

## REQUEST FOR TENDERS

RFT: PWP-143-CON  
File: AP\_6/5/8/3  
Date: 5 October, 2022  
To: Interested consultants  
From: PacWastePlus Finance and Procurement Officer

**Subject: Request for tenders (RFT: Development of a Solid Waste Management Guideline (Domestic & Commercial) for Timor-Leste**

### 1. Background

- 1.1. The Secretariat of the Pacific Regional Environment Programme (SPREP) is an intergovernmental organization 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:
  1. We value the Environment
  2. We value our People
  3. We value high quality and targeted Service Delivery
  4. We value Integrity
- 1.3. For more information, see: [www.sprep.org](http://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 develop a domestic and commercial solid waste management guideline for Timor-Leste to regulate the waste collection and disposal practices managed by the Ministry of Public Works and Provincial governments.
- 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://www.sprep.org/attachments/Publications/Corporate\\_Documents/spreporganisational-values-code-of-conduct.pdf](https://www.sprep.org/attachments/Publications/Corporate_Documents/spreporganisational-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:
  1. Submit a detailed Curriculum vitae detailing qualification and previous relevant experience for each proposed personnel;

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2. Provide three referees relevant to this tender submission, including the most recent work completed;
  3. Provide examples of past related work outputs;
  4. 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*).  
*For the Technical and Financial proposals you may attach these separately.*
  5. Submissions must include a **TECHNICAL PROPOSAL** that includes a detailed work plan, methodology schedule of activities, and other items deemed necessary by the tenderer.
  6. Submissions must include a **FINANCIAL PROPOSAL** that has an annotated budget listing for each task as required of the scope of works
  7. Provide a copy of valid business registration/license.
- 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*).  
*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** which outlines the costs involved in successfully delivering the project submitted in United States Dollars (USD) and inclusive of all associated taxes.

- 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](mailto:pwprocurement@sprep.org) before 14 October 2022. A summary of all questions received complete with an associated response posted on the SPREP website [www.sprep.org/tender](http://www.sprep.org/tender) by 18 October 2022.
  1. The only point of contact for all matters relating to the RFT and the RFT process is the SPREP Procurement Officer.
  2. 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.
  3. Tenderers should identify in their question what, if any, information in the question the Tenderer considers is confidential.
  4. 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.

### 1. Technical Score – 80%



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Criteria	Detail	Weighting
<b>Experience</b>	Knowledge of domestic waste management systems. Applicable knowledge for the use of these systems in the Pacific and Timor-Leste context is preferable	5%
	Demonstrated experience in undertaking desktop and ground-truthing research into waste management practices, for the purpose of developing guidelines, strategies, or legislation.	20%
	Demonstrated experience in drafting reports and Options Papers to inform government processes and infrastructure investment	15%
	Demonstrated experience in detailed consultation to inform development of strategy / guidelines / legislation relevant to government compliance and enforcement activities.	20%
	Demonstrated experience in developing and delivering training sessions to government officials to empower them to implement guidelines and enforceable undertakings.	10%
<b>Methodology</b>	Proposed project methodology noting schedule, activities, concurrent or sequential development, engagement with country representatives, etc.	10%

## 2. 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. a. SPREP may amend, suspend or terminate the RFT process at any time.
  1. 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>).
  2. 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.





3. 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: 24 October 2022, 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 'PWP-143-CON: **Development of a solid waste management guideline (domestic & commercial) for Timor-Leste**

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.

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

Development of a Domestic & Commercial Solid Waste Management Guideline for Timor-Leste to regulate the Waste Collection and disposal practices managed by the Ministry of Public Works and Provincial Governments

### 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**); and related aspects of **wastewater** (water impacted by solid waste).

Countries participating in the PacWastePlus programme are: Cook Islands, Democratic Republic of Timor-Leste, Federated States of Micronesia, Fiji, Kiribati, Nauru, Niue, Palau, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu.

PacWastePlus seeks to aid Timor-Leste to develop a Waste Management Guideline to regulate the Waste Collection and disposal practices managed by the Ministry of Public Works and Provincial Governments.

### 2. INTRODUCTION TO PROJECT

Improper Waste Management treatment has been a constant issue in Timor-Leste. Poor waste management is causing adverse impacts to environmental health and the health of the citizens of Timor-Leste.

Timor-Leste currently has no effective waste management systems in place, including any guidelines for the government's management of waste collection and processing, nor any regulation to guide relevant institutions and private sectors to follow in the daily properly waste collection practices and disposal. This is a significant issue in highly populated areas in Dili, the capital of Timor-Leste (2015 census indicates some 222,000 residents). Many provinces do not provide government managed waste services, and illegal dumping and environmental leakage is common throughout the country.

Currently there are few controls on landfill management (currently Tibar landfill accepts waste and burns this in the open), bulky waste collection, or sewage treatment system maintenance. The government manages a contract for the collection of solid waste from Dili to the Tibar landfill, but there is no formal guideline to manage or guide this service. This lack of guideline and regulation means improper waste management collection and disposal practices continue to be employed in the community, risking public health and the environment.

Urban Solid Waste Management System is clearly written in the Decree-law No.2/2017 and was approved in 2017. The Decree-Law No.2/2017 established rules to promote and ensure urban hygiene and urban waste management. These rules permit integrated management of waste produced in an environmentally sustainable and social inclusive manner and, without prejudice to economic development, increase the comfort and well-being of citizens.

The Ministry of Public Works has been empowered under Decree-Law No. 38/2020 to organise the Solid Waste Management System but has yet to act due to budget constraints.

### 3. Expected Outcomes

The PacWastePlus programme seeks to engage a consultant to develop a guideline to address domestic and commercial waste (collection and disposal practices). These guidelines will not regulate other waste streams (such as Industrial waste, Disaster waste, Medical Waste, pollution control, etc.). The guideline shall include specific description of minimum standard worker health and safety practices when undertaking any of the collection and disposal practices, as well as PPE required when undertaking compliance or enforcement actions.

The **objectives** of this engagement are:

- Develop a Standard Waste Management Guideline to regulate all the waste collection and disposal practices in Timor-Leste.
- To increase the knowledge of Municipality, Local Authority, relevant institution on the proper waste collection and disposal practices incorporating the appropriate working health and safety practices, included proper use of PPE.

Expected outcomes are:

- a) Inception phase – approved methodology and process
- b) Desktop Assessment – an assessment report that clearly identifies the issues to be managed, and how the guideline will interact and effect the implementation of existing Decree Laws in Timor-Leste
- c) Ground-Truthing & Consultation – confirmation of issues to be addressed and managed in the guidelines
- d) Guideline drafting – the development of the guideline based on the findings of the assessment and consultation phase
- e) Capacity Building – development and delivery of train-the-trainer course for Timor-Leste officials to ensure the guideline is understood, and enforceable by those officials .

#### 4. SCOPE OF WORK

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

**Table 1: Scope of Work**

Phase	Description	Documentation SPREP will provide	Supplier Output
<b>Inception</b>	<p>Lead an inception meeting with the PacWastePlus team, and representative from the Timor-Leste Government 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.</p> <p>The Consultant shall create and submit to SPREP a Work Plan that shall upon execution ensure effective delivery of services under this contract.</p> <p>The Draft Work Plan shall contain at a minimum:</p> <ul style="list-style-type: none"> <li>Proposed time schedule and sequence of events that the Contractor shall use to meet the contract deliverables.</li> <li>Description of the methods which the Contractor proposes to adopt for executing the contract, including meeting construction quality standards</li> <li>Plan and methodology to undertake each phase of the engagement.</li> <li>Comprehensive risk plan to ensure effective delivery of services.</li> <li>Any further details and information as SPREP may reasonably require.</li> </ul>	Nil	<p><b>Inception meeting</b></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. The Draft Work Plan will be presented and discussed at this meeting.</p> <p><b>Draft Work Plan</b></p> <p>Draft Work Plan highlighting how services will be delivered under this contract submitted to SPREP for consideration and comment.</p> <p><b>Final Work Plan</b></p> <p>Final work plan incorporating revisions and addressing all comments by reviewers on the draft work plan</p>
<b>Desktop assessment of current legal framework governing waste management practices</b>	The consultant will, in active participation with officers from Timor-Leste, undertake a desktop assessment of the current legal framework governing waste management in Timor-Leste, and gather necessary information	<ul style="list-style-type: none"> <li>PacWastePlus Legislative Review 2019 (<i>available from PWP website</i>)</li> </ul>	<p><b>Draft Desktop Assessment</b></p> <p>A draft desktop assessment report for review and comment (SPREP will facilitate comment from the Timor-Leste Government).</p>



Phase	Description	Documentation SPREP will provide	Supplier Output
	<p>on any donor funded projects influencing waste management activities in Timor-Leste to establish the current baseline environment.</p> <p>Utilising this assessment consider the key issues to be managed by the guideline, considering the Guideline should:</p> <ul style="list-style-type: none"> <li>• Be developed for implementation in all provinces of Timor-Leste</li> <li>• Be implemented in accordance with Decree-Law No.38/2020</li> <li>• Be developed to facilitate the implementation of Decree-law No.2/2017 for the Urban Solid Waste Management System</li> </ul> <p>The Guideline is to be designed to guide activities of:</p> <ul style="list-style-type: none"> <li>• Ministry of State and Administration,</li> <li>• Municipality Authorities,</li> <li>• Private Sector</li> </ul> <p>In addition to the Desktop assessment, this stage must include the confirmation of the ground-truthing and consultation plan to be deployed.</p>		<p>Included in the draft desktop assessment shall be a draft Workplan and methodology for the Ground-truthing and consultation activity for review by SPREP and Timor-Leste Government.</p> <p><b>Final Desktop Assessment</b></p> <p>Final assessment incorporating revisions and addressing all comments by reviewers on the draft assessment</p> <p>Included in the final desktop assessment shall be the workplan and methodology for the Ground-truthing and consultation activity (see further discussion below defining the parameters of this effort) approved by SPREP and Timor-Leste Government.</p>
<b>Ground-truthing &amp; consultation</b>	<p>Consultants will be required to undertake site visits to several areas in Timor-Leste to confirm current practices. Investigations in Dili and at least two other provinces should be undertaken to confirm current and prevalent practices that should be actively addressed in the guidelines.</p> <p>The Timor-Leste Waste Management Guideline is to be designed to govern the collection and disposal of domestic and commercial waste, as such ground truthing actions should review how these services are currently provided, and involve consultation sessions with relevant Institutions, the Ministry of State and Administration, the</p>	Nil	<p><b>Draft findings report from the Ground truthing &amp; consultation Phase</b></p> <p>A draft report on the findings of the ground-truthing and consultation activities, including the assessment of findings and recommendations for final structure and inclusions in the Guideline shall be produced.</p> <p><b>Final Report</b></p>

Phase	Description	Documentation SPREP will provide	Supplier Output
	<p>Ministry of Public Works (ANAS-IP), and prominent private sector associations or entities.</p> <p>The Waste Guideline is developed to facilitate the Ministry of Public Work (ANAS-IP) as an Authority Institution entity to regulate the waste system based on the Decree-Law No.38/2020. The Waste Guideline must also facilitate the implementation of the Decree-law No.2/2017 for the Urban Solid Waste Management System. The Consultants shall liaise extensively with the Ministry of Public Works to ensure they understand the management issues, and any additional drafting instructions to ensure the guideline is able to be implemented and enforced.</p>		Final report incorporating revisions and addressing all comments by reviewers on the draft report
<b>Drafting of the Waste Management Guideline</b>	<p>Utilising the findings of the desktop assessment and the ground-truthing investigations, the consultant will commence drafting waste management guidelines suitable for Timor-Leste.</p> <ol style="list-style-type: none"> <li>1. Format and structure of the Guideline should match the standard format of similar instruments in Timor-Leste and should be determined during consultation with the Ministry of Public Works.</li> </ol>	Nil	<p><b>Draft Guideline</b></p> <p>A draft Guideline to be drafted that follows the approved plan and structure as directed from the output Assessment report.</p> <p><b>Final Guideline</b></p> <p>Final Guideline incorporating revisions and addressing all comments by reviewers on the draft report</p>
<b>Capacity Building</b>	<p>Develop and delivery a train-the-trainer session with government staff from the Ministry of Public Works on the implementation and enforcement of the Guideline.</p> <p>Materials developed should be developed with the understanding they may be used by Timor-Leste officials to run the training themselves following the completion of this engagement.</p> <p>Please note materials and presentations should be developed in both English and Tetum.</p>	Nil	<p><b>Draft Training Materials</b></p> <p>Draft training materials and slides to be created that will be used to deliver the train-the-trainer session.</p> <p><b>Final Training Materials</b></p> <p>Final materials incorporating revisions and addressing all comments by reviewers on the draft report</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.

### **Institutional Arrangements**

It is expected that this activity will require travel, introductions to representatives of Timor-Leste will be facilitated by the PacWastePlus team

## **5. SCHEDULE OF WORK**

The activities are to be completed no later than **20 weeks from Agreement signing date** 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

Activity	Timeline
<b><i>Contract Signing and Execution</i></b>	
<b>1. Inception</b>	Two weeks from date of Contract Execution
<b>2. Desktop assessment of waste management practices</b>	No later than 4 weeks from date of Contract Execution
<b>3. Ground-truthing &amp; consultation</b>	No later than 8 weeks from date of Contract Execution
<b>4. Drafting of the Waste Management Guideline</b>	No later than 12 weeks from date of Contract Execution
<b>5. Capacity Building</b>	No later than 16 weeks from date of Contract Execution

## **6. 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 task.

*Proposals above USD 30,000 will not be considered.*

SPREP reserves the right to withdraw this tender at any time, reserves the right to accept or reject any or all bids and to waive any formal defects or irregularities in the bids, 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](https://www.sprep.org/attachments/Publications/Corporate_Documents/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 Inclusions

