



REQUEST FOR PROPOSAL (RFP)
From firms/institutes/organizations

Dear Sir / Madam:

We kindly invite a **national consulting firm/institution** to provide technical assistance for the integration of Green Chemistry (GC) principles into, and propose related management solutions for, related legal documents, regulations and policies on chemicals management in Vietnam (**B-201201**)

Please be guided by the form attached hereto as Annex 2 (a-b-c), in preparing your Proposal.

Proposals may be submitted on or before **23.59 hrs. Friday 18 December 2020** (Hanoi time) by the following methods:

By email: For green environment, this is preferred submission method

E-mail address for proposal submission: quach.thuy.ha@undp.org

Separate emails for technical and financial proposal.

With subject line:

(B-201201) National firm for Green Chemistry principles and management solutions in Vietnam

Maximum size per email: **30 MB**. Bidders can split proposal into several emails if the file size is large)

Note:

- *For both submission methods, please send separate email (without attachment) to procurement.vn@undp.org notifying that you already submitted proposal and the number of email submitted (in case submitted by email). Notification emails should be sent to above address by submission deadline or right after you submit proposals).*
- *UNDP will acknowledge receipt of the proposals within 2 working days from the submission deadline. In case you do not receive acknowledgement, please contact us within 3 working days after submission deadline.*

Your Proposal must be expressed in the English language, and valid for a minimum period of 120 days from the date of bid submission.

Services proposed shall be reviewed and evaluated based on completeness and compliance of the Proposal and responsiveness with the requirements of the RFP and all other annexes providing details of UNDP requirements.

The Proposal that complies with all of the requirements, meets all the evaluation criteria and offers the best value for money shall be selected and awarded the contract. Any offer that does not meet the requirements shall be rejected.

Any discrepancy between the unit price and the total price shall be re-computed by UNDP, and the unit price shall prevail and the total price shall be corrected. If the Service Provider does not accept the final price based on UNDP's re-computation and correction of errors, its Proposal will be rejected.

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted by UNDP after it has received the Proposal. At the time of Award of Contract or Purchase Order, UNDP reserves the right to vary (increase or decrease) the quantity of services and/or goods, by up to a maximum twenty five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.

Any Contract or Purchase Order that will be issued as a result of this RFP shall be subject to the General Terms and Conditions attached hereto. The mere act of submission of a Proposal implies that the Service Provider accepts without question the General Terms and Conditions of UNDP, herein attached as Annex 3.

Please be advised that UNDP is not bound to accept any Proposal, nor award a contract or Purchase Order, nor be responsible for any costs associated with a Service Providers preparation and submission of a Proposal, regardless of the outcome or the manner of conducting the selection process.

UNDP's vendor protest procedure is intended to afford an opportunity to appeal for persons or firms not awarded a Purchase Order or Contract in a competitive procurement process. In the event that you believe you have not been fairly treated, you can find detailed information about vendor protest procedures in the following link: <http://www.undp.org/procurement/protest.shtml>.

UNDP encourages every prospective Service Provider to prevent and avoid conflicts of interest, by disclosing to UNDP if you, or any of your affiliates or personnel, were involved in the preparation of the requirements, design, cost estimates, and other information used in this RFP.

UNDP implements a zero tolerance on fraud and other proscribed practices, and is committed to preventing, identifying and addressing all such acts and practices against UNDP, as well as third parties involved in UNDP activities. UNDP expects its Service Providers to adhere to the UN Supplier Code of Conduct found in this link : http://www.un.org/depts/ptd/pdf/conduct_english.pdf

Thank you and we look forward to receiving your Proposal.

Sincerely yours,

Tran Thi Hong
Head, Procurement Unit
12/4/2020

Description of Requirements

Context of the Requirement	Please see information in the TOR
Implementing Partner of UNDP	Please see information in the TOR
Brief Description of the Required Services	A national firm/institution for technical assistance for the integration of Green Chemistry (GC) principles into, and propose related management solutions for, related legal documents, regulations and policies on chemicals management in Vietnam
List and Description of Expected Outputs to be Delivered	Please see information in the TOR
Person to Supervise the Work/Performance of the Service Provider	VINACHEMIA and UNDP Country Office in Viet Nam
Frequency of Reporting	Please refer to the TOR
Progress Reporting Requirements	Please refer to the TOR
Location of work	<input type="checkbox"/> Exact Address: <input checked="" type="checkbox"/> Hanoi and other relevant provinces including Hanoi, Bac Ninh, Da Nang, Ho Chi Minh, Binh Duong
Expected duration of work	December 2020 – September 2021
Target start date	December 2020
Latest completion date	September 2021
Travels Expected	Please refer to the TOR
Special Security Requirements	Not applicable
Facilities to be Provided by UNDP (i.e., must be excluded from Price Proposal)	<input type="checkbox"/> Office space and facilities <input type="checkbox"/> Land Transportation <input type="checkbox"/> Others <i>[pls. specify]</i>
Implementation Schedule indicating breakdown and timing of activities/sub-activities	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Names and curriculum vitae of individuals who will be involved in completing the services	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Currency of Proposal	<input type="checkbox"/> United States Dollars <input type="checkbox"/> Euro <input checked="" type="checkbox"/> Local Currency (Vietnam Dong)

	For the purposes of comparison of all Proposals: UNDP will convert the currency quoted in the Proposal into the UNDP preferred currency, in accordance with the prevailing UN operational rate of exchange on the proposal submission deadline.
Value Added Tax on Price Proposal	<input checked="" type="checkbox"/> must be inclusive of VAT and other applicable indirect taxes <input type="checkbox"/> must be exclusive of VAT and other applicable indirect taxes
Validity Period of Proposals (Counting for the last day of submission of quotes)	<input checked="" type="checkbox"/> 120 days In exceptional circumstances, UNDP may request the Proposer to extend the validity of the Proposal beyond what has been initially indicated in this RFP. The Proposal shall then confirm the extension in writing, without any modification whatsoever on the Proposal.
Partial Quotes	<input checked="" type="checkbox"/> Not permitted <input type="checkbox"/> Permitted
Payment Terms	As indicated in the TOR. Condition for Payment Release: Within thirty (30) days from the date of meeting the following conditions: a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs; and b) Receipt of invoice from the Service Provider.
Person(s) to review/inspect/ approve outputs/completed services and authorize the disbursement of payment	VINACHEMIA and UNDP Country Office in Viet Nam
Type of Contract to be Signed	<input checked="" type="checkbox"/> Contract for Professional Services
Criteria for Contract Award	<input checked="" type="checkbox"/> Highest Combined Score (based on the 70% technical offer and 30% price weight distribution) <input checked="" type="checkbox"/> Full acceptance of the UNDP Contract General Terms and Conditions (GTC). This is mandatory criteria and cannot be deleted regardless of the nature of services required. Non-acceptance of the GTC may be grounds for the rejection of the Proposal.
Criteria for the Assessment of Proposal	Proposal shall be considered technically qualified if it achieves minimum 70% of total obtainable technical points. Weight of technical and financial point: <u>Technical Proposal (70%)</u> <u>Financial Proposal (30%)</u> Financial score will be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP. <i>See detailed evaluation criteria in the below table.</i>
UNDP will award the contract to:	<input checked="" type="checkbox"/> One bidder

Annexes to this RFP	<input checked="" type="checkbox"/> Detailed TOR (Annex 1) <input checked="" type="checkbox"/> Form for Submission of Proposal (Annex 2a: Technical proposal; Annex 2b: Financial proposal) <input checked="" type="checkbox"/> Contract for Goods/Services (Annex 3) <input checked="" type="checkbox"/> General Terms and Conditions de minimis (for contract below \$50k) (Annex 3) <input checked="" type="checkbox"/> or General Terms and Conditions (for contract above \$50k) (Annex 3) ¹
Contact Person for Inquiries (Written inquiries only) ²	<p>Ms. Quach Thuy Ha Procurement Assistant, UNDP Vietnam Email: quach.thuy.ha@undp.org</p> <p>Any delay in UNDP's response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary and communicates a new deadline to the Proposers.</p>
Other information	

EVALUATION CRITERIA

No.	Criteria	Maximum Score
1	Firm capacity and experience	200
1.1	Licensed firm with 20 years' experience working in the industrials/chemicals sectors which are suitable with the assignment	80
1.2	The firm have implemented consultancy services in the development of policy/programs or projects in chemicals industries in the most recent 5 years	120
	<i>Each contract worth 15 points (but max total points allocation is not exceeding 60 points)</i>	60
	<i>Each contract liquidation attached with the contracts listed worth 15 points (but max total points allocation is not exceeding 60 points)</i>	60
2	Proposed solutions and methods for the implementation of the assignment	200
2.1	Understand the objectives and tasks assigned in the TOR	50
	<i>Demonstrated general understanding of the scope of work and tasks assigned in the TOR</i>	20
	<i>The technical proposal has good analysis about the nature/characteristics of the assignment.</i>	15
	<i>The technical proposal included feasible solution(s) for the implementation of the tasks required.</i>	15
2.2	Approaches and methods	50
	<i>All tasks required in the TOR are addressed in the technical proposal. Each tasks are (i) clearly planned for implementation, and (ii) are assigned for each of the key personnel, in a logical and complete manner.</i>	20
	<i>The proposed methods are suitable with the tasks required</i>	10

¹ Service Providers are alerted that non-acceptance of the terms of the General Terms and Conditions (GTC) may be grounds for disqualification from this procurement process

² This contact person and address is officially designated by UNDP. If inquiries are sent to other person/s or address/es, even if they are UNDP staff, UNDP shall have no obligation to respond nor can UNDP confirm that the query was received.

	<i>Implementation methods for the collection of data and analysis of current statuses.</i>	20
2.3	Have recommendations for the improvement of the deliverables' quality	30
2.4	Presentation of the proposal	30
	<i>The technical proposal is structured and presented in a sound manner and easy to follow</i>	15
	<i>The technical proposal is completed and feasible</i>	15
2.5	Implementation plan	40
	<i>The implementation plan included all assigned tasks. Each task is analyzed and described in a complete, clear and suitable manner</i>	15
	<i>The implementation plan is coherent with the (i) method(s) proposed and (ii) the tentative work progresses/deadlines in the TOR</i>	15
	<i>The plan included all relevant tables/forms illustrating the implementation plan and milestones/deadlines for the submission of the deliverables in a clear and complete manner.</i>	10
3	Personnel	600
3.1	National Team leader	300
	<i>Master/engineering degree (or higher) on relevant chemical sectors, environmental sciences, and/or relevant law or juridical fields.</i>	50
	<i>20 years working experience in the fields of chemicals, environment management and/or relevant law/juridical fields;</i>	100
	<i>Experience in organization, leading and coordinate 03 similar missions/tasks</i>	150
3.2	Other key personnel and support/technical staff	210
3.2.1	National Legal Specialist	70
	<i>Master/engineering degree which are suitable for the position assigned</i>	30
	<i>15 years' experience in providing legal counselling services, especially experience in providing legal/policy consultancy services on chemicals management in Vietnam</i>	40
3.2.2	National Chemicals technologies specialist	70
	<i>Master/engineering degree (or higher) which are suitable for the position assigned</i>	30
	<i>15 years' working experience in the development of chemical industries, especially direct consultancy experience providing advance chemicals management solutions</i>	40
3.2.3	National Environmental Specialist	70
	<i>Master/engineering degree (or higher) which are suitable for the position assigned</i>	30
	<i>15 years' working experience in the environment sectors, especially direct consultancy experience providing environmental management solutions/policies in industries and chemicals sector</i>	40
3.3	Technical/Support Staff	90
	<i>03 technical staff proposed with more than 5 years of relevant experience on chemistry, policy and environment (in addition to the key personnel proposed above)</i>	50
	<i>All technical/support staff proposed have Bachelor's degree (equivalent or above)</i>	40
	TOTAL	1000

TERMS OF REFERENCE



Provide technical assistance for the integration of Green Chemistry (GC) principles into, and propose related management solutions for, related legal documents, regulations and policies on chemicals management in Vietnam

Country	Viet Nam
Project	Application of Green Chemistry to support green growth and reduction in the use and release of POPs/harmful chemicals
Type of contract	Lumpsum – National Service Provider
Description of the assignment	<ul style="list-style-type: none"> - Assessment of the possibilities and propose directional solutions for the integration of Green Chemistry (GC) principles into the Vietnam's Chemical Law revision process; and into the development of new, or revising of existing, related legal documents guiding the implementation of the revised Chemical Law; - Propose appropriate solutions, including legal tools and/or management approaches (e.g. life cycle management approach; sound management of chemical, and tool(s) for the evaluation of related investment projects), to enhance (i) institutional/legal/policy settings, and (ii) and enforcement of related chemicals regulations in Vietnam.
Location	Hanoi and other provinces (surveys/meetings)
Timeline	8 months, from Dec 2020 until September 2021

1. BACKGROUND

The Vietnam Chemical Agency (VINACHEMICA) – Ministry of Industry and Trade of the Socialist Republic of Vietnam is currently implementing the project: “Application of Green Chemistry in Vietnam to support green growth and reduction in the use and release of POPs/harmful chemicals”, which are funded by GEF/UNDP with contribution from related agencies and private sectors in Vietnam. The project is currently in its 2nd year of implementation.

The project aims to create the enabling environment for the introduction of GC in Viet Nam and introduce GC applications in manufacturing sectors with the specific goal of reducing the use and release of chemicals controlled under Stockholm and Minamata Conventions. The project will also stimulate reduction in use and releases of chemicals of high concern not covered under the Conventions; improve energy and resources efficiency and create co-benefits in reducing Green House Gas (GHG) emissions through the adoption GC application in industries supported by the project.

Through project implementation, reduction of POPs, U-POPs emissions will be achieved through the introduction of Green Chemistry approaches into 6 selected sectors, namely: 1. Electro-plating; 2. Pulp and paper, 3. Plastic; 4. Textile, 5. Pesticides; and 6. Paint and Solvents. Detail guidance documents for sectors will also be developed, Green Chemistry approaches/principles will be integrated into relevant regulations/policies. Two demonstration

of GC approached will be implemented in two selected manufacturing facilities. The project have three main components:

1. Develop an enabling environment for GC in Vietnam;
2. Promote awareness on GC and the application of GC and its guiding principles
3. Introduce GC approaches into priority sectors and at least two entities

After 12 years of enforcement and implementation, The Vietnam Chemical Law (Law No.06/2008/QH) has play an important role and set up a firm foundation for the management of chemicals-related activities in Vietnam. However, the changing of socio-economic-environmental conditions and of technology and industrial production processes have out match the existing legal frameworks – despite efforts by the management authorities to revise, add and/or update relevant regulations on chemicals productions, import/exports, use and release. The current chemical legal/policy framework in Vietnam have shown its limitation which need a thorough revision to meet with the changing of chemical management landscape in Vietnam. This is especially important when considered the deeper and deeper integration of Vietnam economy into the global market. In addition, in the current Chemical Law, there are no specific regulations for integrating Green Chemistry principles in chemical management.

Relevant efforts and works for the revision of the Chemical Law and related regulations/policies are being implemented by VINACHEMIA. In order to provide necessary technical assistance for the management authority in the implementation of related law revision tasks, the PMU of GC project is looking for a qualified national service provider, detail as follow:

2. OBJECTIVES OF THE ASSIGNMENT

- Assessment of the possibilities and propose directional solutions for the integration of Green Chemistry (GC) principles into the Vietnam's Chemical Law revision process; and into the development of new, or revising of existing, related legal documents guiding the implementation of the revised Chemical Law;

- Propose appropriate solutions, including legal tools and/or management approaches (e.g. life cycle management approach; sound management of chemical, and tool(s) for the evaluation of related investment projects), to enhance (i) institutional/legal/policy settings, and (ii) and enforcement of related chemicals regulations in Vietnam.

3. SCOPE OF WORK, DUTY AND RESPONSIBILITIES

Task 1: Assess the possibilities and propose directional solutions for the integration of Green Chemistry (GC) principles into the Vietnam's Chemical Law revision process and relate legal documents;

The selected national consultant firm will cooperate with the international consultant(s) and the VINACHEMIA task force to implement the following tasks:

- a. Review the text of Vietnam Chemical Law and other relate legal/policy documents, which should cover at least, but not limited to the following documents: 1. Chemical Law; 2. Environmental Protection Law; 3. Vietnam's Strategy for Green Growth; 4. National Action Plan for Green Growth; 5. National Action plan for Cleaner Production; 4. National Strategy for Import and Export, and 5. National Action Plan for Sustainable Production and Consumption until 2020, to identify key issues such as gaps, overlapping/contradicting clauses and the compatibility level among those documents;
- b. Assess the current implementation status of relate international commitments/ agreements on chemicals in Vietnam; Compare and analyses the status of legal and institutional framework in Vietnam with the obligations of member states to these international

commitments. Identify specific contents in the Vietnam's Chemical Law which have potential to integrate (i) the requirements of these international agreements and (ii) the principles of Green Chemistry.

- c. Review and assess the implementation results of the existing Vietnam's Chemical Law over the last 12 years (included detail analyses of number of permits/certification issued, amount of chemicals licensed, list of compliance enterprises, number of regulations violation cases and amount of fines, number of illegal chemicals/goods confiscated etc.).
- d. Assess the organizational structure of Vietnam's Chemical Law enforcement to identify gaps and limitations in the enforcement of the law;
- e. Assess the organizational structures of chemicals' management in related governmental agencies at central and local level (i.e. ministries, sectors and localities) to identify gaps and limitations in the management/governance models;
- f. Assess (i) the effectiveness of awareness raising activities on chemical managements' legal requirements and (ii) enterprises' level of awareness on chemical regulations and their level of cooperation (e.g. level of compliance with the legal requirements and willingness in providing information);
- g. Draft the assessment report and presenting the results in 02 one-day meetings/workshops in Hanoi organized by the PMU and/or by VINACHEMIA to collect feedbacks and finalize the report;

Task 2: Propose solutions for the management of chemicals in Vietnam using life-cycle approach. The solution(s) proposed should be in-line with the principles of sustainable development and in compliance with relevant international conventions that Vietnam have ratified.

The selected national consultant firm will cooperate with the international consultant(s) and the VINACHEMIA task force to implement the following tasks:

- a. Assess the management and enforcement status of legal requirements in the Vietnam Chemicals Law relate to chemicals' production management; trading; usage; transportation; and market distribution/delivering (including the production and trading of industrial chemicals; the production and trading of conditionals and restricted chemicals; the importation/exportation of industrial precursor substances the management control of toxic-chemicals trading activities; the usage and transportation of chemicals; and the assignment of chemicals' management responsibilities).
- b. Propose regulations for the assignment of state's responsibilities on chemicals to ensure the effectiveness and in-line with the assigned functions and tasks of relate ministries, sectors and localities.
- c. Propose solutions for the management of chemicals using life-cycle approach, in-line with GC and sustainable development's principles (the production, trading, import/export, market distribution/delivering, transportation, and storage of chemicals; the discharge of chemical wastes; and the management of chemicals in consumption products).
- d. Propose contents for the legalization of the chemical-related international conventions' articles/requirements in which Vietnam has already ratified and propose the suitable assignment of tasks among relevant governmental authorities in the implementation of these commitments.

- e. Propose solution for (i) the development and update of chemical lists; (ii) management of new chemicals; (iii) update of chemical safety information (classification, labeling, development of MSDSs with inclusion of GC elements and information security contents)
- f. Draft the report and presenting the results in relevant meetings/workshops in Ha noi organized by the PMU and/or by VINACHEMIA to collect feedbacks and finalize the report;

Task 3: Propose solution for chemicals safety management to ensure the minimization of incidents/accidents risks and in-line with relate GC principles;

The selected national consultant firm will cooperate with the international consultant(s) and the VINACHEMIA task force to implement the following tasks:

- a. Assess the current status of chemical safety activities in Vietnam.
- b. Propose solution for the adoption of risk assessment approach in the development of Plan for chemicals incidents prevention and respond; and proposed detail contents which are in-line with GC principles in the revising Chemical law.
- c. Propose regulation texts/contents in the revising law for (i) the management of chemical incidents prevention and respond at national, provincial and facility level; and (ii) the assignment of responsibilities among relevant ministries, sectors and provincial/local authorities in the management of chemical safety.
- d. Propose regulation text/contents for the management of training activities on chemical safety for employees and drafting of a chemical safety training framework.
- e. Propose solution for the determination, and management, of safety distances facilities that producing, using, and storing dangerous chemicals, including propose detail legal text/contents relate to this matter in the revising Chemical Law;
- f. Propose technical and infrastructural requirements for industrial workshops and storage areas to ensure chemical safety and prevention of chemical incidents.
- g. Draft the report and presenting the results in relevant meetings/workshops in Ha noi organized by the PMU and/or by VINACHEMIA to collect feedbacks and finalize the report.

Task 4. Propose criteria/requirements for the investment projects in chemicals sectors that are in-line with GC principles

The selected national consultant firm will cooperate with the international consultant(s) and the VINACHEMIA task force to implement the following tasks:

- a. Assessment of the current status of investments in the chemicals sector in Vietnam.
- b. Propose a set of criteria/standard for the appraisal of investment projects in the chemical sectors with inclusions of GC elements.
- c. Propose a list of policy recommendations to promote, and direct, chemicals investment projects toward application and adoption of Green Chemistry principles; and ways in which these recommendations can be integrated into the revising Chemical Law.
- d. Draft the report and presenting the results in relevant meetings/workshops in Ha noi organized by the PMU and/or by VINACHEMIA to collect feedbacks and finalize the report.

4. DELIVERABLES

Deliverable 1 (Task 1): An Assessment Report about the potential for mainstreaming Green Chemistry principles into the revising Chemical Law and relate legal documents

The report should include the following contents:

- The evaluation of (i) overlapping points/contents and the compatible level between the existing Vietnam Chemical Law and other relevant legal/policy documents;
- The reviewing of Vietnam status on the implementation of chemicals related international conventions;
- The reviewing of Vietnam current legal/institutional status in comparison with other member states in the internalization/legalization of relate international commitments on chemicals;
- Identification of relate contents in the Chemical Law with potential to integrate international commitments and GC principles;
- The assessment of raising awareness activities on chemicals management regulations, and level of awareness and compliance of enterprises in the implementation of chemicals regulations and in providing information.

Deliverable 2 (task 2): A report proposing solutions for the application of life-cycle approach in chemicals' management in Vietnam. The solutions proposed should also be in-lined with sustainable development principles and in compliance with the requirements of international conventions which Vietnam have ratified.

The report should include the following contents:

- Review of current status of implementation and enforcement of Vietnam Chemical Law relate to chemicals production, trading, usage, transportation and market distribution/delivering;
- Proposed regulation texts for the assignment of state responsibilities on chemical management to ensure effective implementation and in-line with the assigned functions and responsibilities of relate ministries, sectors and localities;
- Solution for life-cycle chemicals management in Vietnam in-line with green chemistry and sustainable development principles;
- List of regulations and contents from relevant international conventions which Vietnam have ratified and needed to be put/integrated in to Vietnam legal framework, and drafting of state's assignment of responsibilities in the implementation of relevant conventions on chemicals;
- Solution for the development and update of the chemicals lists;
- Solution for the management of new chemicals and update of chemical safety information.

Deliverable 3 (task 3): A report proposing solutions for the management of chemical safety to ensure the minimization of chemical incidents/accidents risks and inline with green chemistry principles

This report should include the following contents:

- Review of current status of chemical safety management in Vietnam;

- Proposed (i) solutions for the adopting of risks assessment methods in the development of Chemicals' Incidents/Accidents Prevention and Respond Plan, and(ii) detail regulations texts relate to this issue in the revising Chemical Law that are in-line with Green Chemistry principles;
- Proposed (i) regulation texts for the management of relate chemicals incidents/accidents prevention and respond at national and provincial level and (ii) the state's assignment of responsibilities (i.e. for ministries, sectors and local authorities) in chemicals safety management;
- Proposed regulation texts for the management of chemicals safety training activities labourers and a draft training framework for chemical safety;
- Proposed (i) method/solution for the determination of safety distance for facilities producing, using, and storing of dangerous chemicals and (ii) detail regulation texts relate to this issue;
- Proposed technical and infrastructural requirements for industrial workshops and storage areas to ensure chemical safety and prevention of chemical incidents.

Deliverable 4 (Task 4): A report proposing criteria/requirements for investment projects in chemicals sectors that are in-line with GC principles

The report should include the following content:

- Review of current status of chemical industry and its sub-segments in Vietnam;
- A set of criteria/standards for the appraisal of chemicals industry investment projects;
- Proposed of policies and solutions for the mainstreaming of GC principles into the revising Chemical Law, focusing on sections relate to chemical industries projects;

5. DURATION AND DUTY STATIONS

Duration of the assignment: 8 months from Dec 2020 to September 2021.

Duty stations: Hanoi and other relevant provinces including: Hanoi, Bac Ninh, Da Nang, Ho Chi Minh, Binh Duong (for meetings, field trips and at least 02 one-day-workshops in Hanoi), all cost related to the implementation of tasks in relevant provinces should be considered in the financial proposal submitted.

6. COMPETENCIES

- Demonstrated commitment to UNDP's mission, vision and values;
- Sensitivity and adaptability to culture, gender, religion, race, nationality and age;
- Highest standards of integrity, discretion and loyalty;
- Functional Competencies;
- Excellent analytical and research skills;
- Excellent communication skills (spoken, written and presentational);
- Good interpersonal skills and ability to work in and with teams;
- Ability to set priorities and manage time effectively;

7. MONITORING AND CONTROLLING OF WORK PROGRESS

The selected national service provider will be responsible for the assignment of at least 4 qualified key personnel (detail requirements for experience and qualifications are presented in section 9 below), and other support/technical staff if necessary, for the whole duration of the service.

These consultants will conduct the tasks as required above and report directly to VINACHEMIA and UNDP on work progress. The consultants are required to report on a periodically basis (at least once a month) to the PMU and UNDP on the work progress. All communication will be also to be informed to the PMU, and when necessary to UNDP Vietnam and/or VINACHEMIA for timely administrative and coordination supports.

All deliverables need to be submitted first to VINACHEMIA for comments and contractor to finalize them before submitting to the PMU and UNDP for final approval;

In additional to that, the national service provider and the assigned consultants will work closely with PMU staff and the UNDP Programme Officer with regular consultation and guidance by the PMU, VINACHEMIA and UNDP.

8. PROJECT SUPPORTS AND REFERENCE DOCUMENTS

8.1. The UNDP CO and PMU:

Administrative support will be provided by the PMU and UNDP Vietnam. These include:

- Provide coordination and liaising supports with existing relevant service providers for the project to facilitate the work;

- Informing about related upcoming project activities and other relevant activities conducted by VINACHEMIA and the national service provider to participate in and exchange information, these may include PMU's requests for assistance and providing of technical inputs and insights from the national service provider;

- Assist to arrange meetings and interviews with stakeholders (government agencies/institutions, industrial associations, representatives of the project targeted industrial sectors and industries, etc.);

Reference documents provided by the project include:

- Project documents;
- Project inception report;
- Relevant project's activity reports;
- Other documents if possible.

8.2. VINACHEMIA:

VINACHEMIA will provide the following reference documents:

- Reports published by relevant projects (e.g. SAICM, POPs and harmful chemicals safety management project; JICA's project on building capacity for chemical management etc.)

- Relate technical reports, workshops reports and meeting minutes on the issue of revising Chemical Law;

- Statistical data on public chemical management;

9. EXPERIENCE AND QUALIFICATIONS

Requirements for the consultancy firm

The consultancy firm shall demonstrate the following qualities:

- Licensed firm/organization that has 15 year- experience in chemistry;
- Working experiences with international organizations, governmental authorities and ODA projects, direct experience in working with UN and/or VINACHEMICA/MOIT in Vietnam will be an advantage;
- Have extensive experience in providing a range of consultancy services for the chemical industries and authorities, direct experience in providing similar services (e.g. chemical's projects investment consultancy; legal counselling on chemicals and environmental issues; development of relate policies for the chemical sectors etc.) will be an advantage;

Requirements for the key personnel implementing the tasks required:

The consultancy firm is responsible to mobilize the following key personnel for the successfully implementation of the tasks required and achieving the TOR's objective:

1. Team leader:

- o Master/engineering degree (or higher) on relevant chemical sectors, environmental sciences, and/or relevant law or juridical degree;
- o Have 15 years of working experience in the fields of chemicals, environment management and/or relevant law/juridical fields;
- o Demonstrated experience in the organization, leading and coordinate similar missions/tasks. Direct experience in the organization, leading and coordination of relevant consultancy services for the development of policies in the chemicals sectors is an advantage;

2. Legal Specialist:

- o Master/engineering degree (or higher) which are suitable for the position assigned;
- o Have 10 year of experience in providing legal counselling services, especially experience in providing legal/policy consultancy services on chemicals management in Vietnam;

3. Chemicals Technologies Specialist

- o Master/engineering degree (or higher) which are suitable for the position assigned;
- o Have 10 years of working experience in the development of chemical industries, especially direct consultancy experience providing advance chemicals management solutions (e.g: Life cycle management, chemical risks assessments, and in the promotion of green chemicals technologies etc.)

4. Environmental Specialist

- o Master/engineering degree (or higher) which are suitable for the position assigned;
- o Have 10 years of working experience in the environment sectors, especially direct consultancy experience providing environmental management solutions/policies in industries and chemicals sector;

10. PAYMENT TERMS

Payments will be authorized upon approval and acceptance of the contract deliverables by UNDP and PMU.

1. First payment of 20% of the contract value will be made upon submission and acceptance of the Inception Report (attached with detail work plan);
2. Second payment 20% of the contract value will be made upon submission and acceptance of the Assessment Report about the potential for mainstreaming Green Chemistry principles into the revising Chemical Law and relate legal documents (Task 1 deliverable);
3. Third payment of 40 % of the contract value will be made upon submission and acceptance of:
 - The report proposing solutions for the application of life-cycle approach in chemicals' management in Vietnam. The solutions proposed should also be in-line with sustainable development principles and in compliance with the requirements of international conventions which Vietnam have ratified (Task 2 deliverable);
 - The report proposing solutions for the management of chemical safety to ensure the minimization of chemical incidents/accidents risks and in line with green chemistry principles (Task 3 deliverable);
 - The report proposing criteria/requirements for investment projects in chemicals sectors that are in-line with GC principles (Task 4 deliverable);
4. Forth payment 20% of the contract value will be made upon submission and acceptance of the Consolidated report compiling of all the reports, meeting/workshops minutes and other relevant documents collected and/or analyzed from the implementation of the tasks;

11. EVALUATION CRITERIA TIÊU CHÍ ĐÁNH GIÁ

11.1. Technical evaluation criteria

No.	Criteria	Maximum Score
1	Firm capacity and experience	200
1.1	Licensed firm with 20 years' experience working in the industrials/chemicals sectors which are suitable with the assignment	80
1.2	The firm have implemented consultancy services in the development of policy/programs or projects in chemicals industries in the most recent 5 years	120
	<i>Each contract worth 15 points (but max total points allocation is not exceeding 60 points)</i>	60
	<i>Each contract liquidation attached with the contracts listed worth 15 points (but max total points allocation is not exceeding 60 points)</i>	60
2	Proposed solutions and methods for the implementation of the assignment	200
2.1	Understand the objectives and tasks assigned in the TOR	50
	<i>Demonstrated general understanding of the scope of work and tasks assigned in the TOR</i>	20

	<i>The technical proposal has good analysis about the nature/characteristics of the assignment.</i>	15
	<i>The technical proposal included feasible solution(s) for the implementation of the tasks required.</i>	15
2.2	Approaches and methods	50
	<i>All tasks required in the TOR are addressed in the technical proposal. Each tasks are (i) clearly planned for implementation, and (ii) are assigned for each of the key personnel, in a logical and complete manner.</i>	20
	<i>The proposed methods are suitable with the tasks required</i>	10
	<i>Implementation methods for the collection of data and analysis of current statuses.</i>	20
2.3	Have recommendations for the improvement of the deliverables' quality	30
2.4	Presentation of the proposal	30
	<i>The technical proposal is structured and presented in a sound manner and easy to follow</i>	15
	<i>The technical proposal is completed and feasible</i>	15
2.5	Implementation plan	40
	<i>The implementation plan included all assigned tasks. Each task is analyzed and described in a complete, clear and suitable manner</i>	15
	<i>The implementation plan is coherent with the (i) method(s) proposed and (ii) the tentative work progresses/deadlines in the TOR</i>	15
	<i>The plan included all relevant tables/forms illustrating the implementation plan and milestones/deadlines for the submission of the deliverables in a clear and complete manner.</i>	10
3	Personnel	600
3.1	National Team leader	300
	<i>Master/engineering degree (or higher) on relevant chemical sectors, environmental sciences, and/or relevant law or juridical fields.</i>	50
	<i>20 years working experience in the fields of chemicals, environment management and/or relevant law/juridical fields;</i>	100
	<i>Experience in organization, leading and coordinate 03 similar missions/tasks</i>	150
3.2	Other key personnel and support/technical staff	210
3.2.1	National Legal Specialist	70
	<i>Master/engineering degree which are suitable for the position assigned</i>	30
	<i>15 years' experience in providing legal counselling services, especially experience in providing legal/policy consultancy services on chemicals management in Vietnam</i>	40
3.2.2	National Chemicals technologies specialist	70
	<i>Master/engineering degree (or higher) which are suitable for the position assigned</i>	30
	<i>15 years' working experience in the development of chemical industries, especially direct consultancy experience providing advance chemicals management solutions</i>	40
3.2.3	National Environmental Specialist	70
	<i>Master/engineering degree (or higher) which are suitable for the position assigned</i>	30
	<i>15 years' working experience in the environment sectors, especially direct consultancy experience providing environmental management solutions/policies in industries and chemicals sector</i>	40

3.3	Technical/Support Staff	90
	<i>03 technical staff proposed with more than 5 years of relevant experience on chemistry, policy and environment (in addition to the key personnel proposed above)</i>	50
	<i>All technical/support staff proposed have Bachelor's degree (equivalent or above)</i>	40
	TOTAL	1000

Note:

Proposal shall be considered technically qualified if it achieves minimum 70% of total obtainable technical points.

Weight of technical and financial point:

1. Technical Proposal (70%):

- Firm capacity and experience (20%)
- Proposed solutions and methods for the implementation of the assignment (20%)
- Personnel (60%):
 - + Team leader: 50%
 - + Other key personnel and support/technical staff: 35%;
 - + Technical/Support Staff: 15%

2. Financial Proposal (30%):

ANNEX 2-a

FORM FOR SUBMITTING SERVICE PROVIDER'S TECHNICAL PROPOSAL³

(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery⁴)

[insert: Location].

[insert: Date]

To: Procurement Unit - UNDP Vietnam

Dear Sir/Madam:

We, the undersigned, hereby offer to render the following services to UNDP in conformity with the requirements defined in the RFP dated *[specify date]*, and all of its attachments, as well as the provisions of the UNDP General Contract Terms and Conditions:

A. Qualifications of the Service Provider

The Service Provider must describe and explain how and why they are the best entity that can deliver the requirements of UNDP by indicating among others the following with appropriate supporting documents:

- a) Profile – describing the nature of business, field of expertise, licenses, certifications, accreditations;
- b) Business Licenses – Registration Papers, Tax Payment Certification, etc.
- c) Track Record – list of clients for similar services as those required by UNDP, indicating description of contract scope, contract duration, contract value, contact references

Client	Contract value	Duration of activity	Services/goods provided	References contact (name, phone, email)

- d) Certificates and Accreditation – including Quality Certificates, Patent Registrations, Environmental Sustainability Certificates, etc. (if any)
- e) Written Self-Declaration that the company is not in the UN Security Council 1267/1989 List, UN Procurement Division List or Other UN Ineligibility List.

(Note: Please refer to Form 1 – Evaluation criteria for providing appropriate information and supporting documents to demonstrate the bidders' capacity)

B. Proposed Methodology for the Completion of Services

The Service Provider must describe how it will address/deliver the demands of the RFP; providing a detailed description of the essential performance characteristics, reporting conditions and quality assurance mechanisms that will be put in place, while demonstrating that the proposed methodology will be appropriate to the local conditions and context of the work.

³ This serves as a guide to the Service Provider in preparing the Proposal.

⁴ Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

(**Note:** Please refer to Form 2 – Evaluation criteria listed under section 1 and 2 for UNDP requirements when preparing this section)

C. Qualifications of Key Personnel

The Service Provider must provide:

- a) Names and qualifications of the key personnel that will perform the services indicating who is Team Leader, who are supporting, etc.;
- b) CVs demonstrating qualifications must be submitted;
- c) Evidence on English report writing skills of the team leader (two sample reports, etc.)

(**Note:** Please refer to Form 3 – Evaluation criteria for UNDP requirements when preparing this section)

We agree to abide by this Proposal for 120 days from the date of proposal submission deadline.

*[Name and Signature of the Service Provider's
Authorized Person]
[Designation]
[Date]*

ANNEX 2-b

FORM FOR SUBMITTING SERVICE PROVIDER'S FINANCIAL PROPOSAL⁵

(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery⁶)

The Proposer is required to prepare the Financial Proposal in an envelope separate from the rest of the RFP as indicated in the Instruction to Proposers.

The Financial Proposal must provide a detailed cost breakdown. Provide separate figures for each functional grouping or category.

Any estimates for cost-reimbursable items should be listed separately.

In case of an equipment component to the service provider, the Price Schedule should include figures for both purchase and lease/rent options. UNDP reserves the option to either lease/rent or purchase outright the equipment through the Contractor.

The format shown on the following pages is suggested for use as a guide in preparing the Financial Proposal. The format includes specific expenditures, which may or may not be required or applicable but are indicated to serve as examples.

A. Cost Breakdown per Deliverable*

	Deliverables <i>[list them as referred to in the RFP]</i>	Percentage of Total Price <i>(Weight for payment)</i>	Price <i>(Lump Sum, All Inclusive)</i>
1	Deliverable 1		
2	Deliverable 2		
3		
	Applicable taxes		
	Total	100%	

B. Cost Breakdown by Cost Component *[This is only an Example]:*

Description of Activity	Remuneration per Unit of Time	Total Period of Engagement	No. of Personnel	Total Rate
I. Personnel Services				
1. Services from Home Office				
a. Expertise 1				
b. Expertise 2				
2. Services from Field Offices				
a. Expertise 1				
b. Expertise 2				
II. Out of Pocket Expenses				
1. Travel Costs				
2. Daily Allowance				
3. Communications				
4. Reproduction				
5. Equipment Lease				
6. Others				

⁵ This serves as a guide to the Service Provider in preparing the Proposal.

⁶ Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

III. Other Related Costs				
Applicable taxes				

We agree to abide by this Proposal for 120 days from the date of proposal submission deadline.

[Name and Signature of the Service Provider's
Authorized Person]
[Designation]
[Date]

ANNEX 3

Contract templates and General Terms and Conditions

Please find below link to the Professional service contract template:

[http://www.vn.undp.org/content/dam/vietnam/docs/Legalframework/Contract%20Face%20Sheet%20\(Goods%20and-or%20Services\)%20UNDP%20-%20Sept%202017.pdf](http://www.vn.undp.org/content/dam/vietnam/docs/Legalframework/Contract%20Face%20Sheet%20(Goods%20and-or%20Services)%20UNDP%20-%20Sept%202017.pdf)

Please find below link to the General Terms and Conditions:

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below US\$ 50,000 (Services only):

UNDP General Terms and Conditions for Institutional (de minimis) Contracts apply

[http://www.vn.undp.org/content/dam/vietnam/docs/Legalframework/3.%20UNDP%20GTCs%20for%20de%20minimis%20Contracts%20\(Services%20only\)%20-%20Sept%202017.pdf](http://www.vn.undp.org/content/dam/vietnam/docs/Legalframework/3.%20UNDP%20GTCs%20for%20de%20minimis%20Contracts%20(Services%20only)%20-%20Sept%202017.pdf)

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below US\$ 50,000 (Goods *or* Goods and Services):

UNDP General Terms and Conditions for Contracts apply

[http://www.vn.undp.org/content/dam/vietnam/docs/Legalframework/2.%20UNDP%20GTCs%20for%20Contracts%20\(Goods%20and-or%20Services\)%20-%20Sept%202017.pdf](http://www.vn.undp.org/content/dam/vietnam/docs/Legalframework/2.%20UNDP%20GTCs%20for%20Contracts%20(Goods%20and-or%20Services)%20-%20Sept%202017.pdf)

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equal to or above US\$ 50,000 (Goods *and/or* Services):

UNDP General Terms and Conditions for Contract apply

[http://www.vn.undp.org/content/dam/vietnam/docs/Legalframework/2.%20UNDP%20GTCs%20for%20Contracts%20\(Goods%20and-or%20Services\)%20-%20Sept%202017.pdf](http://www.vn.undp.org/content/dam/vietnam/docs/Legalframework/2.%20UNDP%20GTCs%20for%20Contracts%20(Goods%20and-or%20Services)%20-%20Sept%202017.pdf)