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Resilient nations.*

## Terms of References

### Country: Jordan

<b>Post Title:</b>	National consultant to conduct Regulatory Impact Assessment (RIA) for the implementation of the proposed Extended Producer Responsibility (EPR) principle for waste of Electrical and Electronic Equipment (WEEE).
<b>Starting Date:</b>	15 July 2021
<b>Duration:</b>	43 working days during the period of 4 months
<b>Location:</b>	Amman - Jordan
<b>Project:</b>	Reduction and elimination of POPs and other chemical releases through implementation of environmentally sound management of E-Waste, healthcare waste and priority U-POPs release sources associated with general waste management activities.

### Background

The Ministry of Environment is implementing the project “Reduction and elimination of Persistent Organic Pollutants (POPs) and other chemical releases through implementation of environmentally sound management of E-Waste, healthcare waste and priority Unintentional POPs release sources associated with general waste management activities” with UNDP technical assistance and funded by the Global Environment Facility (GEF). The project aims to protect human health and the environment from the negative impacts of (POPs), as POPs is organic toxic substances accumulate in human body and stays long in the environment causing serious damage.

The avoidance of releases of POPs and unintentional POPs (U-POPs) like Polybrominated Diphenyl Ethers (PBDEs), Furan and Dioxin is vital to fulfil Jordan`s commitments towards Stockholm and Basel conventions and will contribute to the development of the waste circular economy elements based on the 3R (Reduce, Re-use, Recycle) approach principles. The project is designed with the three (3) components:

**Project Component 1:** Development of an environmentally sound management (ESM) system for E-waste, which has the objective to improve and enforce the E-waste regulation in the country, and to develop capacity for the collection and disposal of POPs Contaminated E-waste products and end-of-life articles;

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**Project Component 2:** Achievement of environmentally sound healthcare waste management (HCW), which has the objective to build on the existing potential of the country to further improve and extend the current HCW practices, including training, certification and procurement of HCW waste treatment technology;

**Project Component 3:** Development of waste diversion/resource recovery capacity for reduction of U-POPs emissions, accompanied by GHG related improvements, with the objective to demonstrate minimization in the amount of municipal waste (containing potentially hazardous fractions such as plastic etc) improperly dumped or disposed of through recycling techniques and application of refused-derived fuel (RDF) principles in modern qualified cement kiln industry, including improved management of hazardous waste through establishing of a public/private partnership.

### **E-waste in Jordan.**

Based on data reported in the Global e-waste Monitor 2020, the generation of e-waste is estimated to be 55 (kt) in the year 2019, and the annual per capita e-waste generation to be 5.4 kg per capita/year. This amount is considered relatively high even for most developing countries. The content of hazardous components in electrical and electronic equipment (EEE) is a major concern during the waste management phase and recycling of WEEE because is not undertaken sufficiently.

Improper and unsafe handling and processing of e-waste whether by burning them in the open, or dumping them in waste containers cause high risks to human health and the environment because Electronic and electrical waste contains many hazardous substances like lead, copper, silver and mercury that have impacts on human health.

In order to eliminate these risks and provide better and safe handling of the e-waste; the project in coordination with Ministry of Environment and in consultation with related stakeholders developed new instruction under the provision of hazardous substance and waste management regulation number 68 for the year 2020 to regulate and manage electronic and electrical waste in order to achieve safe and sound management with reduced or minimal environmental and health implications. This e-waste management instruction was issued in the official gazette on the 16 of February 2021 and it focuses on technical procedures that must be followed during the lifecycle of e-waste, from e-waste generation until the final treatment.

This project intends to assist the Government of Jordan in designing and implementing a financial mechanism which can make the collection and recycling of E-waste a sustainable activity from both the environmental and financial standpoint. The incentive mechanism aimed at overcoming the current financial gaps affecting the collection of E-waste, it should also support the establishment of infrastructures and technologies for the collection, segregation, and management of E-waste in Jordan. The financial mechanism must be endorsed by the Ministry of Environment then to be attached to the e-waste management instructions that mentioned above.

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One of the Financial mechanisms that was proposed by international experts and preferred by the Ministry of Environment is the “Extended Producer Responsibility (EPR)” which is in line with the newly endorsed waste law that enters into force during September 2020.

The Ministry of Environment is currently working with other stakeholders to develop specific instructions for implementing the EPR principle on different kinds of waste and already started the consultation process with all relevant stakeholders and drafted the initial version.

The project contracted an international consultant (IC) to provide technical assistance on e-waste management activities. This is inclusive of operational environmentally sound collection, processing and residuals management capability. In terms of outputs and activities. It also was the responsibility of the IC to design an incentive mechanism based on the consultant’s international experience in the e-waste sector. This mechanism should make the collection and recycling of E-waste a sustainable activity from both the environmental and financial standpoint.

IC has already provided a manual to explain the methodology of how to materialize the EPR mechanism that addresses significant pollution problems faced by Governments. The manual and other documents will be handed over to local consultant under this assignment to localize the mechanism in accordance with National context and based on the National existing laws and regulations.

#### Objectives of the assignment:

The objective of this assignment is to provide support and expertise to the Ministry of Environment in undertaking the Regulatory Impact Assessment (RIA) of the proposed legislation on implementing EPR principle for e-waste management activities.

The main objective of the RIA is to assess the likely benefits, costs and effects of EPR principle for financing e-waste management activities, its prospective impacts on the society (social, economic and environment) and to offer the most appropriate solutions based on the conducted analyses.

#### Duties and Responsibilities

The RIA will be conducted by a national consultant, who will closely work in consultation with and under the guidance and supervision of UNDP SWM Programme Manager and Ministry of Environment Focal point. The Consultant will be responsible for the following tasks:

#### **Task 1: Review the existing regulations and instructions related to the management of waste and other related documents (as below but not limited to) to develop work plan including the RIA methodology**

- Regulation no. 68 for the year 2020 on the management of hazardous substances and waste
- Regulation no. 85 for the year 2020 on the Environmental information and Monitoring system.
- Hazardous waste management and handling instructions for the year 2019
- E-waste management instructions for the year 2021.
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Under this task the Consultant is expected to:

- Conduct desk review of the existing regulations and documents on waste and e-waste specifically. The Consultant will look into all relevant and available documents included but not limited to documents provided by the international consultant (working on EPR) including EPR system description and methodology of applying the EPR system, previous analyses documents available in the Ministry of Environment, Ministry of Trade and Industry, Directorate of Statistics (DOS) and other available sources.
- Hold introductory meetings with the Ministry of Environment and other relevant stakeholders and international consultant who was recruited by UNDP to support e-waste activities.
- Design a workplan and a brief methodological approach to conduct RIA that before the assessment starts will be presented, showing how each stage of the process will be carried out, and agreed with the Ministry of Environment and UNDP.

## **Task 2: Conduct the assessment and produce a draft report of detailed RIA in consultations with stakeholders.**

In conducting the assessment and preparing the draft RIA, the consultant will focus on the following key RIA elements:

- Defining the regulatory problem, causes and consequences. The problem to be solved by the future proposed legislation should be precisely stated, giving evidence of its nature and magnitude, and explaining why it has arisen.
- Defining objectives and regulatory measures that address the identified problems.
- Identifying and analyzing the EPR principle, including direct and indirect economic, social and environmental impacts, administrative obstacles and benefits.
- Assessing implementing different scenarios including the option of “no legislations in place”.
- Undertake a thorough consultations process with all relevant stakeholders including related Ministries, NGOs, recyclers, distributors and retailers to discuss EPR and how it will affect them.
- Collect relevant data by telephone and face-to-face interviews with stakeholders, or via sharing paper questionnaires, organizing online surveys, focus groups, etc.
- Preparing Draft RIA Report including criteria for monitoring of impact of the practical implementation of the legislation and proposing the institutional framework.
- Conduct and facilitate one day workshop to present the main findings of the assessment.
- Conduct one final debriefing session after which the Draft RIA Report must be formally approved by MoEnv and UNDP.

## **Task 3: Submission of the Final RIA Report**

- Following the consultations from Task 2, the Final full RIA Report along with criteria for monitoring the impact of the practical implementation of the legislation and proposed institutional framework will be submitted to the MoEnv to be validated through a national validation workshop.
- Use the guidance documents that was provided by the international consultant to draft the proposed EPR in compatible way with e-waste management instructions including i) proposed level of charge (or fee) to be applied and at what point in the supply chain; ii) set gradual collection

targets and recycling targets based on the analysis and feedback from the stakeholders. iii) To propose the administrative mechanism of receiving such revenues and disbursing it to the service providers on a competitive and transparent basis; and iv) Proposing the institutional mechanisms of monitoring and evaluation by Ministry of Environment and stakeholders.

#### Expected Outputs & Deliverables Timeframe

	Deliverable	Duration/Deadline
<b>D1</b>	Work plan and RIA methodology designed and approved by MoEnv and UNDP	10 working days (W/D) - two weeks after signing the contract
<b>D2</b>	- Draft RIA on implementing EPR principle on waste of Electrical and Electronic Equipment (WEEE) submitted. - Consultations with institutional stakeholders conducted.	20 W/D – after 60 days from signing the contract
<b>D3</b>	- Workshop report developed and submitted after completion of task 2	3 W/D after 80 days from signing the contract
<b>D4</b>	Final RIA Report submitted and approved by the MoEnv and the UNDP	4 W/D – after 95 days from signing the contract
<b>D5</b>	Proposed EPR drafted and submitted to MoEnv for review and approval	6 W/D – after 120 days from signing the contract

#### Compensation and special conditions

All payments are subject to deliverable approval by MoEnv focal point and UNDP CO. Payments are transferred in the following manner]:

- The 1st payment (10 % of the total) after delivery and approval of Deliverable 1.
- The 2nd payment (30% of total) after delivery and approval of Deliverables 2,3.
- The 3rd payment (30 % of total) after delivery and approval of Deliverable 4.
- The 4<sup>th</sup> payment (30% of total) after delivery and approval of deliverable 5.

#### Functional competences:

- Ability to conduct research and analysis and strong synthesis skills
- Proven experience in conducting field assessments.
- Excellent facilitation and communication skills
- Proven ability to deliver quality results against tight deadlines.

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- Up-to-date knowledge of environment and waste topics and issues.
- Highly developed inter-personal, negotiation, teamwork skills and a networking aptitude
- Knowledge of Basel and Stockholm conventions technical guidelines is desirable

#### **Corporate competences:**

- Demonstrate integrity by modeling UN values and ethical standards.
- Promote the vision, mission and strategic in goals of the UNDP
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Treats all people fairly without favoritism.

#### **Required skills and experience**

- Advanced university degree in the field of environment/ economic/environment governance/ finance or any other related field.
- At least 10 years of relevant experience in design and delivery of technical assistance and advice to public institutions.
- Proven experience in environmental economics and developing financial mechanisms is an asset.
- Extensive experience in the areas related to the Stockholm and Basel conventions and other conventions and protocols that govern waste management, disposal, transportation, and handling considering GEF waste and chemicals focal areas related policies and procedures.
- Knowledge of waste management hierarchy and management principles
- Previous experience in undertaking RIA is a distinct asset.
- Language skills: fluency in English

#### **Proposal Submission Requirements**

Interested individual consultants must submit the following documents in order to be considered for the assignment:

##### **1. Technical Proposal**

- (i) Explaining why they are the most suitable for the work (1 page max.)
- (ii) Providing a brief methodology on how they will approach and conduct the work. (2-3 pages)

##### **2. Financial proposal**

(ii) Indicating the total lump sum for the assignment.

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables. Payments are based upon delivery of the services specified in the TOR. The financial proposal shall include a breakdown of this lump sum amount (including travel, per diems, and number of anticipated working days).

##### **3. Personal CV including** past experience in similar projects and at least 3 references.

Received offers will undergo two phases of evaluation as described below:

1. Shortlisting Criteria (only shortlisted offers are evaluated – passing score for shortlisting is 85/100 point:

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- 1. Relevant education background– (35 points)
- 2. At least 10 years of progressive experience in related fields (35 points)
- 3. Language, Skills and competencies (30 points)

Cumulative analysis:

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

- a) Responsive/compliant/acceptable, and
- b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

\* Technical Criteria weight; 70%

\* Financial Criteria weight; 30%

Only conditions obtaining a minimum of 50 points would be considered for the Financial Evaluation

Technical evaluation criteria

- Background and similar experience in similar tasks, 20 points.
- Methodology – demonstrating good understanding of assignment and scope of work, 30 points.
- Relevant experience, 20 points

UNDP Signature	IC Signature
	