



## INDIVIDUAL CONSULTANTS PROCUREMENT NOTICE

Date: 02 June 2021

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**Country:** Republic of Moldova

**Description of the assignment:** Team of two national consultants (a legal expert, acting as team leader and a refrigeration and air-conditioning specialist, acting as technical expert)

**Project name:** Implementing Enabling Activities for the Ratification of the Kigali Amendment by the Republic of Moldova

**Period of assignment/services:** June – December 2021 (33 working days for team leader; 33 working days for technical expert)

Proposals should be submitted online by pressing the "Apply Online" button, no later than **16 June 2021**.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: [silvia.pana-carp@undp.org](mailto:silvia.pana-carp@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.

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### I. BACKGROUND

The Republic of Moldova is Party to the Vienna Convention for the Protection of the Ozone Layer (Vienna, March 22, 1985) and Montreal Protocol (Montreal, September 16, 1987) since 1996. In this line, the country has committed to gradual phase-out of ozone depleting substances (ODS), such as hydrochlorofluorocarbons (HCFCs), mostly because of their high Ozone Depleting Potential (ODP).

The Montreal Protocol has been recognized as the most successful Multilateral Environmental Agreement (MEA) and, in 2016, the Parties to the Montreal Protocol adopted the Kigali Amendment, a landmark agreement that can avoid additional emissions of around 80 billion tonnes of CO<sub>2</sub> eq. and up to 0.5° Celsius of global warming by phasing down 80-85% of hydrofluorocarbons (HFCs) by the year 2050.

Under the Kigali Amendment, the Montreal Protocol will manage and phase-down the consumption of high-Global Warming Potential (GWP) hydrofluorocarbons (HFCs), the most common alternatives used to replace the ODS being phased-out under the Montreal Protocol, particularly in the Refrigeration and Air Conditioning (RAC) sector, which, under the Business-as-Usual (BAU) scenarios, their demand is expected to grow in the next years. In this regard, there are important opportunities to enhance energy efficiency (EE) in the RAC sector by taking advantage of the refrigerant conversion processes and other activities driven by the Montreal Protocol projects, as well, to cope with the energy demand of this base of RAC equipment that is expected to keep growing, as the RAC sector was responsible for roughly 17% of the world energy consumption in 2015.

In this regard, this Project, supported by the Multilateral Fund (MLF), aims to provide technical assistance to the Republic of Moldova to support the implementation of the Enabling Activities that will enable the ratification and the earlier implementation of the Kigali Amendment (as per ExCom Decision 79/46) by carrying out activities to support the ratification process, to help the Government of the Republic of Moldova through its national Montreal Protocol Unit (MPU) to fulfil the initial obligations on the HFCs control and phases-down, including country-specific activities aimed at initiating support on institutional arrangements, the review of licensing systems, data reporting on HFCs consumption, and development of initial research on national strategies for compliance.

The Project will support the Republic of Moldova to:

- 1) Review and assess the legal/regulatory framework required to allow implementation and initial controls and reporting of HFCs under the Kigali Amendment's obligations;
- 2) Follow the steps required to ratify the Kigali Amendment;
- 3) Build capacities at the MoARDE and its national Montreal Protocol Unit on the ratification and implementation of the Kigali Amendment and energy efficiency improvements as result of the Montreal Protocol activities;
- 4) Propose initial research on a long-term national strategy to control HFCs in selected sectors;
- 5) Assess the opportunities to establish a long-term coordination mechanism between all relevant Governmental institutions impacted by the Kigali Amendment commitments.

In order to achieve the expected results of the project, UNDP is currently seeking for a team of two national consultants (a legal expert, acting as team leader and a refrigeration and air-conditioning specialist, acting as technical expert) to implement in close coordination with the national Montreal Protocol Unit (MPU) under the Public Institution "Environmental Projects Implementation Unit" (P.I. "EPIU") of the MoARDE, the UNDP to implement project activities scheduled within the Enabling Activities for the Ratification of the Kigali Amendment by the Republic of Moldova.

## **II. OBJECTIVES AND EXPECTED DELIVERABLES OF THE ASSIGNMENT**

The overall objective of the assignment is to support the Ministry of Agriculture, Regional Development and Environment, respectively the national Montreal Protocol Unit of the P.I. "EPIU" and UNDP Country Office, to implement project activities scheduled within the Enabling Activities for the Ratification of the Kigali Amendment by the Republic of Moldova.

### **Specific tasks:**

The team of two national consultants (a legal expert, acting as team leader and a refrigeration and air-conditioning specialist, acting as technical expert), under the supervision of the national Montreal Protocol Unit of the P.I. "EPIU" and UNDP Country Office, will have responsibility to carry out the following main tasks:

- 1) Review and assess the legal/regulatory framework required to allow implementation and initial controls and reporting of HFCs under the Kigali Amendment's obligations;
- 2) Roadmap prepared on the legal and policy framework that contains the needs and actions required to allow the ratification and implementation of the Kigali Amendment;
- 3) a review of existing legislation related to the processes of identification, management and control of the substances controlled by the Montreal Protocol, as well as to identify gaps in this framework that may prevent the future implementation of the Kigali Amendment;
- 4) Formulate recommendations and requirements on extension on the current HCFCs annual quota and licensing system on HFCs and its blends; evaluate the existing safety standards for handling flammable and toxic alternatives and the general regulation modifications needed; identify required regulations for disposal of old RAC appliances, management of recovered refrigerants and store up or destruction of high-GWP HFCs.

- 5) Undertake an assessment of the actual energy efficiency standards and the requirements for the adoption of low-GWP alternative technologies, including possible new developments in RAC equipment design for its efficiency.

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

### **III. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS**

#### **For the Team Leader position**

##### Academic Qualification:

- Advanced degree (Master or Ph.D.) in law, environment, sustainable development or closely related area.

##### Experience:

- At least 3 years of proven professional experience in legal acts drafting/transposing EU regulations into national legislation and normative acts analysis;
- Demonstrated experience in refrigeration and air-conditioning sector, environmental protection, climate change or any other relevant fields;
- Involvement in activities related to Vienna Convention on Ozone Layer Protection and the Montreal Protocol on Substances that Deplete the Ozone Layer, Kigali Amendment to Montreal Protocol, respectively with the United Nations Framework Convention on Climate Change and the Kyoto Protocol, would be an asset;
- Demonstrated experience in collecting and interpreting data, writing reports.
- Experience in coordinating activities, and leading teams.
- Experience in working with UNDP, UNEP and other international organization on the identified area would be an asset;

##### Competencies:

- Knowledge of principles, legal and normative framework under the Vienna Convention on Ozone Layer Protection and Montreal Protocol demonstrated by previous assignments;
- Familiarity with the Vienna Convention on Ozone Layer Protection and the Montreal Protocol on Substances that Deplete the Ozone Layer, Kigali Amendment to Montreal Protocol, respectively with the United Nations Framework Convention on Climate Change and the Kyoto Protocol;
- Strong interpersonal and communication skills, ability to work in a team;
- Ability to achieve results and deadlines in a timely manner, maintaining a high standard throughout.

##### Language requirements:

- Excellent command of Romanian and good command of Russian is required for this assignment, English is an asset.

#### **For the Technical Consultant position**

##### Academic Qualification:

- University degree (Bachelor or Master) in a relevant field, such as Engineering (Mechanics, Refrigeration), Chemical Hazardous Management, Chemistry, Biology, Environmental Sciences, or any related qualification.

##### Experience:

- At least 2 years of professional experience in technical activities related to ozone layer protection, including the ozone depleting substances consumption accounting and assessment of mitigation actions for ODS releases;
- At least 2 years of experience in conducting ODS-related analyses;
- Previous successful experience in development assistance or related work for a donor organization and governmental institutions is a strong advantage.
- Demonstrated experience in collecting and interpreting data, writing reports (national reports, policy papers and research papers).
- Strong communication and teamwork/coordination skills demonstrated by previous assignments;
- Experience in working with UNDP, UNEP or other international organization on the identified area would be an asset.

#### Competencies:

- Familiarity with ODS issues under the Montreal Protocol and country programme on ODS phase-out in the Republic of Moldova, Kigali Amendment to Montreal Protocol, legal requirements of the EU Regulation 517/2014 on fluorinated greenhouse gases and EU Regulation 2015/2067 on minimum requirements and the conditions for mutual recognition for the certification of natural persons;
- Strong analytical and reports writing skills demonstrated by previous assignments;
- Ability to achieve results and deadlines in a timely manner, maintaining a high standard throughout;

#### Language requirements:

- Excellent command of Romanian and good command of Russian is required for this assignment, English is an asset.

**Note:** Consultants shall clearly indicate the position they are applying for.

Proven commitment to the core values of the United Nations, in particular, respecting differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status. Please mention in CV if you belong to the group(s) under-represented in the UN Moldova and/or the area of assignment.

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.

#### **IV. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS**

Applicants shall submit the following documents:

- Offeror's Letter confirming interest and availability, including Financial Offer, according to Annex 2;
- CV, including information about experience in similar assignments;
- Brief description of why the individual considers him/herself as the most suitable for the assignment **(please indicate to which position are you applying for: i.e., team leader or technical consultant).**

Incomplete applications will not be considered.

#### **Important notice:**

The applicants who have the statute of Government Official / Public Servant, prior to appointment will be asked to submit the following documentation:

- a no-objection letter in respect of the applicant received from the government, and;

- the applicant is certified in writing by the government to be on official leave without pay for the entire duration of the Individual Contract.

A retired government official is not considered in this case a government official, and as such, may be contracted.

## **V. FINANCIAL PROPOSAL**

### **Lump sum contracts**

The financial proposal shall specify a total **lump sum amount**, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including fees, taxes, travel costs, accommodation costs, communication, and number of anticipated working days) (see Annex 2 of the Offeror's Letter Confirming Interest and availability attached to this Procurement Notice).

### **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.

## **VI. EVALUATION**

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

### **Team leader**

- Advanced degree (Master or Ph.D.) in law, environment, sustainable development or closely related area.
- At least 3 years of experience of proven professional experience in legal acts drafting/transposing EU regulations into national legislation and normative acts analysis;

### **Technical consultant**

- University degree (Bachelor or Master) in a relevant field, such as Engineering (Mechanics, Refrigeration), Chemical Hazardous Management, Chemistry, Biology, Environmental Sciences, or any related qualification;
- At least 2 years of professional experience in technical activities related to ozone layer protection, including the ozone depleting substances consumption accounting and assessment of mitigation actions for ODS releases;

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.

**For the team leader:**

Criteria	Scoring	Maximum Points Obtainable
<b>Technical</b>		
<ul style="list-style-type: none"> <li>• Advanced degree (Master or Ph.D.) in law, environment, sustainable development or closely related area</li> </ul>	Master - 30 pts., PhD – 40 pts.	40
<ul style="list-style-type: none"> <li>• At least 3 years of experience of proven professional experience in legal acts drafting/transposing EU regulations into national legislation and normative acts analysis</li> </ul>	3 years –20 pts, each additional year 5 pts up to max – 60 pts	60
<ul style="list-style-type: none"> <li>• Demonstrated experience in refrigeration and air-conditioning sector, environmental protection, climate change or any other relevant fields</li> </ul>	10 pts. for each assignment up to max of 40 pts.	40
<ul style="list-style-type: none"> <li>• Involvement in activities related to Vienna Convention on Ozone Layer Protection and the Montreal Protocol on Substances that Deplete the Ozone Layer, Kigali Amendment to Montreal Protocol, respectively with the United Nations Framework Convention on Climate Change and the Kyoto Protocol, would be an asset</li> </ul>	10 pts. for each assignment up to max of 30 pts.	30
<ul style="list-style-type: none"> <li>• Demonstrated experience in collecting and interpreting data, writing reports</li> </ul>	10 pts. for each assignment up to max of 40 pts.	40
<ul style="list-style-type: none"> <li>• Experience in coordinating activities, and leading teams</li> </ul>	10 pts. for each assignment up to max of 30 pts.	30
<ul style="list-style-type: none"> <li>• Experience in working with UNDP, UNEP and other international organization on the identified area would be an asset</li> </ul>	10 pts. for each assignment up to max of 30 pts.	30
<ul style="list-style-type: none"> <li>• Excellent command of Romanian and good command of Russian is required for this assignment, English is an asset</li> </ul>	Romanian – max 10 pts; Russian – max 10 pts; English – max 5 pts.	25
<ul style="list-style-type: none"> <li>• Belonging to the group(s) under-represented in the UN Moldova and/or the area of assignment<sup>1</sup></li> </ul>	no – 0 pts., to one group – 2 pts., to two or more groups – 5 pts.	5
<b>Maximum Total Technical Scoring</b>		<b>300</b>
<b>Financial</b>		
Evaluation of submitted financial offers will be done based on the following formula: <b><math>S = F_{min} / F * 200</math></b> 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.		<b>200</b>

<sup>1</sup> Under-represented group in the area of assignment are (men/women). Under-represented groups in UN Moldova are persons with disabilities, LGBTI, ethnic and linguistic minorities, especially ethnic Gagauzians, Bulgarians, Roma, Jews, people of African descent, people living with HIV, religious minorities, especially Muslim women, refugees and other non-citizens.

**For the technical consultant:**

Criteria	Scoring	Maximum Points Obtainable
<b>Technical</b>		
<ul style="list-style-type: none"> <li>University degree (Bachelor or Master) in a relevant field, such as Engineering (Mechanics, Refrigeration), Chemical Hazardous Management, Chemistry, Biology, Environmental Sciences, or any related qualification</li> </ul>	Bachelor – 20 pct., Master - 30 pts., PhD – 40 pts.	40
<ul style="list-style-type: none"> <li>At least 2 years of professional experience in technical activities related to ozone layer protection, including the ozone depleting substances consumption accounting and assessment of mitigation actions for ODS releases</li> </ul>	2 years – max. 20 pts, more than 2 years – 10 pts. for each additional year up to 50 pts.	50
<ul style="list-style-type: none"> <li>At least 2 years of experience in conducting ODS-related analyses, demonstrated by previous assignments</li> </ul>	2 years – max. 20 pts, more than 2 years – 10 pts. for each additional year up to 50 pts.	50
<ul style="list-style-type: none"> <li>Previous experience in development assistance or related work for a donor organization and governmental institutions is a strong advantage</li> </ul>	10 pts. for each assignment up to max of 30 pts.	30
<ul style="list-style-type: none"> <li>Demonstrated experience in collecting and interpreting data, writing reports (national reports, policy papers and research papers)</li> </ul>	10 pts. for each assignment up to max of 40 pts.	40
<ul style="list-style-type: none"> <li>Strong communication and teamwork/coordination experience, demonstrated by previous assignments</li> </ul>	10 pts. for each assignment up to max of 30 pts.	30
<ul style="list-style-type: none"> <li>Experience in working with UNDP, UNEP and other international organization on the identified area would be an asset</li> </ul>	10 pts. for each assignment up to max of 30 pts.	30
<ul style="list-style-type: none"> <li>Excellent command of Romanian and good command of Russian is required for this assignment, English is an asset</li> </ul>	Romanian – max 10 pts; Russian – max 10 pts; English – max 5 pts.	25
<ul style="list-style-type: none"> <li>Belonging to the group(s) under-represented in the UN Moldova and/or the area of assignment<sup>2</sup></li> </ul>	no – 0 pts., to one group – 2 pts., to two or more groups – 5 pts.	5
<b>Maximum Total Technical Scoring</b>		<b>300</b>
<b>Financial</b>		
Evaluation of submitted financial offers will be done based on the following formula: <b><math>S = F_{min} / F * 200</math></b> 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.		<b>200</b>

Winning candidate

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

**7. ANNEXES**

ANNEX 1 – TERMS OF REFERENCES

ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS

<sup>2</sup> Under-represented group in the area of assignment are (men/women). Under-represented groups in UN Moldova are persons with disabilities, LGBTI, ethnic and linguistic minorities, especially ethnic Gagauzians, Bulgarians, Roma, Jews, people of African descent, people living with HIV, religious minorities, especially Muslim women, refugees and other non-citizens.