



REQUEST FOR TENDERS

RFT: 2021/PWP-131-CON
File: AP_6/5/8/3
Date: 17 August, 2021
To: Interested consultants
From: PacWastePlus Finance and Procurement Officer

Subject: Request for tenders: Technical Assistance to support the development of an Advanced Recovery Deposit & Fee Legislation for Papua New Guinea

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 would like to call for tenders from qualified and experienced consultants who can offer their services to provide technical assistance to support the development of an Advanced Recovery Deposit & Fee Legislation for Papua New Guinea.
- 2.2. The successful applicant will need to provide the details of works required as referred to in the attached Terms of Reference within a period of xxx weeks from the date of contract signing, the duration of the engagement may be negotiable provided the applicant can adequately justify in their proposal the need for a longer duration.
- 2.3. The Terms of Reference and the specific statement of work for this engagement are set out in Annex 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-of-conduct.pdf

3. Conditions: information for applicants

- 3.1. To be considered for this tender, interested consultants MUST meet the following conditions:

- Complete the **tender application form** – noting you are required to complete all areas in full, particularly the statements to demonstrate you meet the selection criteria. Failure to do so may result in your application not being considered.
- Submissions must include a **TECHNICAL PROPOSAL** that include a detailed workplan, methodology, schedule of activities and other items as deemed necessary by the applicant.
- Submissions must include a **FINANCIAL PROPOSAL** that has an annotated budget listing for each task.
- Submissions must include a Curriculum Vitae for each member of the proposed team, demonstrating relevant experience, skills, and qualifications to carry out the required statement of works.
- Provide examples of past relevant work outputs
- Sign the Conflict of Interest Form provided

4. Submission guidelines

- 4.1. Tender documentation should demonstrate that the interested consultant 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 consultant's complete proposal: methods, personnel (and their skill sets/curricula vitae), timeframes and costs.
- 4.3 Provide three referees relevant to this tender submission, including the most recent work completed
- 4.3 Tenderers/Bidders must insist on an acknowledgement of receipt of tenders/proposals/bids.

5. Tender Clarification

- 5.1. Any clarification questions from consultants must be submitted by email to pwp.procurement@sprep.org by 30 August 2021. A summary of all questions received with an associated response will be posted on the SPREP website www.sprep.org/tender by 02 September 2021.

6. Evaluation criteria

- 6.1. SPREP will select a preferred consultant based on 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 | Detail | Weighting |
|------------|---|-----------|
| Experience | Demonstrated experience with establishing a Sustainable Financing system (Container Deposit / Advance Disposal Fee / Advance Recovery Fee / Waste Levy etc) | 20% |
| | Demonstrated experience conducting research and feasibility studies (focus on both company, and officers to deliver the works) | 5% |
| | Demonstrated experience providing legal guidance to government departments | 10% |

| | | |
|------------------------|---|-----|
| | Demonstrated experience in Small Island Developing States (SIDS) presenting complex topics in simplified way (particularly via remote platform) (advantageous to detail Pacific experience) | 10% |
| | Examples provided of past works relevant to this activity (links to output reports or products that provide insight into research approach and writing style) | 5% |
| Methodology | Proposed project methodology noting schedule, activities, concurrent or sequential development, engagement with country representatives, etc. | 40% |
| Value for money | SPREP will assess the tenders based on value for money considering (but not limited to) cost, experience of staff, hours invested, product scope and depth, etc. | 10% |

7. Deadline

- 7.1. **The due date for submission of the tender is: 10 September 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 'TENDER: Technical Assistance to support the development of an Advanced Recovery Deposit & Fee Legislation for Papua New Guinea' 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

Technical Assistance to Support the Development of an Advance Recovery Deposit & Fee Legislation For Papua New Guinea

1. BACKGROUND TO PACWASTEPLUS

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 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.

PacWaste Plus 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 PacWastePlus 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).

2. INTRODUCTION TO PROJECT

Several Pacific Island Countries (PIC) are faced with the increasing issue of stockpiles of low-value recyclable materials. These items are imported to the islands but are faced with limited viable options for their recycling in-country or exporting to recycling markets due to:

- Differing (or non-existent) laws and policies that address waste and pollution
- Geographic spread and isolation within and between countries
- Large quantities of imported material and packaging due to limited local manufacture and production
- Limited options to dispose of waste
- Disproportionate amounts of waste produced by tourism
- Economic constraints, including economies of scale (as the small size of PICs can limit options for economical recycling operations)
- Challenges associated with exporting items for recycling such as expensive transportation, lack of backloading/reverse logistics agreements and difficulty in securing and retaining markets for post-consumer materials¹.

As such, the items often get disposed in overflowing landfills, unlined dumps, and vacant land, posing a potential hazard to human health and the environment.

¹ Environmental Investigation Agency 2020 - Plastic Pollution Prevention in Pacific Island Countries: Gap analysis of current legislation, policies and plans



Sustainable financing systems such as Advance Recovery Deposit & Fee legislation is seen by countries in the Pacific as a solution for long-term management of these low-value recyclable materials by providing financial security for the recovery, dismantling, sorting, packing and shipment of materials to recovery and recycling markets.

Advance Recovery Deposit & Fee legislation is building on from the success of Container Deposit / Waste Levy systems currently operating in five Pacific countries. In addition to beverage containers, Advance Recovery Fee and Deposit systems allow for the inclusion of other problematic items – such as vehicles, whiteware, solar batteries, etc.

Papua New Guinea seeks to obtain required information and legislative assistance to develop and implement their Advance Recovery Deposit & Fee system. Papua New Guinea is the world's third largest island country, covering 462,840 km², encompassing 22 provinces and over 600 offshore islands. Papua New Guinea is one of the most rural countries in the world, with only 13.25% of its more than 8,000,000 people live in urban centres. The capital of Papua New Guinea is Port Moresby, home to only 5% of the population.

Waste management is a challenge for Papua New Guinea, primarily due to the size and geographic distribution of its population. There is no regulatory framework or legislation on solid waste management and few public awareness programs or initiatives. Papua New Guinea has over 21 unregulated disposal sites and two controlled sites located in Lae and Port Moresby. The government does not currently implement formal recycling programs. However, there are recycling operators in Port Moresby that collect beverage bottles, ULABs, used motor oil, scrap steel, and small quantities of PET bottles.

3. EXPECTED OUTCOMES

On behalf of Papua New Guinea, the PacWastePlus programme seeks to engage a consultant to complete an Options Analysis / Implementation Plan to support the development of an Advance Recovery Deposit & Fee (ARFD) legislation.

The Options Analysis / Implementation Plan process will deliver a report that provides a high-level understanding of options to consider under, but not limited to, the following key components:

- a. What **items are recommended** to be included in / added to an Advance Recovery Fee / Deposit system (i.e., beverage containers, e-waste, EOL vehicles, etc)?
- b. What is the estimated **current volume** of each recommended item in each island (stockpiles, litter) and therefore expected volume of 'legacy waste' that will need to be managed at commencement of the scheme?
- c. What is the **annual importation** of each product and the expected lifespan, to determine likely 'availability' of product each year as an input into the system?
- d. What is the **current management/recycling** process of each item?
- e. What are the opportunities for **future management/recycling** (export or in-country recycling) and understanding of infrastructure/operational requirements?
- f. What are **financial implications/modelling** for the management/recycling of each item – income (expected recycle throughput) and expenses?
- g. Using estimated throughput and expenses associated with managing/recycling each item, what is the recommended **starting 'deposit' and 'fee'** (i.e., handling/admin) fee for each item?

- h. What are the options for **system operation** for each item in each country (i.e., private sector, public sector, combination, Public Private Partnership (PPP)). Detail associated expenditure, operational requirements, legal implications for each option considered. Options should include consideration of **redemption centres / collection depots** for the buy-back of each item from the community in each country, considering transportation requirements, facilities and land area to accept, and process, etc.
- i. What are the options for **system administration**?
- j. **Assessment** of current system, or proposed systems (if any exist).
- k. Provide legislative guidance on how the establishment of an Advance Recovery Deposit & Fee legislation could fit into the existing legal environment, including guidance on what **legislation/reforms** will be necessary to be established, modified, or repealed.
- l. What are the **key principles** to be included in Advance Recovery Deposit & Fee legislation?
- m. What is the **path forward and next steps** for countries to follow to implement their Advance Recovery Deposit & Fee legislation?

Due to the current uncertainty with travel arrangements due to COVID-19, this technical assistance is requested to be remote and not require travel (or if possible, be based in Papua New Guinea). The successful consultant will have a dedicated officer from the Papua New Guinea Department of Environment and Conservation to work with to complete in-country components.

4. SCOPE OF WORK

4.1 Mode of Delivery

4.1.1: Responsibilities

The following responsibilities will be managed as part of the project

| Consultant | SPREP | Papua New Guinea |
|--|---|---|
| <ul style="list-style-type: none"> • Liaise directly with SPREP and Country Representative to undertake the required actions • Be responsible for engagement of all necessary stakeholders and ensure all requirements are met to enable work to be undertaken • Deliver the required actions remotely • Remotely present at two Country Working Group Meetings, #1 - within | <ul style="list-style-type: none"> • Supply relevant background information – Waste Audit data, assessment of Legislative Frameworks Governing Waste Management, existing relevant legislation (CDL/Waste Levy) currently operating in Pacific and brief overview analysis • Conduct regular virtual meetings with the consultant | <ul style="list-style-type: none"> • Assign a dedicated officer to work with the consultant to complete any in-country components • Supply relevant background information • Conduct regular virtual meetings with the consultant • Assist consultant with coordination of relevant departments (Customs, Attorney General, Finance) • Arrange and host two Contract / Working Group |

two weeks of Inception Meeting and #2 - in last two weeks of assignment

Meetings (#1 - within two weeks of Inception Meeting and #2 - in last two weeks of assignment)

4.1.2: Required Tasks

This engagement seeks an appropriately qualified consultant to conduct the following activities.

- (i) Presentation at two Contract / Working Group Meetings (commencement & closure)
- (ii) Development of a Research Plan
- (iii) Development of a Situation Review and Options Analysis
- (iv) Development of legislative guidance
- (v) Development of an Implementation Plan / pathway forward

Required tasks and deliverables are outlined as follows:

| Task | Description of task | Deliverable |
|--|--|---|
| Task1 Presentation at Contract / Working Group Meetings | <p>Presentation at a minimum of two Contract / Working Group Meetings shall be completed Papua New Guinea:</p> <ul style="list-style-type: none"> - #1 - within two weeks of project Inception Meeting prior to the finalization of the Research Plan - #2 - in last two weeks of assignment prior to the finalization of the final Implementation Plan <p>The Country Representative shall arrange and host these meetings. Attendees shall be relevant government ministries such as, for example: Customs, Finance, Attorney General Office, Community and Women's Affairs, Outer Islands, etc. Private Sector and Community Group representation shall at recommendation of Country Representative.</p> <p>The purpose of the first meeting will be to give an overview of the purpose of the study, benefit of ARFD systems, brief overview of ARFD and case study of other countries (conducted by SPREP) and brainstorm/information gathering session. The Research Plan shall be finalised after this meeting.</p> <p>The purpose of the second meeting will be to give an overview of the findings of the study, answering questions presented at the initial meeting and providing options for system implementation. The Implementation Plan shall be finalised after this meeting.</p> | <p>Agenda, Presentation and Minutes of Discussion at Working Group Meetings</p> <p>Confirmation of items to be included in the draft research plan and specific questions to be addressed by project.</p> |

| Task | Description of task | Deliverable |
|--|---|--|
| Task 2 Research Plan | <p>A separate research plan shall be completed reflecting the outcome of the Working Group Meeting #1, and local situation and context of that country.</p> <p>The plan should explain the overall strategy, methodology, and analyses to be used to successfully accomplish the project objectives.</p> <p>The plan should be structured to, at a minimum, answer the key questions presented in Section 2.</p> | Approved research plan |
| Task 3 Report - Situation Review and Options Analysis | <p>Undertake a review of all available data and conduct further data gathering, analysis and interviews as necessary to provide answers, options and recommendations for relevant key questions presented in Section 2.</p> <p>The Situation Review part of the Report should give a clear understanding of the current situation for recycling – generally providing the guidance provided by, but not limited to, bullet points a - d in Section 2.</p> <p>The Options Analysis part of the Report should clearly present options for Papua New Guinea to consider for key components of an Advance Recovery Fee / Deposit Legislation – generally providing the guidance provided by, but not limited to, bullet points e - i in Section 2.</p> | Report - Situation Review and Options Analysis |
| Task 4 Legislative Guidance | <p>Undertake a review of the legislative environment and assess current or proposed CDL system (if any exist) to provide recommendation/options on:</p> <ul style="list-style-type: none"> - how the establishment of an Advance Recovery Fee / Deposit legislation could fit into the existing legal environment - guidance on what legislation/reforms will be necessary to be established, modified, or repealed. <p>The legislative guidance will also provide an understanding of the key principles to be included in Advance Recovery Deposit & Fee legislation, for example:</p> <ul style="list-style-type: none"> a. financing mechanism and who is responsible b. controls and situation that will allow refunds c. offences d. system management structure e. partnerships f. auditing / reporting g. Special Fund establishment and 'ring fencing' h. seed funding i. outer islands | Legislative Guidance |

| Task | Description of task | Deliverable |
|---|---|---------------------|
| Task 5 Implementation Plan / way forward | <p>From the findings of the Situation Review/Options Analysis and Legislative Guidance, the consultant is expected to provide an Implementation Plan, detailing required steps and decisions until implementation of the Advance Recovery Fee / Deposit.</p> <p>The Implementation Plan should provide countries with a clear path forward and understanding of next steps to follow to implement their Advance Recovery Fee / Deposit legislation</p> <p>The Implementation Plan should provide detail such as:</p> <ul style="list-style-type: none"> • key questions remaining • key decisions to make • steps to follow • indicative timing • estimated budget | Implementation Plan |

5. Project Schedule

The outcome of this work is required relatively quickly, and preference will be provided to submissions that are able to, wherever possible, undertake activities concurrently.

The methodology for the project activity shall provide details of the proposed staged activity and necessary timing to complete.

Required Tasks and Deliverables are detailed in Section 4.1.2. The study will be completed no later than 16 weeks from the Inception Meeting, with a preference for the activities to be completed much earlier.

Final delivery timeline will be discussed with successful consultant during the contract negotiation period.

Expected project activity is detailed below, it is expected that tenderers will detail how and when each of these steps will be delivered.

Project Schedule

| Activity | Timeline |
|---|-------------------------------------|
| <i>Notification of Successful Consultant & Contract Signing</i> | |
| Introductory Teleconference Meeting between stakeholders - Inception Meeting | TBD |
| Presentation at Contract / Working Group Meeting | Within 2 weeks of Inception Meeting |
| Submission of Workplan and Work arrangements | 3 weeks from Inception Meeting |
| Approval of Workplan and Work arrangements | 4 weeks from Inception Meeting |
| Submission of Situation Review and Options Analysis | 7 weeks from Inception Meeting |
| Approval of Situation Review and Options Analysis | 9 weeks from Inception Meeting |
| Submission of Legislative Guidance | 9 weeks from Inception Meeting |



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|---|---------------------------------|
| Approval of Legislative Guidance | 11 weeks from Inception Meeting |
| Presentation at Contract / Working Group Meeting | 13 weeks from Inception Meeting |
| Submission of Implementation Plan | 14 weeks from Inception Meeting |
| Approval of Implementation Plan | 16 weeks from Inception Meeting |

5.1 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.

Submissions above USD 30,000 may not be considered.

SPREP reserves the right to withdraw this tender at any time, 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.

6. 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