



## INDIVIDUAL CONSULTANTS PROCUREMENT NOTICE

Date: **20 October 2022**

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**Country:** Republic of Moldova

**Description of the assignment:** International Consultant to support the Government of Moldova in transposition of the Balancing Network Code (emergency support).

**Project name:** Programme “Addressing the impacts of energy crisis and initiating solutions toward energy security and addressing energy poverty” (FPI Programme)

**Period of assignment/services:** December 2022 – June 2023 (63 working days)

Proposals should be submitted **online**, no later than **3 November 16:30 (Moldova local time)**.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: [veronica.lopotenco@undp.org](mailto:veronica.lopotenco@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 overall objective of the Programme is to assist the Government of Moldova to tackle the current energy crisis and energy poverty in addressing prioritized systemic elements in the energy sector to cope with potential future energy crisis.

Specific objectives are to support the Government of Moldova to:

1. put in place the legal and regulatory framework in the energy sector with mainstreamed social and climate considerations in line with the EU requirements;
2. strengthen the capacities of the energy-related actors and enhancing institutional coordination mechanisms to address and avert risks entailed in recent and potential future energy crisis;
3. increased awareness and communication among the population to adopt the best energy saving practices and measures and to encourage the use of renewables;
4. operationalize nation-wide energy programmes and demonstrate solutions to increase energy affordability in residential and public buildings, targeting specifically the most vulnerable and affected groups of population.

### 2. BACKGROUND

Moldova is part of the EU's European Neighborhood Policy (ENP) and in the Eastern Partnership framework, which aims at strengthening individual and regional relationships between the EU and countries in its neighborhood. Moldova is also part of the Energy Community Treaty since 2010 and has signed the Association Agreement with EU in June 2014, including the DCFTA which entered into force in 2016. Moldova was granted candidate status for the EU in June 2022. As a follow-up, Moldova is

required to ensure the transposition of the EU *acquis Communautaire*, which underpins the EU energy legislation on electricity, gas, oil, renewables, efficiency, and the environment. The country fully synchronized its electricity network with the ENTSO-E and relates to the European electricity market

The energy sector is one of the top priorities for the Government and it is addressed in Government's Plans and several policy documents, laws and regulations. The most important are the following: the draft National Development Strategy 2030, the National Energy Strategy 2030, Law on energy, Law on electricity, Law on promoting use of energy from renewable sources, Law on natural gas, Law on energy efficiency, Law on the energy performance of buildings, Law on the labelling of products with energy impact, Law on eco-design requirements for energy-related products, etc., as well as a list of secondary legislation, meant necessary to ensure for the implementation of the primary legislation.

Moldova is a Party to the Energy Community Treaty since 2010. By adopting the Energy Community Treaty, Moldova made legally binding commitments to adopt core EU energy legislation, the so-called "*acquis communautaire*". One of the conclusions of the 23<sup>rd</sup> Energy Community Electricity Forum (June 2018) was that the Forum supports the Energy Community Secretariat's initiative on the implementation of electricity guidelines in the Contracting Parties and underlines the need for a legally binding solution for their application on interconnections between the EU Member States and Contracting Parties. In this context, the Forum highlighted that the reform of the Energy Community Treaty is an indispensable prerequisite for effective energy market enhancement in the Contracting Parties as well as for their successful integration with neighboring EU markets. It is expected that within the upcoming Energy Community Ministerial Meeting, Regulation 2017/2195 establishing a guideline on electricity balancing will be included in the "*acquis communautaire*" and become legally binding for Parties to the Treaty, including Moldova.

*For details, please refer to the Terms of Reference.*

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

The general objective of the assignment is to support TSO and National Agency for Energy Regulation to transpose into the national regulation framework the Commission Regulation (EU) 2017/2195 of 23 November 2017 establishing a guideline on electricity balancing.

Being supervised by Programme Manager and/or Team Leader for Component 1, and in close cooperation with the national consultant, and the relevant staff of the National Agency for Energy Regulation and TSO, the international consultant is expected to perform the following tasks:

1. To develop the draft act that transpose into national legislation Regulation no.217/2195 on establishing a guideline on electricity balancing as adapted and adopted by the Energy Community, without prejudice if the transposition act will be an amendment of a set of primary and secondary acts or a new act on itself.
2. To provide capacity building to the TSO and ANRE in understanding the requirements and EU practice.
3. To draft the internal TSOs' operational procedures as preparation for operation.
4. To draft the list of actions needed and requirements for integration into the EU balancing platforms.
5. To conduct consultation of all developed acts with relevant stakeholders (EnCS, NARE, TSO other).
6. Final version of the draft acts developed.

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

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

**I. Education:**

- University degree in economics, electrical engineering or law or other related areas is required.

**II. Experience:**

- At least 6 years of professional experience in energy market (experience with TSO, market participant or energy regulatory authority);
- At least 5 years of international working experience in institutional consultancy.
- Proven professional record of involvement in Moldova's electricity-related tasks will be a strong asset.

**III. Competencies:**

- Excellent knowledge of the Commission Regulation (EU) 2017/2195 of 23 November 2017 establishing a guideline on electricity balancing;
- Familiarity with Moldova TSO responsibilities and activity with regards to network balancing
- Familiarity with the RM-EU Association Agreement, Energy Community Treaty, and other international and regional commitments of Moldova;
- Strong analytical and report-writing skills demonstrated by previous assignments;
- Strong interpersonal and communication skills, ability to work with Government representatives, demonstrated by previous assignments;
- Proficiency in English. Knowledge of Romanian and Russian will be an asset.

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**

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 experience in similar assignments, providing brief information on the above qualifications and methodology on how he/she will approach and conduct the work (if applicable).
2. **OFFEROR'S LETTER TO UNDP CONFIRMING INTEREST AND AVAILABILITY FOR THE INDIVIDUAL CONTRACTOR (IC) ASSIGNMENT.**
3. CV with at least three names for a reference check.

**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.

## **6. FINANCIAL PROPOSAL**

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).

### **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:

- University degree in economics, electrical engineering or law or other related areas is required.
- At least 6 years of professional experience in energy market (experience with TSO, market participant or energy regulatory authority);
- At least 5 years of international working experience in institutional consultancy.

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
<b><u>Technical</u></b>		
<ul style="list-style-type: none"> <li>• University degree in economics, electrical engineering or law or other related areas is required.</li> </ul>	(University degree – 20 pts, Master – 25 pts., PhD- 30pts.)	30
<ul style="list-style-type: none"> <li>• At least 6 years of professional experience in energy market (experience with TSO, market participant or energy regulatory authority)</li> </ul>	(6 years – 40 pts., more than 6 years – up to 50 pts., 5 pts.– for each additional year)	50
<ul style="list-style-type: none"> <li>• At least 5 years of international working experience in institutional consultancy</li> </ul>	(5 years – 40 pts., more than 5 years – up to 50 pts, 5 pts – for each additional year)	50
<ul style="list-style-type: none"> <li>• Interview (Only the first 5 applicants that have accumulated the highest technical score shall be invited to the interview.)</li> </ul>	<ul style="list-style-type: none"> <li>• 10 pts. Proven professional record of involvement in Moldova's electricity-related tasks will be a strong asset (5 pts. per each assignment, up to maximum 10 pts.)</li> <li>• 40 pts. Excellent knowledge of the Commission Regulation (EU) 2017/2195 of 23 November 2017 establishing a guideline on electricity balancing (<i>limited knowledge</i></li> </ul>	170

	<p>– up to 10 pts.; satisfactory – up to 30 pts.; extensive – up to 40 pts.);</p> <ul style="list-style-type: none"> <li>• 30 pts. Familiarity with Moldova TSO responsibilities and activity with regards to network balancing (<i>limited knowledge – up to 10 pts; satisfactory – up to 20 pts; extensive – up to 30 pts</i>);</li> <li>• 40 pts. Familiarity with RM-EU Association Agreement, Energy Community Treaty and other international and regional commitments of Moldova (<i>limited familiarity – up to 10 pts., satisfactory – up to 30 pts.; extensive – up to 40 pts.</i>);</li> <li>• 50 pts. Other competences: <ul style="list-style-type: none"> <li>- Analytical skills (<i>Yes - 10 pts., No – 0 pts.</i>); --</li> <li>- Communication skills – (<i>Yes - 10 pts., No – 0 pts.</i>);</li> <li>- Ability to work with government representatives (<i>Yes - 10pts., No – 0 pts.</i>);</li> <li>- Proficiency in English – 10 pts.;</li> <li>- Knowledge of Romanian and Russian - 5 pts per each language).</li> </ul> </li> </ul>	
<b>Maximum Total Technical Scoring</b>		<b>300</b>
<b><u>Financial</u></b>		
<b>Criteria</b>	<b>Scoring</b>	<b>Maximum Points Obtainable</b>
<p>Evaluation of submitted financial offers will be done based on the following formula:  <b><u><math>S = F_{min} / F * 200</math></u></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.</p>		<b>200</b>

### 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**