

17 March 2021



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE
for individual consultants and individual consultants assigned by
consulting firms/institutions

Country:	Viet Nam
Description of the assignment:	National Consultant 2 (Team member) for formulation of draft Decree on implementation of Law on Environment Protection 2020 with regard to the section of circular economy and upgrade the Analytical Report on CE
Period of assignment/services (if applicable):	National Consultant 2: 25 days
Duty Station:	Homebased and Hanoi
Tender reference:	P210304B

1. Submissions should be sent by **email** to: nguyen.ngoc.phuong@undp.org no later than:

23.59 hrs., 30 March 2021 (Hanoi time)

With subject line:

P210304B – NC2 for formulation of draft Decree on implementation of Law on Environment Protection 2020

Submission received after that date or submission not in conformity with the requirements specified in 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 **30 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:

- [Term of References](#)..... (Annex I)
- [Individual Contract & General Conditions](#).....(Annex II)
- [Reimbursable Loan Agreement](#) (for a consultant assigned by a firm)..... (Annex III)
- [Letter to UNDP Confirming Interest and Availability](#)(Annex IV)
- [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:

- Detailed CV addressing the experience and work you have done.
- Financial offer
- At least 2 sample reports in English on the similar topic of the assignment to be submitted **OR** university graduated in English

b. Financial proposal (with your signature):

- The financial proposal shall specify a total lump sum amount in **US dollar for International Consultant** 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:

National Consultant 2

No	Qualification	Points
1	MSC's degree in economic development, environmental management, environmental sciences, chemistry or related fields	200
2	Knowledgeable, familiar, and have minimum 05-year experience in policies review or formulation of environmental policies, especially on circular economy	300
3	Strong connection/network to ministries and sectors and local provinces	200
4	Strong network and experience working with the donor-supported projects/activities	200
5	Good in English. (university graduated in English; if not, two writing samples provided)	100
	Total	1.000

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 subject to positive reference checks on the consultant's past performance.

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:

- International consultant whose work involves travel is required to complete the courses on BSAFE which the new online security awareness training is and submit certificate 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.
- Full medical examination and Statement of Fitness to work for consultants from and above 65 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

7.

The payments will be paid upon submission of the deliverables with satisfactory acceptance by ISPONRE and UNDP, according to the timeline as follows:

No	Deliverables	Indicative timeline	Payment amount
1	Draft section or some provision on criteria, technical standards, incentives and roadmap for implementation of circular economy to include in the draft Decree	15 May 2021	20%
2	<ul style="list-style-type: none"> - Section or some provision on criteria, technical standards, incentives and roadmap for implementation of circular economy to include in the draft Decree - Draft updated Analytical Report on Circular Economy Study 	15 July 2021	40%

3	<ul style="list-style-type: none"> - Final consolidated reports which reflects all review, findings and proposal with regard to the Decree - Final Analytical Report on Circular Economy Study 	30 September 2021	40%
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- 8. Your proposals are received on the basis that you fully understand and accept these terms and conditions.**

ANNEX I



TERMS OF REFERENCE (TOR)

Title: 02 National Consultants for formulation of draft implementation of Law on Environment Protection 2020 to the section of circular economy and upgrade the Analytical Report on CE *Empowered lives. Resilient nations.*

Type of contract: Individual contracts

Project ID and title: Scaling Up a Socialised Model of Domestic Waste and Plastic Management in Five cities in Vietnam (DWP5C)

Duration & timing: National Consultant 2: 25 days

Duty station: Hanoi

Reporting to: UNDP, ISPONRE

1) GENERAL BACKGROUND

Viet Nam is among the fastest-growing economies in the world. However, this drastic change in the GDP has also increased the challenges related to environmental degradation and pollution, particularly when it comes to waste and plastic issues.

With the support of the Government of Norway, UNDP is currently implementing a project entitled Scaling-up a Socialised Model of Domestic Waste and Plastic Management, in Ha Long, Danang, Quy Nhon, Binh Thuan, and Binh Duong. It aims to develop integrated, green and fair models to improve domestic waste and plastic management, in five Vietnamese cities. This objective will be met through the achievement of five key outcomes: (1) Five cities established effective small-scale models of domestic waste management; (2) Enhanced regulatory framework and capacity of the local authorities and stakeholders through the promotion of the circular economy approach; (3) Increased awareness and participation of all stakeholders in reducing single-use plastic and in improving waste management; (4) Increased income and safety of the waste picker groups; (5) Innovation and information platforms promoted.

In recent years, the concept of the circular economy (CE) has gained increasing prominence as a new tool that presents solutions to several pressing cross-cutting sustainable development challenges. Many opinions agree that the circular economy is based on three principles: (i) design out waste and pollution; (ii) keep products and materials in use; (iii) regenerate natural systems. Vietnam has not any specific term on the circular economy. Instead, the circular economy principles are mainly related to actual models for recycle and reuse of waste as well as found in many legislation documents on waste management in Vietnam.

In 2019, the Vietnam Government issued the Resolution No. 09/NQ-CP of February 3, 2019, in which the Government assigned the Ministry of Natural Resources and Environment (MONRE) to be the focal point of unified state management of solid waste nationwide. Therefore, MONRE will take the leading role and coordinate with other relevant ministries/branches to undertake the integrated management of solid waste, including minimizing, reusing/recycling, and recovery energy from waste. More

importantly, the Vietnam Government also has the plan to review and assess suitable models for circular economy in the context of implementing the sustainable development goals and responding to climate change for the next 10-year Socio-economic Development Strategy (SEDS) 2021-2030 and 5-year Socio-economic Development Plan (SEDP) 2021-2025. Under this context, MONRE is an only governmental agency which has been mandated to prepare policy inputs and recommendations on models for a circular economy for considerations during the up-coming Party Congress as well as for the development of SEDS-SEDP for the post-2020 period.

The Law on Environmental Protection revised (LEP revised) was passed in November 2020 by the National Assembly of the Socialist Republic of Vietnam. As the think-tank of MONRE, Institute of Strategy of Natural Resources and Environment (ISPONRE) has been assigned many tasks on the research of CE issues for Vietnam, serving the key inputs policy recommendations on CE, especially for the upcoming the draft Decree guiding in details the implementation of the LEP revised 2020 will be submitted to the Government tentatively between May and June 2021. The Government will conduct necessary procedures for review, improvement and approval in the period of August or September 2021. The final version will be then submitted to the Prime Minister for approval and signature as final step in the Vietnam legislation.

In 2020, UNDP Vietnam and ISPONRE jointly developed an Analytical Report on Circular Economy, which reviewed several sectors, examples, and best practices on CE. Three sectors considered are plastic, agriculture and construction. The report is now at the drafting stage and there is a need for improvement.

Continued to its support to ISPONRE on the development of the Decree, UNDP is looking for 02 qualified National Consultants to work with international experts and the taskforce group at ISPONRE/MONRE for the drafting of the Decree with the section of circular economy and upgrade the Analytical report.

2) OBJECTIVES OF THE ASSIGNMENT

The objective of the assignment is to draft the section or some provisions on circular economy in the Decree guiding in detail the implementation of the LEP revised 2020 and upgrade the Analytical Report.

3) SCOPE OF WORK

The national consultant (NCs) will work collaboratively with the UNDP and ISPONRE and international consultant to develop an approved work plan, arrange and conduct relevant meetings and interviews needed, as well as an iterative methodology for undertaking the assignment.

During the assignment, the NC shall undertake necessary consultation with experts, and authorities supported and/or organized by UNDP and ISPONRE to generate quality deliverables as defined

Specific tasks for NC 2:

a) Review of the criteria and indicators system in current policies and legislation in order to serve the development of provisions on CE in the Decree with regard to criteria

- Investigate the current targets and indicators supporting national/local level transformation into circular economy, with reference to practical targets that can be achieved in the short and medium term by key industrial sectors.
- Identify the criteria and indicator systems used to measure the implementation of circular economy at national/local level that refer to the relevant existing criteria and indicators in Viet Nam
- Propose amendments for a more efficient monitoring, control and enforcement of the rules and standards related to the implementation of circular economy in specific sector.

b) Based on the findings drafted by the IC, consult with Decree formulation team under VEA to prepare a draft section or some provision on criteria for implementation of circular economy to include in the draft Decree.

c) In collaboration with IC and NC1, take lead in developing a consolidated report in Vietnamese, which reflects all review, finding and proposal in this assignment.

d) Contribute to the improvement of the Analytical Report as required by the IC and NC1.

The selected consultant will propose and discuss with the UNDP and ISPONRE the approach in undertaking the assignment. This shall include: (i) desk-study of the related documents and information; and (ii) meet and consult with relevant stakeholders.

4) DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL

- Duration and Timing:
- National consultant 2: 25 working days
Timing: from April 2021 to September 2021
- Duty station: Hanoi.

5) DELIVERABLES

The national consultants are expected to submit the following join deliverables:

No.	Deliverables	Timelines
1	Draft section or some provision on criteria, technical standards, incentives and roadmap for implementation of circular economy to include in the draft Decree	15 May 2021
2	- Section or some provision on criteria, technical standards, incentives and roadmap for implementation of circular economy to include in the draft Decree - Draft updated Analytical Report on Circular Economy Study	15 July 2021
3	- Final consolidated reports which reflects all review, findings and proposal with regard to the Decree - Final Analytical Report on Circular Economy Study	30 September 2021

6) PROVISION OF MONITORING AND PROGRESS CONTROLS

The selected consultant will perform tasks as required under the direct supervision of the UNDP and ISPONRE. The consultant is required to regularly report to the UNDP and ISPONRE on the progress of the work. After the signing of the contract, the selected consultant, ISPONRE, and UNDP will agree on the mechanism and actual timeline of the reporting requirement. Upon that the consultant will develop a detailed work plan which must be agreed by UNDP and ISPONRE.

7) DEGREE OF EXPERTISE AND QUALIFICATIONS

Qualifications and experience of the Consultants are as follows:

- DOCTORAL and MSC's degree in economic development, environmental management, environmental sciences or related fields
- Knowledgeable, familiar, and experience in policies review or formulation of environmental policies/laws.
- Strong connection/network to ministries and sectors and local provinces
- Strong network and experience working with the donor-supported projects/activities
- Good in English.

8) ADMIN SUPPORT AND REFERENCE DOCUMENTS

ISPONRE and UNDP will assist the selected consultant with administrative support related to, but not necessarily limited to:

- Assistance with acquiring official letters in case of visits or conducting interviews with official partners.
- Organizing necessary consultation meeting(s).

9) SCHEDULE AND PAYMENT TERMS

The payments will be paid upon submission of the deliverables with satisfactory acceptance by ISPONRE and UNDP, according to the timeline as follows:

No	Deliverables	Indicative timeline	Payment amount
1	Draft section or some provision on criteria, technical standards, incentives and roadmap for implementation of circular economy to include in the draft Decree	15 May 2021	20%
2	- Section or some provision on criteria, technical standards, incentives and roadmap for implementation of circular economy to include in the draft Decree - Draft updated Analytical Report on Circular Economy Study	15 July 2021	40%
3	- Final consolidated reports which reflects all review, findings and proposal with regard to the Decree - Final Analytical Report on Circular Economy Study	30 September 2021	40%

10) EVALUATION CRITERIA

National Consultant 2

No	Qualification	Points
1	MSC's degree in economic development, environmental management, environmental sciences, chemistry or related fields	200
2	Knowledgeable, familiar, and have minimum 05-year experience in policies review or formulation of environmental policies, especially on circular economy	300
3	Strong connection/network to ministries and sectors and local provinces	200
4	Strong network and experience working with the donor-supported projects/activities	200
5	Good in English. (university graduated in English; if not, two writing samples provided)	100
	Total	1.000

11) CONSULTANT PRESENCE REQUIRED ON DUTY STATION

☒ PARTIAL

ANNEX IV

OFFEROR'S LETTER TO UNDP CONFIRMING INTEREST AND AVAILABILITY FOR THE INDIVIDUAL CONTRACTOR (IC) ASSIGNMENT

Date _____

(Name of Resident Representative/Bureau Director)
United Nations Development Programme
(Specify complete office address)

Dear Sir/Madam:

I hereby declare that:

- A) I have read, understood and hereby accept the Terms of Reference describing the duties and responsibilities of [*indicate title of assignment*] under the [*state project title*];
- B) I have also read, understood and hereby accept UNDP's General Conditions of Contract for the Services of the Individual Contractors;
- C) I hereby propose my services and I confirm my interest in performing the assignment through the submission of my CV which I have duly signed and attached hereto as Annex 1;
- D) In compliance with the requirements of the Terms of Reference, I hereby confirm that I am available for the entire duration of the assignment, and I shall perform the services in the manner described in my proposed approach/methodology which I have attached hereto as Annex 3 [*delete this item if the TOR does not require submission of this document*];
- E) I hereby propose to complete the services based on the following payment rate: [*please check the box corresponding to the preferred option*]:
 - ☐ An all-inclusive daily fee of [*state amount in words and in numbers indicating currency*]
 - ☐ A total lump sum of [*state amount in words and in numbers, indicating exact currency*], payable in the manner described in the Terms of Reference.
- F) For your evaluation, the breakdown of the abovementioned all-inclusive amount is attached hereto as Annex V;
- G) I recognize that the payment of the abovementioned amounts due to me shall be based on my delivery of outputs within the timeframe specified in the TOR, which shall be subject to UNDP's review, acceptance and payment certification procedures;
- H) This offer shall remain valid for a total period of _____ days [*minimum of 90 days*] after the submission deadline;

I) I confirm that I have no first degree relative (mother, father, son, daughter, spouse/partner, brother or sister) currently employed with any UN agency or office *[disclose the name of the relative, the UN office employing the relative, and the relationship if, any such relationship exists];*

J) If I am selected for this assignment, I shall *[please check the appropriate box]:*

- ☐ Sign an Individual Contract with UNDP;
- ☐ Request my employer *[state name of company/organization/institution]* to sign with UNDP a Reimbursable Loan Agreement (RLA), for and on my behalf. The contact person and details of my employer for this purpose are as follows:

K) I hereby confirm that *[check all that applies]:*

- ☐ At the time of this submission, I have no active Individual Contract or any form of engagement with any Business Unit of UNDP;
- ☐ I am currently engaged with UNDP and/or other entities for the following work:

Assignment	Contract Type	UNDP Business Unit / Name of Institution/Company	Contract Duration	Contract Amount

- ☐ I am also anticipating conclusion of the following work from UNDP and/or other entities for which I have submitted a proposal:

Assignment	Contract Type	Name of Institution/ Company	Contract Duration	Contract Amount

L) I fully understand and recognize that UNDP is not bound to accept this proposal, and I also understand and accept that I shall bear all costs associated with its preparation and submission and that UNDP will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the selection process.

M) **If you are a former staff member of the United Nations recently separated, please add this section to your letter:** I hereby confirm that I have complied with the minimum break in service required before I can be eligible for an Individual Contract.

N) I also fully understand that, if I am engaged as an Individual Contractor, I have no expectations nor entitlements whatsoever to be re-instated or re-employed as a staff member.

O) Are any of your relatives employed by UNDP, any other UN organization or any other public international organization?

YES ☐ NO ☐ If the answer is "yes", give the following information:

Name	Relationship	Name of International Organization

P) Do you have any objections to our making enquiries of your present employer?

YES ☐ NO ☐

Q) Are you now, or have you ever been a permanent civil servant in your government's employ?

YES ☐ NO ☐ If answer is "yes", WHEN?

R) REFERENCES: List three persons, not related to you, who are familiar with your character and qualifications.

Full Name	Full Address	Business or Occupation

S) Have you been arrested, indicted, or summoned into court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for the violation of any law (excluding minor traffic violations)?

YES ☐ NO ☐ If "yes", give full particulars of each case in an attached statement.

I certify that the statements made by me in answer to the foregoing questions are true, complete and correct to the best of my knowledge and belief. I understand that any misrepresentation or material omission made on a Personal History form or other document requested by the Organization may result in the termination of the service contract or special services agreement without notice.

DATE: _____

SIGNATURE: _____

NB. You will be requested to supply documentary evidence which support the statements you have made above. Do not, however, send any documentary evidence until you have been asked to do so and, in any event, do not submit the original texts of references or testimonials unless they have been obtained for the sole use of UNDP.

Annexes *[please check all that applies]:*

- ☐ CV shall include Education/Qualification, Professional Certification, Employment Records /Experience
- ☐ Breakdown of Costs Supporting the Final All-Inclusive Price as per Template

GUIDELINES FOR CV PREPARATION

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.

Annex V

FINANCIAL OFFER

Having examined the Solicitation Documents, I, the undersigned, offer to provide all the services in the TOR for the sum ofUS\$

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 (US\$)	Total
1	Consultancy fee (daily rate)			
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 65 years of age and involve travel – (required before issuing contract). *			
2.5	Others (pls. specify).....			
2.6	VAT** if applicable (in case your company signs the contract)			
	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.

** Individual Consultants/Contractors who request their employer to sign a Reimbursable Loan Agreement (RLA) with UNDP for their behalves are reminded to add the Value Added Tax into the total lump sum of the Financial Offer if applicable.

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

(The costs should only cover the requirements identified in the Terms of Reference (TOR)

Travel expenses are not required if the consultant will be working from home).