



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 02nd February 2021

Country: South Africa

Type of Contract: Individual Consultant

Description of the assignment: Biodiversity Finance Initiative (BIOFIN) – Effectiveness of fees for permits and licenses

Project name: BIOFIN

Period of assignment/services (if applicable): 120 working days

Proposal should be submitted no later than **16h00 (South African time) Wednesday, 24th February 2021**, through e-tendering system (<https://etendering.partneragencies.org>).

UNDP e-tendering user guide can be found on this link : https://procurement-notices.undp.org/view_notice.cfm?notice_id=74973

***ONLY SUBMISSIONS RECEIVED THROUGH E-TENDERING SYSTEM WILL BE REVIEWED.**

*** THE DETAILED FINANCIAL PROPOSAL MUST BE PROVIDED AS A PASSWORD PROTECTED DOCUMENT AS INSTRUCTED.**

Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. Procurement Unit, South Africa 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.

1. BACKGROUND

The Biodiversity Finance Initiative (BIOFIN) is a global project implemented by the United Nations Development Programme (UNDP), in partnership with the European Commission and the Governments of Germany, Switzerland, Norway and Flanders, with financial support from the Government of Germany and the Government of Switzerland. BIOFIN supports countries with a methodology that provides innovative steps to measure current biodiversity expenditures, assess financial needs, identify the most suitable finance solutions and supports implementation of these solutions to help achieve national biodiversity targets. In South Africa, the BIOFIN project is implemented at the national level by the UNDP in partnership with the Department of Environment, Forestry and Fisheries (DEFF).

In Phase 1 of BIOFIN, using the BIOFIN methodology, South Africa completed the Policy and Institutional Review, the Biodiversity Expenditure Review and the Finance Needs Assessment based on the National Biodiversity Strategy and Action Plan (NBSAP 2015-2025). These informed the completion of the Biodiversity Finance Plan (BFP), which presented a roadmap for the development of 16 finance solutions.

BIOFIN Phase 2 in South Africa is currently in the implementation phase, implementing 8 of the biodiversity finance solutions. One of these is focused on improving the effectiveness of fees for permits and licenses.

DEFF and the provincial issuing authorities administer several different permits in line with the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEMBA) legislation in relation to Threatened or Protected Species (TOPS), Bioprospecting Access and Benefit Sharing (BABS), Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and Alien and Invasive Species (AIS) regulations. However, there are limitations in relation to implementation in respect of lack of standardisation of permit fee applications, the lack of a mechanism to review these fees and limited capacity at various levels in DEFF and provincial issuing authorities.

Over the years, attempts have been made to harmonize the permit process and to ensure minimum administration and ensure minimum capacity in the processing of applications. The fees are currently determined in different regulations, but there is no mechanism to review whether the amounts truly reflect on real costs. Key issues are mainly that the current permit fees are not aligned with the economics of restricted activities and are not reflective of the cost of processing the application, and hence fees are considered to be too low. Issuing authorities that are required to process the applications do not have the required supporting expertise (i.e. social scientist, economist and legal experts) to undertake a comprehensive assessment and to objectively determine the most appropriate increase in fees. Legal limitations include the fact that currently the permit fee is published in the Regulations rather than in a separate gazette, making the review process and amendments of fees unnecessarily time-consuming due to mandatory public consultation and the approval process for gazetting. As a preparation to start addressing this challenge, preliminary information has been collected in respect of the volumes of the different permits that issuing authorities process and the capacity required to process such applications.

The envisaged work under this finance solution therefore aims to understand how fees charged for permits and licences can be cost reflective from a social, environmental and economic perspective. The output will be to provide recommendations for setting up a single national pricing framework for fees for permits issued in terms of NEMBA and provincial ordinances, and to enable the appropriate gazetting of such fees.

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

In undertaking the work, it is required that a baseline assessment of national and provincial income from fees for different types permits and licences, in line with respective national and provincial conservation legislation, should be conducted. Preliminary work has been undertaken in this regard and it will be required that a comprehensive assessment and analysis report, building on this preliminary work, is completed. This will require consultation with relevant issuing authorities to collect additional data and to fill data gaps in existing information.

In order to review the fees model, the consultant will be required to benchmark against other similar or comparable fees and determine all costs associated with processing of fees. The consultant will then be required to review the current fees model for permits and licenses used by different issuing authorities and make recommendations on how to determine a fee structure based on social, environmental and economic considerations. It may be valuable to also demonstrate how a cost reflective fee structure will contribute to meeting protection of species and sustainable utilisation of resources goals in order to contribute to meeting wider biodiversity protection goals and to improve the financial sustainability of the competent authorities.

It is envisaged that the final product will be a report with recommendations which will serve as a framework for determining and amending fees for permits and licenses to be used in an appropriate regulatory mechanism (gazette) for implementation of new fees.

At a minimum, in addition to the BIOFIN Team, the appointed consultant will be required to report to the relevant Project Task Team, the Permits and Enforcement Planning Committee, Working Group I and MINTECH at required intervals. These will be arranged the DEFF.

The consultant will be provided with relevant national and provincial conservation legislations and preliminary reports completed to date, by DEFF.

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

The response to the Terms of Reference should indicate the extent to which the Service Provider fulfils the required skills and competencies. The selection of an expert will be aimed at maximizing the overall qualities in the following areas:

Education:

An advanced degree (Masters or Doctorate) in environmental legislation, economics, environment/natural resource management, biodiversity studies, economics/finance, communications or a closely related field, or another field combined with relevant work experience.

Knowledge, experience and skills are required in:

- Biodiversity sector-related legislation research expertise
- Expertise in determination of regulatory instruments and fees
- Experience in the application of social science or resource economics in the field of biodiversity
- Desktop research, analysis and report writing experience
- Working independently and delivering efficiently on high quality and accurate deliverables within tight agreed timeframes

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS.

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

- A Technical Proposal: Letter of Interest, stating why you consider your service suitable for the assignment and a brief methodology on the approach and implementation of the assignment;
- Personal CV highlighting qualifications and experience in similar projects
- Work references - contact details (e-mail addresses) of referees (organization for whom you've produced similar assignments);
- All-inclusive financial proposal (fixed cost bid) indicating consultancy fee (South African Rand) and a breakdown of expenses (unit price together with any other expenses) related to the assignment.

5. FINANCIAL PROPOSAL

- **Lump sum contracts**

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including travel, per diems, and number of anticipated working days).

Travel:

The consultancy assignment will be home-based with possible meetings in Pretoria (when possible, and to be determined in light of possible future COVID-19 restrictions).

Foreseeable travel costs should be included in the Financial Proposal as part of the application submission documents. Unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the BIOFIN Team Leader and the service provider, prior to travel and will be covered and paid by UNDP from the BIOFIN Project on the basis of UNDP

rates. The fare will always be “most direct, most economical” and any difference in price with the preferred route will be paid for by the service provider. UNDP will not cover any costs associated with moving to the Duty Station (Pretoria). There is no anticipated travel outside the country for this assignment.

6. EVALUATION

Individual consultants will be evaluated based on the following methodologies:

1. Lowest price and technically compliant offer

When using this method, the award of a contract should be made to the individual consultant whose offer has been evaluated and determined as both:

a) responsive/compliant/acceptable, and

b) offering the lowest price/cost

“responsive/compliant/acceptable” can be defined as fully meeting the TOR provided.

Evaluation criteria	Max score
	(100)
Proposed Methodology: A clear methodology must be described, and the methodology must outline how the Scope of Work will be carried out according to each deliverable and showcase an understanding of the biodiversity economy in South Africa.	20
Proposed Work Plan: Detailed work plan with milestones, timelines and resources and designated responsibilities of the consultant and any support members must be indicated in the proposal for achieving of the deliverables.	20
Documented relevant academic qualifications.	15
Demonstrated technical capability/ expertise, knowledge and experience in the fields of biodiversity sector-related legislation; regulatory instruments and fees; and social science or resource economics in the field of biodiversity.	30
Proven track record on report writing of projects of a similar nature and size, including experience in stakeholder engagements, in the biodiversity field.	15

Financial Criteria - 30% of total evaluation – max. 30 points

Only candidates obtaining a minimum of 70% (70 points) would be considered for the Financial Evaluation

ATTACHMENTS:

- **TERMS OF REFERENCES (TOR)**
- **INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS**
- **OFFEROR’S LETTER TO UNDP CONFIRMING INTEREST AND AVAILABILITY**
- **P11 – PERSONAL HISTORY FORM**