



INDIVIDUAL CONSULTANTS PROCUREMENT NOTICE

Date: **17 May 2021**

Country: Republic of Moldova

Description of the assignment: National Regulatory Impact Assessment Consultant to support the establishment of the MRV and enforcement system reflecting the provisions of the Directive 2003/87/EC in the Republic of Moldova, in line with the provisions of the AA RM-EU

Project name: EU4Climate

Period of assignment/services: June 2021 – November 2021 (up to 43 working days)

Proposals should be submitted **online by pressing the "Apply Online" button**, no later than **28 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 Project is to contribute to climate change mitigation & adaptation and the development towards a low-emissions and climate-resilient economy in line with the Paris Agreement in Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine.

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

Result 1: Finalized or up-dated 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 acquis as provided by bilateral agreements with EU and in the context of Energy Community Treaty on climate matters that are not covered by the EU4Energy programme;

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.

2. BACKGROUND

The Republic of Moldova (RM) signed an Association Agreement (AA) with the European Union (EU) on 27 June 2014, which has entered into force in September 2014. The AA, has been ratified by the Parliament through the Law No. 112 as of 02.07.2014¹, see specifically Chapter 17 'Climate Policies' and Annex XII of the AA RM-EU, as well as the Governmental Decision No. 1472 as of 30.12.2016 on approval of the National Action Plan on implementation of the AA RM-EU within the period 2017-2019².

Article 95 from the AA specifically refers to the cooperation between the two Parties in the area of climate change and ozone layer protection. At present, the Republic of Moldova is working to fulfill its obligations under the AA and to converge further its legislation towards the *acquis communautaire* in the field of environment protection and climate change.

According to the Annex XII of the AA RM-EU, the Government of the Republic of Moldova has undertaken to implement selected basic provisions of the Directive 2003/87/ EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC³, namely:

- establishing a system for identifying relevant installations and for identifying greenhouse gases (Annexes I and II);
- setting up a monitoring, reporting, verification and enforcement system and a public consultations process (Articles 9, 14-17, 19 and 21).

These provisions of the Directive shall be implemented by September 2022.

For details, please refer to the Terms of Reference.

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

The objective of the assignment is to provide technical support to Government of the Republic of Moldova's in assessing the impacts of the draft legal and regulatory framework transposing the requirements of the EU ETS Directive with regard to the monitoring, reporting and verification of GHG emissions from installations on the operators of installations, verifiers, and other stakeholders, including the public administration and the overall costs on the budget, etc.

Under the guidance of the international consultant, supervised by the EU4Climate National Coordinator, and in close cooperation with legal national consultant and the staff of the Air and Climate Change Section of the Ministry of Agriculture, Regional Development and Environment, the national RIA consultant will be expected to perform the following tasks:

- To prepare the guidance for operators of installations on how to fill in the questionnaire developed under the Clima East project and, if needed, to assist the operators in the process of filling in the questionnaire.

¹ https://www.legis.md/cautare/getResults?doc_id=83489&lang=ro

² https://www.legis.md/cautare/getResults?doc_id=119199&lang=ro

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02003L0087-20200101>

- Based on the evaluations of the results, to update the list of installations (developed by MARDE in 2017) which may fall under the ETS Directive.
- To develop the regulatory impact assessment 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 18.01.2019⁴.
- To conduct public consultations of the newly developed drafts of the ETS related legislative framework and its regulatory impact assessment (to identify all the relevant/impacted stakeholders, to develop the concept and the agenda of the consultation, to develop the presentation).
- To review the regulatory impact assessment based on the public consultation results.

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

4. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Education:

- Advanced degree (Master or Ph.D.) in economics, law, engineering or other relevant fields is required.

II. Experience:

- At least 5 years of experience of proven professional experience in drafting impact assessment documents supporting legal acts and regulations, and/or normative acts analysis, and/or economic impacts assessments.
- At least 4 years of working experience in institutional consultancy, law-making and/or transposing into the national legislation the EU environmental and climate related acquis.
- Experience of work within UNDP, UNEP, WB and/or EU-funded project or other international organization would be an asset.

III. Competencies:

- Excellent knowledge of the legislation on the environmental protection in the Republic of Moldova and the Association Agreement demonstrated by previous assignments or general work experience;
- Familiarity with EU ETS, the United Nations Framework Convention on Climate Change and the Paris Agreement, would be an asset;
- Excellent knowledge of EU environment and climate related acquis, demonstrated by previous assignments;
- Strong analytical and report writing skills demonstrated by previous assignments;
- Strong interpersonal and communication skills, ability to work with private sector, demonstrated by previous assignments;
- Ability to work under pressure, and to meet tight deadlines demonstrated by previous assignments;
- Fluency in Romanian and good working knowledge of English.

The UNDP Moldova is committed to the 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

⁴ https://www.legis.md/cautare/getResults?doc_id=119960&lang=ro

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

1. Proposal, explaining why he/she is most suitable for the work, including past experience in similar assignments, providing a brief information on above qualifications and methodology on how he/she will approach and conduct the work (if applicable).
2. **OFFEROR'S LETTER TO THE UNDP CONFIRMING INTEREST AND AVAILABILITY FOR THE INDIVIDUAL CONTRACTOR (IC) ASSIGNMENT**
3. CV and/or the duly filled in and signed Personal History Form (P11), 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:

- Advanced degree (Master or Ph.D.) in economics, law, engineering or other relevant fields;
- At least 5 years of experience of proven professional experience in drafting impact assessment documents supporting legal acts and regulations, and/or normative acts analysis, and/or economic impacts assessments;
- At least 4 years of working experience in institutional consultancy, law-making and/or transposing into the national legislation the EU environmental and climate related acquis.

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:

- a) responsive/compliant/acceptable, and
 - b) 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.

Criteria	Scoring	Maximum Points Obtainable
<u>Technical</u>		
<ul style="list-style-type: none"> Advanced degree (Master or Ph.D.) in economics, law, engineering or other relevant fields 	(Master – 25 pts., Ph.D. – 30 pts.)	30
<ul style="list-style-type: none"> At least 5 years of experience of proven professional experience in drafting impact assessment documents supporting legal acts and regulations, and/or normative acts analysis, and/or economic impacts assessments 	(5 years – max. 30 pts, more than 5 years – up to 40 pts, 5 pts – for each additional year)	40
<ul style="list-style-type: none"> At least 4 years of working experience in institutional consultancy, law-making and/or transposing into the national legislation the EU environmental and climate related acquis 	(4 years – max. 30 pts, more than 4 years – up to 40 pts, 5 pts – for each additional year)	40
<ul style="list-style-type: none"> Interview 	(40 pts. - Experience of work within UNDP, UNEP, WB and/or EU-funded project or other international organization; 35 pts. - Excellent knowledge of the legislation on the environmental protection in the Republic of Moldova and the Association Agreement; 40 pts. - Familiarity with the EU ETS, the United Nations Framework Convention on Climate Change and the Paris Agreement; 40 pts. - Excellent knowledge of EU environment and climate related acquis, 25 pts. – other competences)	180
<ul style="list-style-type: none"> Belonging to the group(s) under-represented in the UN Moldova and/or the area of assignment* 	(no – 0 pts., to one group – 5 pts., to two or more groups – 10 pts.)	10
Maximum Total Technical Scoring		300
<u>Financial</u>		
Evaluation of submitted financial offers will be done based on the following formula: $S = F_{min} / F * 200$ S – score received on financial evaluation;		200

Criteria	Scoring	Maximum Points Obtainable
Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round; F – financial offer under consideration.		

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