



INDIVIDUAL CONSULTANTS PROCUREMENT NOTICE

Date: **27 April 2020**

Country: Republic of Moldova

Description of the assignment: Team of two local consultants (legal consultant/team leader and technical climate consultant) for supporting the legislative alignment with EU climate action acquis

Project name: EU4Climate

Period of assignment/services: June – December 2020 (up to 62 working days for the legal consultant/team leader, respectively up to 58 working days for technical climate consultant)

Proposals should be submitted **online by pressing the "Apply Online" button**, no later than **11 May 16:30 (Moldova local time)**.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: ana-maria.manole@undp.org. UNDP will respond by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all applicants.

1. PROJECT GOAL AND EXPECTED RESULTS

The goal of EU4Climate Project¹ is to contribute to climate change mitigation & adaptation and the development towards a low-emissions and climate-resilient economy in line with the Paris Agreement² in Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine.

To realize this project goal, the following results should be achieved:

- Result 1:** Updated nationally determined contributions communicated to the UNFCCC;
- Result 2:** Improved inter-institutional awareness and coordination at political and technical level of the Paris Agreement and the corresponding national commitments;
- Result 3:** Established or strengthened MRV systems, with countries getting on track with Paris Agreement transparency requirements;
- Result 4:** Advanced alignment with EU climate action acquis as provided by bilateral agreements with EU and in the context of Energy Community Treaty on climate matters;
- Result 5:** Establishment of concrete sectoral guidelines for the implementation of the Paris Agreement in each of the Eastern Partners;
- Result 6:** Increased mobilization of climate finance;
- Result 7:** Enhanced adaptation planning.

¹ <<https://www.md.undp.org/content/moldova/en/home/projects/eu-4-climate.html>>.

² Decision 1/CP.21 'Adopting of the Paris Agreement' <<https://unfccc.int/resource/docs/2015/cop21/eng/10a01.pdf>>

2. BACKGROUND

The Paris Agreement on Climate Change was adopted at the UNFCCC Conference of Parties in December 2015 and officially entered into force on 4 November 2016. The Paris Agreement was the first ever universal, legally binding climate deal that set out a plan to put the world on track to avoid dangerous climate change by limiting global warming to “well below 2°C”. Together with Agenda 2030 and the Sendai Framework for Disaster Risk Reduction, the Paris Agreement provides an unprecedented opportunity to create an integrated development approach towards inclusive resilient economies with a zero-carbon footprint by 2100.

The Paris Agreement establishes a new transparency regime, under which countries will have to report progress on reducing GHG emissions and building climate resilience. This transparency regime is currently being established within the UNFCCC framework and its final details are still to be defined.

At the same time, the three regional members of the Energy Community (Georgia, Moldova and Ukraine) are encouraged to align their legislation with the EU Monitoring Mechanism Regulation (MMR) as well as to prepare for the development and adoption of integrated national energy and climate plans and may soon have to align their legislation with the new EU Energy Union Governance Regulation while the agreement with Armenia equally foresees legal approximation to EU MRV rules.

In the past years, significant technical assistance has been provided by the regional EU-funded ClimaEast Project, but countries’ capacities for MRV still need further strengthening.

For detailed information, please refer to **Annex 1 – Terms of Reference**.

3. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

The 1st objective of the assignment is to provide technical support to the Republic of Moldova’s Government for strengthening the domestic monitoring, reporting and verification system, established through the Governmental Decision No. 1277 as of 26.12.2018 on the Establishment and Functioning of the National System for Monitoring and Reporting Greenhouse Gas Emissions and other Information Relevant to Climate Change, as per the requirements of the Enhanced Transparency Framework of the Paris Agreement, specifically focusing on following the modalities, procedures and guidelines of the Article 13 of the Paris Agreement³.

The 2nd objective of the assignment is to provide technical support to the Republic of Moldova’s Government to reduce fluorinated greenhouse gases in relevant sectors, to contribute to the international efforts to mitigate climate, and to contribute to transposing into the national legislation the Regulation (EU) No. 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases by developing the draft national Law on fluorinated greenhouse gases and its related package required for Governmental consideration and approval.

Under the guidance of the EU4Climate National Coordinator and in close cooperation with the staff of the Air and Climate Change Division of the Ministry of Agriculture, Regional Development and Environmental, the legal consultant/team leader and the technical climate consultant will provide assistance in:

1. Developing the related package required for Governmental consideration and approval of the GD No. 1277 of 26.12.2018 on Establishment and Functioning of the National System for Monitoring and Reporting Greenhouse Gas Emissions and other Information Relevant to Climate Change, including: (a) the draft GD on modification the Regulation on Establishment and Functioning of the National System for Monitoring and Reporting Greenhouse Gas Emissions and other Information Relevant to Climate Change, approved through GD No. 1277 as of 26.12.2018; (b) the Informative Note to the draft GD on approval of the changes made to the GD No. 1277 of 26.12.2018 on Establishment and Functioning of the National System for Monitoring and Reporting Greenhouse Gas Emissions and other Information Relevant to Climate Change; (c) the Analysis of the Regulatory Impact (AIR) undertaken in accordance with the Methodology of analyzing the impact in the process of substantiation the draft normative acts, approved through the GD No. 23 as of 18.01.2019;
2. Developing the draft national Law on fluorinated greenhouse gases, with the purpose of transposing into the national legislation the Regulation (EU) No. 517/2014 of the European Parliament and of the Council of

³ Decision 18/CMA.1 ‘Modalities, procedures and guidelines for the transparency framework for action and support referred to in Article 13 of the Paris Agreement’ < https://unfccc.int/sites/default/files/resource/CMA2018_03a02E.pdf>.

16 April 2014 on fluorinated greenhouse gases, which replaced the Regulation (EC) No 842/2006 on certain fluorinated greenhouse gases, and the stipulations of the Kigali Amendment to the Montreal Protocol (2016), and the related package required for its Governmental consideration and approval, including: (a) the draft Governmental Decision on approving the draft Law on fluorinated greenhouse gases; and (b) the Analysis of the Regulatory Impact (AIR) for the draft Law on fluorinated greenhouse gases, undertaken in accordance with the Methodology of analyzing the impact in the process of substantiation the draft normative acts, approved through the Governmental Decision No. 23 as of 18.01.2019.

For detailed information, please refer to **Annex 1 – Terms of Reference**.

4. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

For the legal consultant/team leader

I. Education:

- Advanced degree (Master or Ph.D.) in Law.

II. Experience:

- At least 5 years of proven professional experience in legal acts drafting and normative acts analysis;
- At least 1 year of working experience in institutional consultancy, law-making and transposing into the national legislation the EU environmental and/or climate action acquis;
- Experience as legal consultant in any UNDP or EU-funded project or other international organization would be an asset.

III. Competencies:

- Excellent knowledge of Moldovan legislative process demonstrated by previous assignments;
- Excellent knowledge of EU climate action acquis, Regulation (EU) 525/2013 (MMR Regulation) and Regulation (EU) 517/2014 on fluorinated greenhouse gases demonstrated by previous assignments;
- Excellent knowledge of principles regulating the MRV systems under UNFCCC and other relevant international conventions and protocols demonstrated by previous assignments;
- Strong analytical and report writing skills demonstrated by previous assignments;
- Strong communication and teamwork/coordination skills demonstrated by previous assignments;
- Previous successful experience in development assistance or related work for a donor organization, governmental institutions, NGO/think-tank or consulting firm is a strong advantage;
- Knowledge of English, Romanian, Russian languages for the purposes of the assignment.

For the technical climate consultant

I. Education:

- Advanced degree (Master or Ph.D.) in a relevant field, such as Engineering, Chemistry, Environmental Sciences or any related qualification.

II. Experience:

- At least 5 years of professional experience in technical activities related to ozone layer protection and climate change, including the ozone depleting substances and fluorinated greenhouse gas emissions accounting, identification and assessment of mitigation actions for ODS and fluorinated greenhouse gases;
- At least 1 year of demonstrated experience in projects with similar tasks (establishing and using domestic monitoring, reporting and verification systems; development and implementation of low emissions development strategies and action plans, etc.);
- Experience as climate consultant in any UNDP EU-funded project or other international organization would be an asset.

III. Competencies:

- Excellent knowledge and understanding of the Enhanced Transparency Framework (ETF) requirements of the Paris Agreement of the UNFCCC;

- Excellent knowledge of MRV systems for ODS and fluorinated greenhouse gases demonstrated by previous assignments;
- Excellent knowledge of principles regulating the MRV systems under UNFCCC and other relevant international conventions and protocols demonstrated by previous assignments;
- Strong analytical and report writing skills demonstrated by previous assignments;
- Strong communication and teamwork/coordination skills demonstrated by previous assignments;
- Previous successful experience in development assistance or related work for a donor organization, governmental institutions, NGO/think-tank or consulting firm is a strong advantage;
- Knowledge of English, Romanian, Russian languages for the purposes of the assignment.

Note: National consultants shall clearly indicate the position they are applying for.

The UNDP Moldova is committed to workforce diversity. Women, persons with disabilities, Roma and other ethnic or religious minorities, persons living with HIV, as well as refugees and other non-citizens legally entitled to work in the Republic of Moldova, are particularly encouraged to apply.

5. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

1. Proposal, explaining why they are the most suitable for the work, including past experience in similar assignments, providing a brief information on above qualifications and methodology on how they will approach and conduct the work (if applicable).
2. Offeror's Letter to UNDP Confirming Interest and Availability;
3. CV and at least three names for a reference check.

6. FINANCIAL PROPOSAL

The financial proposal will specify the daily fee, travel expenses and per diems quoted in separate line items, and payments are made to the Individual Consultant based on the number of days worked.

Travel

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

7. EVALUATION

Initially, individual consultants will be short-listed based on the following minimum qualification criteria:

Legal consultant/team leader

- Advanced degree (Master or Ph.D.) in Law;
- At least 5 years of proven professional experience in legal acts drafting and normative acts analysis;
- At least 1 year of working experience in institutional consultancy, law-making and transposing into the national legislation the EU environmental and/or climate action acquis.

Technical climate consultant

- Advanced degree (Master or Ph.D.) in a relevant field, such as Engineering, Chemistry, Environmental Sciences or any related qualification;

- At least 5 years of professional experience in technical activities related to ozone layer protection and climate change, including the ozone depleting substances and fluorinated greenhouse gas emissions accounting, identification and assessment of mitigation actions for ODS and fluorinated GHGs;
- At least 1 year of demonstrated experience in projects with similar tasks (establishing and using domestic monitoring, reporting and verification systems; development and implementation of low emissions development strategies and action plans, etc.).

The short-listed individual consultants will be further evaluated based on the following methodology:

Cumulative analysis

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- responsive/compliant/acceptable, and
 - having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.
- Technical Criteria weight – 60% (300 pts);
 - Financial Criteria weight – 40% (200 pts).

Only candidates obtaining a minimum of 70% score of the technical evaluation (at least 210 points) would be considered for the Financial Evaluation.

For Legal consultant / Team leader

Criteria	Scoring	Maximum Points Obtainable
Technical		
• Master's Degree or equivalent in Law	(Master - 20 pts., PhD – 40 pts.)	40
• At least 5 years of proven professional experience in legal acts drafting and normative acts analysis	(5 years – max. 30 pts, more than 5 years – up to 60 pts, 6 pts – for each additional year)	60
• At least 1 year of working experience in institutional consultancy, law-making and transposing into the national legislation the EU environmental and/or climate action acquis	(1 year – max. 20 pts, more than 1 year – up to 60 pts, 20 pts – for each additional year)	60
• Excellent knowledge of Moldovan legislative process demonstrated by previous assignments	(10 pts. for each assignment)	40
• Excellent knowledge of EU climate action acquis, Regulation (EU) 525/2013 and Regulation (EU) 517/2014 on fluorinated GHGs demonstrated by previous assignments	(10 pts. for each assignment)	20
• Strong analytical and report writing skills demonstrated by previous assignments	(10 pts. for each assignment)	30
• Previous successful experience in development assistance or related work for a donor organization, governmental institutions, NGOs or consulting firms is a strong advantage	(10 pts. for each assignment)	30
• Fluency in English, Romanian and Russian orally and in writing	(Romanian and Russian – 5 pts each; English – 10 pts)	20
Maximum Total Technical Scoring		300
Financial		
Evaluation of submitted financial offers will be done based on the following formula: $S = F_{min} / F * 200$ S – score received on financial evaluation; Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round; F – financial offer under consideration.		200

For Technical climate consultant

Criteria	Scoring	Maximum Points Obtainable
Technical		
<ul style="list-style-type: none"> Master's Degree or equivalent in a relevant field, such as Engineering, Chemistry, Environmental Sciences or any related qualification 	(Master - 20 pts., PhD – 40 pts.)	40
<ul style="list-style-type: none"> At least 5 years of professional experience in technical activities related to ozone layer protection and climate change, including the ODS and fluorinated GHGs accounting, identification and assessment of mitigation actions for ODS and fluorinated GHGs 	(5 years – max. 30 pts, more than 5 years – up to 60 pts, 6 pts – for each additional year)	60
<ul style="list-style-type: none"> At least 1 year of demonstrated experience in projects with similar tasks (establishing and using domestic monitoring, reporting and verification systems; development and implementation of low emissions development strategies and action plans, etc.) 	(1 year – max. 20 pts, more than 1 year – up to 60 pts, 20 pts – for each additional year)	60
<ul style="list-style-type: none"> Excellent knowledge of principles regulating the MRV systems under UNFCCC, its Paris Agreement and other relevant international conventions and protocols demonstrated by previous assignments 	(10 pts. for each assignment)	40
<ul style="list-style-type: none"> Excellent knowledge of EU climate action acquis, Regulation (EU) 525/2013 and Regulation (EU) 517/2014 on fluorinated GHGs demonstrated by previous assignments 	(10 pts. for each assignment)	20
<ul style="list-style-type: none"> Strong analytical and report writing skills demonstrated by previous assignments 	(10 pts. for each assignment)	30
<ul style="list-style-type: none"> Previous successful experience in development assistance or related work for a donor organization, governmental institutions, NGOs or consulting firms is a strong advantage 	(10 pts. for each assignment)	30
<ul style="list-style-type: none"> Fluency in English, Romanian and Russian orally and in writing 	(Romanian and Russian – 5 pts each; English – 10 pts)	20
Maximum Total Technical Scoring		300
Financial		
Evaluation of submitted financial offers will be done based on the following formula: $S = F_{min} / F * 200$ S – score received on financial evaluation; Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round; F – financial offer under consideration.		200

Winning candidate

The winning candidate will be the candidate, who has accumulated the highest aggregated score (technical scoring + financial scoring).

8. ANNEXES

ANNEX 1 – TERMS OF REFERENCES

ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS