

## REQUEST FOR TENDERS

RFT: 2021/051  
File: CONV 1/3/1 General Noumea Convention  
Date: 24 June, 2021  
To: Interested suppliers  
From: Anthony Talouli, Acting Director Waste Management and Pollution Control

**Subject: Request for tenders: Regional Framework to address marine litter and microplastics**

### 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](http://www.sprep.org).

### 2. Specifications: statement of requirement

- 2.1. SPREP would like to call for tenders from qualified and experienced consultants to provide expert assistance in drafting elements for the new protocol on marine litter and microplastics under the Noumea Convention.
- 2.2. The successful applicant will need to provide a comprehensive proposal in response to the attached TOR. The “work” is expected to be completed by 03 September 2021.
- 2.3. The Terms of Reference and the Specific Duties of the Contractor are set out in Attachment “A”.
- 2.4. 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](https://www.sprep.org/attachments/Publications/Corporate_Documents/sprep-organisational-values-code-of-conduct.pdf)

### 3. Conditions: information for applicants



- 3.1. To be considered for this tender, interested applicants must meet the following conditions and criteria:
- a) Have a demonstrated record of successfully managing a similar project or legal project in the Pacific;
  - b) Have a demonstrated pre-existing relationship with national environment agencies in the Pacific;
  - c) Have demonstrated knowledge of the Regional Conventions particularly Noumea Convention.
  - d) 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 or your Technical Proposal. Failure to do this will mean your application will **not** be considered*).
  - e) Sign the **Conflict of Interest** form and

#### 4. Submission guidelines

- 4.1. Tender documentation should demonstrate that the interested consultant satisfies the conditions stated above and can meet the required specifications and timeframes. Documentation must also include supporting examples to address the evaluation criteria.
- 4.2. Tender documentation should comprise the interested supplier's complete proposal, comprising:
- (a) CV of the proposed personnel highlighting experience relevant to the tender. Also submit details of relevant experience as a consultant, subcontractor or management consultant under contracts with similar services;
  - (b) Technical Proposal/Methodology which contains the details to achieve the tasks outlined in the Terms of Reference.
  - (c) Financial Proposal - detailed outline of the costs involved in successfully delivering this project
- 4.3 Tender submission must be in United State Dollars (USD).
- 4.4 The Proposal must remain valid for 90 days from date of submission.
- 4.5 Interested consultants must insist on an acknowledgement of receipt of the proposal.

#### 5. Tender Clarification

- 5.1. Any clarification questions from applicants must be submitted by email to [procurement@sprep.org](mailto:procurement@sprep.org) before 05 July 2021. A summary of all questions received with an associated response will be posted on the SPREP website [www.sprep.org/tender](http://www.sprep.org/tender) by 07 July 2021.

#### 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 tenderer satisfies the following criteria:

Criteria	Description	Weighting (%)
<b>Experience</b>	Demonstrated evidence of undertaking assessments and reviews of waste and environmental management frameworks, policies and strategies in the Pacific.	<b>20</b>
	In-depth knowledge of the Regional Conventions particularly the Noumea Convention and their implementation in the Pacific	<b>15</b>
	Extensive knowledge of environmental planning, marine protection, coastal protection and waste management governance issues in the Pacific	<b>20</b>
	Demonstrated experience with ongoing negotiations with global legally binding agreement	<b>20</b>
<b>Technical Proposal/ Methodology</b>	Detailed outline of activities to be undertaken over the term of engagement	<b>15</b>
<b>Financial proposal</b>	Detailed outline of the costs involved in successfully delivering this project	<b>10</b>

## 7. Deadline

- 7.1. **The due date for submission of the tender is: 16 July 2021, midnight (Apia, Samoa local time).**
- 7.2. Late submissions will be returned unopened to the sender.
- 7.3 Please send all tenders clearly marked ‘**RFT 2021/051: Regional framework to address marine litter and microplastics**’ to one of the following methods:

Mail: SPREP  
Attention: Procurement Officer  
PO Box 240  
Apia, SAMOA

Email: [tenders@sprep.org](mailto: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.

**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

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#### 1. BACKGROUND

The Convention for the Protection of Natural Resources and Environment of the South Pacific Region (1986) and related Protocols, referred to as the Noumea Convention, also known as the SPREP Convention. entered into force in 1990. The Convention has two Protocols that also entered into force in 1990: Dumping and Emergencies Protocol. This Convention is the major multilateral umbrella agreement in the Pacific Region for the protection of natural resources and the environment and is part of the Regional Seas Conventions coordinated through UNEP.

The Secretariat of the Pacific Regional Environment Programme (SPREP) was formed in 1982 to ensure the protection and sustainable development of the region's natural resources. The organisation actively promotes the understanding of the connection between Pacific island people and their natural environment and the impact that these have on their sustenance and livelihoods.

The Pacific Marine Litter Action Plan 2018-2025 endorsed by Pacific Forum Leaders includes priority actions 1.1 and 1.2 to support the development of a global legal framework to address marine litter and microplastics and to develop a regional framework to address marine litter and microplastics possibly through scope of the Noumea Convention.

Negotiations on a global legally binding framework has been ongoing since United Nations Environment Assembly 1st Meeting (UNEA1) to the upcoming UNEA5.2. The Pacific Island States have been part of the negotiations supported by a coalition of SIDS and non-state actors such as the Environmental Investigation Agency (EIA) and Centre for International Environment Law (CIEL).

The work to draft elements for a regional framework will be to look at developing a new protocol on marine litter and microplastics under the Noumea Convention has been made possible through funding assistance from UNEP.

#### 2. PURPOSE OF A PLASTIC PROTOCOL

The purpose of the development of a regional framework to address marine litter and microplastics is to implement Priority Action 1.2 of the Pacific Regional Marine Litter Action Plan 2018-2025 through the lens of the Noumea Convention.

The implementation of Priority Action 1.2 fulfils the role of SPREP in assisting PICTs to address environmental and marine pollution issues. This is recognized through the endorsement of the PMLAP at the 1st SPREP Executive Board Meeting in 2018 and subsequently by the Forum Leaders and reflected in their communique that “waste is critical for the Blue Pacific” in which



they have reaffirmed their commitment. The Forum Leaders also recognized that marine litter is a transboundary issue and noted that globally, we are witnessing an unprecedented focus on waste and pollution issues. They observed that the issue of waste and pollution, particularly plastic, is now of equal prominence for our region, as climate change.

This activity seeks to develop key elements of a protocol under the Convention to address marine litter and microplastics. The protocol will support the development and implementation of, compliance with, and enforcement of, environmental law on marine litter prevention in the Pacific Region

### 3. EXPECTED OUTCOMES

To deliver the following:

- Draft elements for the new protocol on marine litter and microplastics under the Noumea Convention.

### 4. SCOPE OF WORKS

To use the reports on inventory of existing national and relevant international frameworks on sources of marine litter and situational analysis of legislative gaps and needs to address sources of marine litter and prepare elements for a new protocol on marine litter and microplastics. The work shall include as a minimum the following:

- 1) Consideration of all Parties under the Convention.
- 2) Ensure wide consultation and participation by Parties, foster discussions for better understanding of convergences of ideas to achieve the common vision of addressing marine litter and microplastics.
- 3) A Country driven approach is required considering the unique circumstances of Pacific islands countries and territories (PICTs).
- 4) Harness existing actions at national, regional and international level
- 5) Consider the plastic life cycle approach to addressing marine litter and microplastics considering consumption and production.
- 6) Include provisions for monitoring, compliance and enforcement and reporting and communication mechanism.
- 7) Include provisions for funding the Implementation.
- 8) Submit a first draft of the report to SPREP for peer review and comments.
- 9) Incorporate the comments and suggestions to finalize the document. The final draft of the report must incorporate/address all comments provided by the reviewers, where relevant.



## 5. MODE OF DELIVERY

### a. RESPONSIBILITIES:

The consultant shall:

- i. Liaise directly (In-country) with staff from Ministry of Environment, Fisheries and other relevant stakeholders. Be responsible for engagement of all necessary Parties stakeholders. To include communicating through virtual platforms noting the impact of COVID-19 travel restrictions.
- ii. Submit an Implementation Plan for approval by SPREP.

### b. REQUIRED TASKS

The required tasks and deliverables are outlined as follows:

#### i. Task 1 - Submission of an Implementation Plan

The contractor shall create and submit to SPREP an Implementation Plan that shall contain at a minimum a:

- general description of the methods which the contractor shall adopt to execute this contract; proposed time schedule and sequence of events that the Contractor shall use to meet the contract.
- contingency planning for responses from Parties.

Deliverable: Implementation Plan

#### ii. Task 2 - 1st Draft inventory of existing national and relevant international frameworks on sources of marine litter

The contractor shall prepare and develop a draft report through:

- compilation of data from existing reports.
- use of existing national and relevant international frameworks on sources of marine litter.
- Include a list of references and sources of information used for the development of the report, with internet links, where available.

Deliverable: 1st draft Inventory of existing national and relevant international frameworks on sources of marine litter.

#### iii. Task 3 - 1st Draft situation analysis of legislative gaps and needs to address sources of marine litter

The contractor shall prepare and develop a draft report through:

- compilation of data from existing reports.

- Summarise the existing legislative gaps and required reforms.
- Develop a summary of policymakers with conclusions and recommendations.
- Include a list of references and sources of information used for the development of the report, with internet links, where available.

Deliverable: Draft situation analysis of legislative gaps and needs to address sources of marine litter

iv. Task 4 - Draft protocol for marine litter and microplastics

The contractor shall prepare and develop a draft protocol for marine litter and microplastics:

- Consultation with Parties and SPREP.

Deliverable: Draft protocol for marine litter and microplastics.

c. PROGRESS MEETINGS

The contractor is required to participate in the following meetings as follows:

Meeting Type	Representative required	Frequency	Teleconference / Site
Initial project inception conference	Consultant, SPREP rep	Once	Zoom, Skype, Teams, or other application
Progress Meetings each fortnight	Consultant, SPREP rep	Fortnightly	Zoom, Skype, Teams, or other application

d. REPORTING

The duration of this Agreement the contractor shall provide SPREP with the documents as set out in the table 1:

Report type and content	Description	Due date
Implementation Plan	Includes a general description of the methods which the Contractor proposes to adopt for the execution of the contract including proposed time schedule and sequence of events that the Contractor will use to meet the contract including preparation stages, etc.	Five (5) business days after contract signing
1st Draft inventory of existing national and relevant international frameworks on sources of marine litter	Includes the provisions as outlined Task 2 above.	Fifteen (15) business days after contract signing

1st Draft situation analysis of legislative gaps and needs to address sources of marine litter	Includes the provisions as outlined Task 3 above.	Twenty (20) business days after contract signing
Draft protocol for marine litter and microplastics	Includes the provisions as outlined Task 4 above.	Thirty-five (35) business days after contract signing

## 6. SCHEDULE OF WORK

All deliverables are to be completed as soon as practical but no later than 3rd September 2021. Specific delivery dates are provided below in the table below.

Deliverable/Milestone	Due date	%	Amount due (incl.GST)
Implementation Plan	Five (5) business days after contract signing	10%	\$4,500.00
Draft inventory of existing national and relevant international frameworks on sources of marine litter	Fifteen (15) business days after contract signing	20%	\$9,000.00
Draft situation analysis of legislative gaps and needs to address sources of marine litter	Twenty (20) business days after contract signing	20%	\$9,000.00
Draft protocol for marine litter and microplastics	Thirty-five (35) business days after contract signing	50%	\$22,500.00
<b>TOTAL</b>			<b>USD 45,000</b>

## 7. Budget:

The budget for this work is USD 45,000.00 and the payment schedule is as per table above.