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Date: 10 July 2018

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

for individual consultants and individual consultants assigned by consulting firms/institutions

| | |
|--|--|
| Country: | Viet Nam |
| Description of the assignment: | One International Consultant for providing technical inputs for developing training documents related to chemicals management (POPs) and GHS (Activity 1.2.2.3) and for implementing common national procedures for chemical environmental and health risk assessment. Conduct a risk assessment pilot process for mercury in a priority sector (Activity 1.2.3.2) |
| Project title | Vietnam POPs and Sound Harmful Chemicals Management Project PHCM (Project ID: 91381) |
| Period of assignment/services (if applicable): | July 2018 – October 2018 |
| Duty Station: | Homebased |
| Tender reference: | A-180703 |

1. Submissions should be sent by email to: quach.thuy.ha@undp.org no later than:
5pm, 23 July 2018 (Hanoi time).

With subject line: (A-180703) – 01 Intl Consultant for Vietnam POPs and PHCM

Submission received after that date or submission not in conformity with the requirements specified this document will not be considered.

Note:

- Any individual employed by a company or institution who would like to submit an offer in response to this Procurement Notice must do so in their individual capacity, even if they expect their employers to sign a contract with UNDP.
- Maximum size per email is **7 MB**.
- Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. Procurement Unit – UNDP Viet Nam will respond in writing or 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 consultants.
- After submitting proposal, bidder should send notification by email (without attachment) to: procurement.vn@undp.org informing that the bidder has submitted proposal. UNDP will not be responsible for the missing of proposal if the bidder does not send notification email to above address.
- Female consultants are encouraged to bid for this required service. Preference will be given to equally technically qualified female consultants.

2. Please find attached the relevant documents:

- [Terms of Reference \(TOR\)](#)..... (Annex I)
- [Individual Contract & General Conditions](#)..... (Annex II)
- [Reimbursable Loan Agreement](#) (for a consultant assigned by a firm)..... (Annex III)
- [Guidelines for CV preparation](#)..... (Annex IV)
- [Format of financial proposal](#)..... (Annex V)

3. Interested individual consultants must submit the following documents/information **(in English, PDF Format)** to demonstrate their qualifications:

a. Technical component:

- Signed Curriculum vitae
- Copy of 1-3 publications/writing samples on relevant subject.
- Reference contacts of past 4 clients for whom you have rendered preferably the similar service (including name, title, email, telephone number, address...)

b. Financial proposal (with your signature):

- The financial proposal shall specify a total lump sum amount in **US dollar** including consultancy fees and all associated costs i.e. airfares, travel cost, meal, accommodation, tax, insurance etc. – see format of financial offer in Annex V.
- Please note that the cost of preparing a proposal and of negotiating a contract, including any related travel, is not reimbursable as a direct cost of the assignment.
- If quoted in other currency, prices shall be converted to the above currency at UN Exchange Rate at the submission deadline.

4. Evaluation:

The technical component will be evaluated using the following criteria:

| <u>Consultant experience/qualification related to the service</u> | | |
|--|--|----------------------|
| <u>No</u> | <u>Description</u> | <u>Scores</u> |
| <u>1</u> | A minimum of 6 years experience on chemicals managements and/or environment protection, health and environment risk assessment in particular related to hazardous chemicals, pesticides, POPs, PTS, mercury and hazardous waste; minimum of year experience on GHS | <u>400</u> |
| <u>2</u> | Advanced university degree (PhD is an asset) in Chemistry, Environmental Science or related field | <u>250</u> |
| <u>3</u> | Knowledge of Stockholm Convention on POPs and Minamata Convention | <u>150</u> |
| <u>4</u> | Strong analytical skills and proven experience in drafting manuals, guidance, guidelines, reports and training materials. Proven ability in team working, data and knowledge sharing including experience in providing input to technical/scientific documents and reports | <u>200</u> |
| <u>Total</u> | | <u>1.000</u> |

A two-stage procedure is utilized in evaluating the submissions, with evaluation of the technical components being completed prior to any price proposals being opened and compared. The price proposal will be opened only for submissions that passed the minimum technical score of 70% of the obtainable score of 1000 points in the evaluation of the technical component.

The technical component is evaluated on the basis of its responsiveness to the Term of Reference (TOR).

Maximum 1000 points will be given to the lowest offer and the other financial proposals will receive the points inversely proportional to their financial offers. i.e. $S_f = 1000 \times F_m / F$, in which S_f is the financial score, F_m is the lowest price and F the price of the submission under consideration.

The weight of technical points is 70% and financial points is 30%. Submission obtaining the highest weighted points (technical points + financial points) will be selected.

Interview with the candidates may be held if deemed necessary.

5. Contract

“Lump-sum” Individual Contract will be applied for freelance consultant (Annex II)

“Lump-sum” RLA will be applied for consultant assigned by firm/institution/organization (Annex III)

Documents required before contract signing:

- Personal History (following UNDP form)
- International consultant whose work involves travel is required to complete the courses on Basic Security in the Field **and** Advanced Security in the Field and submit certificates to UNDP before contract issuance.

Note: In order to access the courses, please go to the following link:

<https://training.dss.un.org>

The training course takes around 3-4 hours to complete. The certificate is valid for 3 years.

- Full medical examination and Statement of Fitness to work for consultants from and above 62 years of age and involve travel. (This is not a requirement for RLA contracts).
- Release letter in case the selected consultant is government official.

6. Payment

UNDP shall effect payments to the consultant (by bank transfer to the consultant’s bank account provided in the vendor form (Annex V) upon acceptance by UNDP of the deliverables specified the TOR.

All payments will only be authorized upon PMU and UNDP approval of the deliverables and signed time sheet by PMU based on approved working days and daily consultancy rate in the National consultants’ financial offer. In particular payments will be as follows:

- 20% of the financial offer upon approval of work plan and timeline;
- 80% of the financial offer upon approval of reports set out in paragraph 4, points no 3,4,5 and 6 (Terms of Reference);

7. Your proposals are received on the basis that you fully understand and accept these terms and conditions.



Annex I

TERMS OF REFERENCE



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| | |
|---------------------------|---|
| Project Title: | Vietnam POPs and Sound Harmful Chemicals Management Project – PHCM (Project ID: 91381) |
| Consultancy Title: | One International Consultant for providing technical inputs for developing training documents related to chemicals management (POPs) and GHS (Activity 1.2.2.3) and for implementing common national procedures for chemical environmental and health risk assessment. Conduct a risk assessment pilot process for mercury in a priority sector (Activity 1.2.3.2). |
| Type Contract: | Individual contract |
| Duty Location: | Home based |
| Duration: | July 2018 – October 2018 |
| Report to: | UNDP, National Project Director and Project Management Unit |

1. GENERAL INFORMATION

Chemicals make up our physical world: they form the basis of life and they are the building blocks from which we make our products. But they can also cause significant damage if mismanaged.

Sound management of chemicals and promotion of safe use of chemicals are increasing demands in Viet Nam due to public concern about negative impacts to the environment and human health that may arise from improper use of chemicals. Persistent Organic Pollutants (POPs) and Persistent Toxic Substances (PTS) are organic chemical substances. They possess a particular combination of physical and chemical properties such as persistence, long-range transport, bioaccumulation and harmfulness. Strengthen institutional capacity in chemicals management including POPs and PTS is one of the main priorities in Viet Nam. Viet Nam commitment to implement international conventions on chemicals, in particular Stockholm and Minamata Conventions, aims to pursue the continued reduction of environmental and

health risks posed by POPs and harmful chemicals in order to protect human health and the environment. Vietnam POPs and Sound Harmful Chemicals Management Project (PHCM) is built on past experience derived from GEF-4 (Global Environment Facility) projects supported by United Nations Development Programme (UNDP) addressing POPs/PTS issues. Vietnam Environment Administration (VEA) within the Ministry of Natural Resources and Environment (MoNRE) as the UNDP's National Implementing Partner (NIP) executes the project. The official starting date of the project is 29/1/2016 and expected closure date is 31/12/2018.

The project is built on 4 different components, namely:

- » **Component 1:** Policy framework for sound chemicals management, including POPs/PTS, developed and implemented;
- » **Component 2:** Monitoring and reporting of POPs and PTS;
- » **Component 3:** Management of POPs contaminated sites;
- » **Component 4:** National mercury baseline inventory and release reduction.

Concerning the activity 1.2.2.3, The Ministry of Industry and Trade (MOIT), supported by Viet Nam Chemicals Agency (VINACHEMIA), is in charge of the legislation on chemicals, including the implementation of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) and the coordination with international legislation like the EU REACH and ROHs. The Viet Nam chemical industry is currently growing, and Viet Nam products are currently being marketed globally. Compliance with international regulation is demanding because it may impact the economical growth related to chemical and manufacturing sectors. On the other hand, implementing EU regulations related to the restriction of some chemicals (restriction and authorisation under REACH Regulation and RoHS Directive) and the GHS classification of chemicals, may be driver towards the implementation of a safer management of chemicals, including the restriction of the use of POPs. On 9 Oct 2017, Vietnamese government issued a chemicals **Decree No. 113/2017/ND-CP** specifying and providing guidelines for implementation of certain articles of the law on chemicals. It replaces the Decree No. 108/2008/ND-CP issued in 2008 and will come into force on 25 Nov 2017. The Decree has designated lists of chemicals subject to regulatory control under the Chemical Law and specified detailed conditions on chemical manufacturers and traders. Subsequently, on the 28th December 2017 MOIT issued the **Circular No**

32/2017/TT-BCT providing clarification of the Law on Chemicals and the Decree No. 113/2017/ND-CP.

Risk assessment is a science based process for establishing the likelihood of adverse effects to human health and to the environment from specific chemical, biological and physical agents. In Viet Nam risk assessment criteria are not consistently adopted in decision making and law-making processes. A procedure for taking into account risk assessment criteria on chemicals' management is missing and procedures for risk assessment in mercury sectors have never been piloted. Furthermore, under component 1, one of the goals is to strengthen capacities among key institutions to formulate and implement necessary chemicals and environment policies, consistent with the principles of sound management of chemicals and international convention requirements. In particular, output 1.2.3 aims at facilitating the implementation of common national procedures in regard to chemicals' environmental and health risk assessment and at conducting a pilot risk assessment for mercury in a priority sector.

2. ROLE and ORGANISATION

Decree No. 113/2017/ND-CP is one of many decrees and circulars supporting the implementation of the Law on Chemicals and also the most important one for industrial chemicals. The Law on Chemicals is the highest law on chemical management in Viet Nam. This Law provides regulations on chemical handling, safety in chemical handling, right and obligations of organizations and individuals engaged in chemical handling, and state management of chemical handling. In order to strengthen institutional capacity in chemicals management and taking into account the initial survey of GHS implementation in Viet Nam conducted among 300 companies, professionals from VEA, VINACHEMIA, Department of Water Resources Management, national customs authorities and industrial stakeholders will be trained in implementing the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) and in the main provisions of EU REACH Regulation and RoHS for possible applications within Viet Nam chemicals framework legislation.

Moreover, at least 30 professional from VEA, VINACHEMIA and relevant departments in Ministry of Health will be trained on implementation of national procedures on risk assessment and management of chemicals, with specific focus on POPs and new POPs. The

training will be aimed at providing to the decision makers in the administration the scientific and technical knowledge to apply the risk assessment methodology (based on the formal steps of hazard identification, exposure assessment and risk quantification) to the regulatory aspects, from the initial steps of legal requirements to the implementation and enforcement of the provisions set out in the approved piece of legislation.

Official training certificate will be released after successful completion of the trainings. To access the training session, candidate will have to pass an initial test which will serve also as baseline and a final test, which will demonstrate the progress achieved and hence effectiveness of the training. The trainees passing the final test will receive an official certificate issued by the relevant administration.

The International consultant should provide high quality technical inputs to the workshop organisers for developing manuals, handouts, guidance and other training documents. The workshop aims at training 30 professionals from various government agencies on sound chemicals management with specific reference to POPs in downstream legislation, GHS and EU legislation on chemicals management such as REACH Regulation and RoHS Directive. Furthermore, the International consultant should provide high quality for the implementation of common national procedures in regard to chemicals' environmental and health risk assessment. Furthermore she/he shall assist the National group of experts in conducting a pilot risk assessment for mercury in a priority sector.

3. SCOPE of WORK

Environmental and Health risk assessments can be used to predict the likelihood of future effects (prospective) or evaluate the likelihood that effects are caused by past exposure to stressors (retrospective). The International Consultant will be mainly involved in providing high quality technical inputs for the implementation of common national procedures in regard to chemicals' environmental and health risk assessment. Furthermore she/he shall assist the National group of experts in conducting a pilot risk assessment for mercury in a priority sector. She/he will also provide high quality technical inputs for developing manuals, handouts, guidance and other training documents in regard to implementation of POPs downstream legislation, GHS and the main provisions of EU REACH Regulation and RoHS for possible applications within Viet Nam chemicals framework legislation.

The International Consultant, under the supervision of UNDP and PMU, is responsible but not limited to the following tasks:

- Prepare a detailed work plan and timeline. The work plan should describe technical approaches and methods of work that will be used to provide high quality technical inputs to the trainings and outputs;
- Provide technical inputs and recommendations on the implementation of chemicals' environmental and health risk assessment. The inputs shall concern but not limited to the following aspects:
 - » Planning and scoping process. It is based on the following considerations: Who/What/Where is at risk? What is the environmental hazard of concern? Where do these environmental hazards come from? How does exposure occur? What does the body do with the environmental hazard and how is this impacted by factors such as life-stage, genetics, species differences, sex, age etc.? What are the health effects? What are the environmental effects? How long does it take for an environmental hazard to cause a toxic effect? Does it matter when in a lifetime exposure occurs?
 - » Problem formulation. The objective is to define an assessment endpoint to determine what ecological entity is important to protect. Information is gathered to help determine what, in terms of plants and animals, is at risk and what needs to be protected;
 - » Analysis. This is the determination of what plants and animals are exposed and to what degree they are exposed, and if that level of exposure is likely or not to cause harmful ecological effects
 - » Risk characterisation. Risk characterization includes two major components: risk estimation and risk description. "Risk estimation" combines exposure profiles and exposure-effects. "Risk description" provides information important for interpreting the risk results and identifies a level for harmful effects on the plants and animals of concern. It conveys the risk assessor's judgment as to the nature and presence or absence of risks, along with information about how the risk was assessed, where assumptions and uncertainties still exist, and where policy choices will need to be made

- » Hazard identification. Examines whether a stressor has the potential to cause harm to humans and/or ecological systems, and if so, under what circumstances.
- » Dose-response assessment. Examines the numerical relationship between exposure and effects.
- » Exposure assessment. Examines what is known about the frequency, timing, and levels of contact with a stressor.

Training will be the main mean to strengthen the institutions capacities in establishing and subsequently enforcing risk assessment criteria set out in national legislation;

- Provide technical inputs in developing procedures for environmental and health risk assessment of chemicals, especially POPs, PTS and mercury based on identification and characterization of hazards, assessing exposure and characterization of risks;
- Support the National experts when drafting the overview on the use of mercury in various industrial products in Vietnam as well as the use of some POPs in the manufacture of plastics. Provide technical inputs to conduct a pilot risk assessment in a priority sector related to mercury-added products such as:
 - » Light sources with mercury: Fluorescent tubes (double end, e.g. linear florescent lamps); Compact fluorescent lamp (CFL single end); High pressure mercury vapour (HMPV) lamps; High-pressure sodium lamps; UV light for tanning; Metal halide lamps; High-Intensity Discharge (HID) lamps); Batteries (mercury button cells, mercury oxide batteries, zinc-air button cells, silver oxide cells, other general purposes batteries); Electrical switches and relays containing mercury (til switches for all applications, thermoregulators, read relays and switches etc.); Measuring equipment (medical thermometers, other mercury-in-glass thermometers, thermometers with dial, manometers, barometers, sphygmomanometers, hygrometers, tensiometers, gyrocompasses, reference electrodes, hanging drop electrodes etc.);

- Provide technical inputs for developing training materials with specific reference to downstream legislation related to POPs, GHS and EU legislation on chemicals such as REACH regulation and RoHS Directive.

The International consultant will support and coordinate with the Team Leader of the national expert group. She/he shall periodically report to UNDP and PMU on the progress of the activities.

4. EXPECTED RESULTS and DELIVERABLES

The International consultant will carry out the task listed in previous paragraph 3 therein. She/he will submit periodical reports and the deliverables set out in the following table to UNDP and PMU according to the timeline and work plan.

| No | Deliverable | Due Date (tentative) |
|----|---|--|
| 1 | Detailed work plan including the method(s) of work and technical approaches that will be used and a well-defined timeline. | 2 weeks after signing the contract |
| 2 | Training materials with specific reference to downstream legislation related to POPs, GHS and EU legislation on chemicals such as REACH regulation and RoHS Directive | 2 weeks before the training starts |
| 3 | Report detailing technical inputs and recommendations on the implementation of chemicals' environmental and health risk assessment. | 2 months after the signing of the contract |
| 4 | Report detailing technical inputs in developing procedures for environmental and health risk assessment of chemicals, especially POPs, PTS and mercury | 3 months after the signing of the contract |
| 5 | Report detailing technical inputs to conduct a pilot risk assessment in a priority sector related to mercury-added products. | 5 months after the signing of the contract |

5. TIMING and DURATION

Total time allocated for this assignment is 30 working days from July 2018 to the end of October 2018.

The detailed work plan shall be submitted to PMU in the inception phase and in any case not later than 2 weeks from contract's signature.

The International consultant will work at home and will coordinate with the Team Leader of the national expert group and PMU through emails and other online communication methods. She/he will periodically report to UNDP and PMU on the progress of the activities. The international consultant will need to have one 7-day mission in Vietnam to implement the task.

6. MONITORING and PROGRESS CONTROL

The International consultant will cooperate with the national expert team and will be supervised by UNDP and PMU. The respect of the stipulated deadlines in the timeline will be monitored by UNDP, PMU and VITA, if required. The selected consultant will have regular briefings with UNDP and PMU about progress and content of the work. Draft Reports shall be submitted to PMU, UNDP and VITA for comments and recommendations.

7. MINIMUM REQUIREMENTS, SKILLS and EXPERTISE

Candidates will be evaluated against the following minimum requirements:

- Advanced university degree (PhD is an asset) in Chemistry, Environmental Science or related field;
- A minimum of 6 years experience on chemicals managements and/or environment protection, health and environment risk assessment in particular related to hazardous chemicals, pesticides, POPs, PTS, mercury and hazardous waste;
- A minimum of 6 years experience on GHS

- Working and advanced writing knowledge of English;
- Good skills in drafting manuals, guidance, guidelines, reports and training materials;
- Proven ability in team working and knowledge sharing;
- Knowledge of Stockholm Convention on POPs and Minamata Convention on mercury;
- Demonstrated experience in information and data collection;
- Demonstrated skills and experience in data analysis;
- Strong analytical skills;
- Knowledgeable in institutional set-ups, reporting procedures. Knowledge of UNDP policies and procedures is desirable;
- Sound use of all communication technologies and IT tools (Office or Mac Office etc.).

In addition, the International consultant should be independent and should not have any personal interest related to project activities which may hinder its independency and which may distort or bias his performance.

8. PAYMENT TERMS

Based on the TOR, interested candidates should submit their financial proposal based on a daily working fee.

All payments will only be authorized upon PMU and UNDP approval of the deliverables and signed time sheet by PMU based on approved working days and daily consultancy rate in the National consultants' financial offer. In particular payments will be as follows:

- 20% of the financial offer upon approval of work plan and timeline;
- 80% of the financial offer upon approval of reports set out in paragraph 4, points no 3,4,5 and 6;

9. EVALUATION CRITERIA

Evaluation Criteria with assigned scores

(Interview will be set up if deemed necessary to compensate CV evaluation)

| <u>Consultant experience/qualification related to the service</u> | | |
|--|--|----------------------|
| <u>No</u> | <u>Description</u> | <u>Scores</u> |
| <u>1</u> | A minimum of 6 years experience on chemicals managements and/or environment protection, health and environment risk assessment in particular related to hazardous chemicals, pesticides, POPs, PTS, mercury and hazardous waste; minimum of years experience on GHS | <u>400</u> |
| <u>2</u> | Advanced university degree (PhD is an asset) in Chemistry, Environmental Science or related field | <u>250</u> |
| <u>3</u> | Knowledge of Stockholm Convention on POPs and Minamata Convention | <u>150</u> |
| <u>4</u> | Strong analytical skills and proven experience in drafting manuals, guidance, guidelines, reports and training materials. Proven ability in team working, data and knowledge sharing including experience in providing input to technical/scientific documents and reports | <u>200</u> |
| <u>Total</u> | | <u>1.000</u> |

Annex IV

GUIDELINES FOR PREPARING CV

WE REQUEST THAT YOU USE THE FOLLOWING CHECKLIST WHEN PREPARING YOUR CV:

Limit the CV to 3 or 4 pages

NAME (First, Middle Initial, Family Name)

Address:

City, Region/State, Province, Postal Code

Country:

Telephone, Facsimile and other numbers

Internet Address:

Sex, Date of Birth, Nationality, Other Citizenship, Marital Status

Company associated with (if applicable, include company name, contact person and phone number)

SUMMARY OF EXPERTISE

Field(s) of expertise (be as specific as possible)

Particular development competencies-thematic (e.g. Women in Development, NGOs, Privatization, Sustainable Development) or technical (e.g. project design/evaluation)

Credentials/education/training, relevant to the expertise

LANGUAGES

Mother Tongue:

Indicate written and verbal proficiency of your English:

SUMMARY OF RELEVANT WORK EXPERIENCE

Provide an overview of work history in reverse chronological order. Provide dates, your function/title, the area of work and the major accomplishments include honorarium/salary. References (name and contact email address) must be provided for each assignment undertaken by the consultant that UNDP may contact.

UN SYSTEM EXPERIENCE

If applicable, provide details of work done for the UN System including WB. Provide names and email address of UN staff who were your main contacts. Include honorarium/salary.

UNIVERSITY DEGREES

List the degree(s) and major area of study. Indicate the date (in reverse chronological order) and the name of the institution where the degree was obtained.

PUBLICATIONS

Provide total number of Publications and list the titles of 5 major publications (if any)

MISCELLANEOUS

Indicate the minimum and maximum time you would be available for consultancies and any other factors, including impediments or restrictions that should be taken into account in connection with your work with this assignment.

Please ensure the following statement is included in the resume and that it is signed and dated:

I CERTIFY THAT ALL INFORMATION STATED IN THIS RESUME IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I AUTHORIZE UNDP/UNOPS OR ITS AGENT TO VERIFY THE INFORMATION PROVIDED IN THIS RESUME.

(Signature)

Annex V

FINANCIAL OFFER

Having examined the Solicitation Documents, I, the undersigned, offer to provide all the services in the TOR for the sum of USD

This is a lump sum offer covering all associated costs for the required service (fee, meal, accommodation, travel, taxes etc).

Cost breakdown:

| No. | Description | Quantity | Unit rate (USD) | Total |
|-----|---|----------|-----------------|-------|
| 1 | Consultancy fee | | | |
| 2 | Out of pocket expenses | | | |
| 2.1 | Travel | | | |
| 2.2 | Per diem | | | |
| 2.3 | Full medical examination and Statement of Fitness to work for consultants from and above 62 years of age and involve travel – (required before issuing contract). * | | | |
| 2.5 | Others (pls. specify)..... | | | |
| | TOTAL | | | |

** Individual Consultants/Contractors who are over 62 years of age with assignments that require travel and are required, at their own cost, to undergo a full medical examination including x-rays and obtaining medical clearance from **an UN-approved doctor** prior to taking up their assignment.*

I undertake, if my proposal is accepted, to commence and complete delivery of all services specified in the contract within the time frame stipulated.

I agree to abide by this proposal for a period of 120 days from the submission deadline of the proposals.

Dated this day /month of year

Signature