeholders draft a robust guideline document that will inform the development of the Climate Change Bill;
- 5 Circulate the draft guideline document to stakeholders including SPREP for feedback and then revise and finalise as appropriate; and
- 6 Submit the final draft guideline document to CCCI and SPREP.

Project Schedule

The activities are to be completed by **31 December 2021**. Expected project activity is detailed in Table 1 below. The tender response should detail how and when these steps will be delivered by submitting a Technical Proposal.

Table 1 Project schedule

	Activity
	Notification of successful local consultant.
	Contract signed.



	Commencement meeting via Skype or telephone between successful local consultant, PACRES Project Management Unit and CCCI
	Approval of work plan and methodology.
	<i>Develop a robust guideline document to inform the development of a climate change bill</i>
1	Collate and review all relevant national legislation (laws and regulations), policies, strategies, plans and agreements at local, national and international level that relate directly to development of a Climate Change Bill
2	Facilitate national stakeholder consultations with the assistance of CCCI to gauge public views of a Climate Change Bill particularly the Pa Enea
4	Present desk review and consultation outcomes with recommendations to CCCI, Crown Law and relevant stakeholders
5	In consultations with CCCI, Crown Law and relevant stakeholders draft the guideline document that will inform the development of the Climate Change Bill
6	Circulate the draft guideline document to stakeholders including SPREP for feedback and then revise and finalise as appropriate
7	Submit the final draft of the guideline document to CCCI and SPREP.

Budget

The Financial Proposal to be priced based on a work plan on where, when and how the technical assistance will be conducted. The proposal should be for the **fees component only** associated with undertaking the work outlined above. Any requirements outside of the fee's component (e.g. local travel and workshops associated costs etc.) should be mentioned in the proposal but not costed at this stage.

Expertise

The local consultant is expected to have the following qualifications and expertise:

- A qualification from a recognised tertiary institution in a field related to environmental management, climate change and/or environmental/natural resource law;
- A minimum 5 years' experience in reviewing policies and proven ability to conduct complex legislative and policy analysis;
- Demonstrated high-level of skills in drafting legislation and/or policy documents and ability to deliver within the timeframe;
- Demonstrated experience of having successfully worked in the areas of climate change and disaster risk management with government, non-government stakeholders and communities in the Cook Islands or the Pacific Region;



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- Excellent command of spoken and written English and fluency of Cook Islands Maori will be an advantage.

The successful local 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

Work arrangements

The local consultant will:

- be based in Cook Islands and work from the Climate Change Cook Islands office;
- report on a day-to-day basis to Director of Climate Change; and
- submit monthly reports to the PACRES PMU through the CCCI Director of Climate Change, reporting against agreed work plans.

Duration

This is a part-time consultancy that will commence as soon as practicable and be completed by 31 December 2021.