Biodiversity Finance Initiative (BIOFIN)

Biodiversity Offset Specialist to support the development of a Biodiversity Offset Modality around Protected Areas in South Africa

Location: South Africa. Home-based with meetings on site as needed.

Application Deadline: 10th August 2022

Category: Energy and Environment

Type of Contract: Individual Consultancy Contract

Language Required: English

Duration of Assignment: 18 months (estimated 60 days)

1. Background Summary:
The Biodiversity Finance Initiative (BIOFIN) is implemented by the United Nations Development Programme, with financial support from the European Commission and the Governments of Germany, Switzerland, Norway, Belgium, UK and Flanders. This global initiative is envisioned to transform the way in which biodiversity finance is mobilized allowing for greater resources to be enacted as required within the Aichi Targets defined in the Convention on Biological Diversity Strategic Plan (2011 – 2020). Over the past nine years, the UNDP Global BIOFIN team together with 41 countries have been involved in developing and piloting the BIOFIN methodology which is continuously refined through national, regional and global learning.

In South Africa, the BIOFIN programme is implemented at a national level by the UNDP in partnership with the Department of Forestry, Fisheries, and the Environment (DFFE). South Africa initiated its BIOFIN programme in 2015 and has met several envisioned goals including the undertaking of a Policy and Institutional Review (PIR), Financial Needs Assessment (FNA), Biodiversity Expenditure Review (BER) and Biodiversity Financial Plan (BFP). Within the Biodiversity Finance Plan, 16 financial solutions were identified as being instruments that could be developed or refined to increase financial flows earmarked for biodiversity protection and eight of these Finance Solutions have been prioritized for implementation under BIOFIN Phase II.

BIOFIN Phase II in South Africa is currently in the implementation phase. One of the biodiversity finance solutions to be implemented aims to improve the efficiency & effectiveness of biodiversity offsetting in South Africa (SA). In SA, biodiversity offsets could become a means of financing a net increase in the protected area estate and a net gain in ecosystem functioning. The efficient and effective implementation of biodiversity
offsets should counterbalance biodiversity losses incurred through developments, by financing increased formal protection and effective management of biodiversity.

2. Introduction:
This BIOFIN financial solution is focused on establishing an improved biodiversity offsets modality for protected area expansion and appropriate management. It sets out four coordinated streams of work to unlock the potential of biodiversity offsetting in South Africa. These are to:

1. Mainstream and build capacity around the National Biodiversity Offset Guideline.
2. Create a working Community of Practice amongst offset regulators, practitioners, developers, and receiving entities that can collectively overcome technical & regulatory challenges in designing, financing & implementing offsets.
3. Establish a web-based national offset register that increases transparency and efficiency in tracking offsets in SA.
4. Develop & pilot institutional modalities for offsetting in South Africa that contribute to Protected Area (PA) expansion.

These four streams of work seek to enable a clear, streamlined modality for implementing offsets in the South African context that can be replicated to increase the efficiency and effectiveness of developing & implementing biodiversity offsets in line with biodiversity conservation efforts. The development of biodiversity offset modalities will take place through the pilot implementation of a biodiversity offset banking system(s), in line with the PA Expansion Strategy & the Draft National Biodiversity Offset Guideline, and through close engagement and coordination with Competent Authorities and Community of Practice.

3. Objectives & Scope of the work:

This ToR specifically relates to the appointment of a Biodiversity offset Specialist to provide detailed technical advice and inputs to up to two organisations piloting the implementation of biodiversity offset banking modalities. This will involve:

I. Support engagement & negotiation between key authorities in establishing an agreed approach to implementing the pilot biodiversity offset banking mechanism(s), and to establishing a clear and comprehensive modality for biodiversity offsets that can be rolled out.
II. Development of terms to be included in a Memorandum of Agreement or similar between PA Management Authority (ies) and relevant authorities, that adequately sets out the above.
III. Establishment a pilot project Reference Group, consisting of limited, strategic personnel to guide and advise the pilot implementation.
IV. Facilitation of formal recognition by relevant authorities of a chosen property as a Biodiversity Offset Banked site; and endorsement of biodiversity offset credits developed for such a property.
V. Development of a transparent monitoring & reporting system for the conservation management of the biodiversity offset bank site, and corresponding financial flows.
VI. Design of the biodiversity offset & credits, and advice on conditions of Environmental Authorisation, in line with the Draft National biodiversity offset guideline and best practice.
VII. Support to the pilot biodiversity offset bank in developing an offset credit register and protocol for maintaining the register and updating competent authorities.

VIII. Support to the appointed legal expert in preparing relevant proforma agreements such as the Memorandum of Agreement between authorities; offset implementation agreements/ credit sales agreements; biodiversity offset bank’s Standard Operating Procedures, etc.

IX. Support to the appointed finance expert in designing and costing offset bank credits, and payment & investment scenarios.

X. Participation in the Biodiversity Offsets Community of Practice established as part of the financial solution, for the duration of the project.

XI. Lead the development of a document, based on the lessons learnt through the pilot(s) implementation, detailing a biodiversity offset modality that can be used going forward, and which complements the Draft National Biodiversity Offset Guideline.

4. Methodology:
A multi-skilled team will be appointed, consisting of a biodiversity offset specialist; legal expert & financial modelling expert, to work with relevant PA management authorities; the biodiversity offsets Community of Practice; DFFE; and UNDP, to pilot biodiversity implementation modalities and document a resulting biodiversity offset modality that can be replicated to unlock biodiversity offsets in SA.

In undertaking the work, the consultant will be expected to -

- Work closely with the other project specialists appointed, UNDP, DFFE, SANParks / relevant PA management authorities, SANBI and the biodiversity offsets Community of Practice.
- Engage and coordinate with key stakeholders critical for the functioning of a biodiversity offset modality, including but not limited to, National Treasury, DFFE, SANBI, SANParks, DMRE, provincial competent authorities, project proponents/environmental authorisation holders.
- Report to the UNDP BIOFIN project management team and the project task team.
- Feedback to the Community of Practice and DFFE specifically (which may extend to Working Group 1 and 5 & MINTECH from time to time).

The contract will be based on the expected number of days for the consultant to achieve the objectives of the work at specific milestones, and as required, based on project progress.

The total duration of the project will be approximately 18 months from the date of contracting.

Key reference documents

- Approved BIOFIN Financial Solution proposal 5: Improved biodiversity offsets modality for protected area expansion and appropriate management
- WFA SANParks Conservation Banking – Feasibility study 13-9-2021
- WFA SANParks Conservation Banking – Implementation guideline 10-12-2021
- Additionally, but not limited to:
5. Deliverables:

The envisaged products from this assignment include:

1. Inception meeting report & basic workplan/roadmap with specifying key tasks & milestones & finalizing details of further deliverables.
2. Draft & Final consolidated report detailing a proposed biodiversity offset modality, based on the pilot implementation experience, to assist in unlocking effective offsets in SA.

In addition to the above main deliverable outputs, the consultant is expected to also provide:

1. Monthly Progress Updates.
2. Communication material outlining the concept of biodiversity offset banking as an attractive offset option, and engagement support, targeting relevant authorities, stakeholders & developers
3. Input into key legal documents; credit pricing methodology; offset registers, relevant SOPS & reporting frameworks, offset bank site management plans.
4. Ongoing engagement, advice, & capacity building to the Community of Practice

The total duration of the review will be approximately 18 months starting from the date of contracting. The tentative timeframe is as follows:

<table>
<thead>
<tr>
<th>Deliverables</th>
<th>Payment</th>
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<tbody>
<tr>
<td>Inception meeting and inception report with a roadmap and milestones.</td>
<td>5%</td>
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<tr>
<td>Communication material outlining the concept of biodiversity offset banking as an attractive offset option, and engagement support, targeting relevant authorities, stakeholders &amp; developers.</td>
<td>25%</td>
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<tr>
<td>Support to specialists and project team in developing key legal documents; credit pricing methodology; offset registers, relevant SOPS &amp; reporting frameworks, offset bank site management plans.</td>
<td>30%</td>
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Draft Report on comprehensive modality for biodiversity offsets in SA, based on biodiversity offset banking pilot(s) | 25%
---|---
Final report detailing a proposed biodiversity offset modality, based on the pilot implementation experience, to assist in unlocking effective offsets in SA. | 15%

6. Duty Station:
The consultancy assignment will be home-based with the duty station being considered as Pretoria and travel to project sites and meetings.

7. Required Skills and Experience:
- At least a master’s degree combined with relevant work experience
- Expert experience in Environmental Impact Assessments
- Expertise and experience biodiversity offsets design & drafting; implementation; and monitoring/auditing processes
- Expertise and experience biodiversity offset banking approaches
- Expertise and experience Protected Area declaration
- Experience in the biodiversity finance sector & establishing sustainable finance governance structures (funds; trusts etc.)
- Experience & expertise in stakeholder engagement, negotiation & coordination (particularly DFFE, DMRE, provincial competent authorities)
- In depth understanding of the Draft National Biodiversity Offset Policy & Guideline, as well as provincial guidelines and best practice.
- Expert knowledge, and application experience in relevant laws, including the National Environmental Management Act, 1998 (NEMA), National Environmental Management Protected Areas Act, 2003 (NEMPAA), Spatial Planning and Land Use Management Act, 2013 (SPLUMA), Mineral and Petroleum Resources Development Act, 2002 (MPRDA), Public Finance Management Act, 1999 (PFMA), etc.
- Previous experience working with United Nations; DFFE; Competent authorities; conservation agencies

8. Language:
English

9. Evaluation Criteria:
The evaluation of proposals will be conducted according to UNDP procurement rules. A two-stage procedure is utilized in evaluating the proposals, with evaluation of the technical proposal being completed prior to any price proposal being opened and compared. The price proposal of the Proposals will be opened only for submissions that passed the minimum technical score of 70% of the obtainable score of 100 points in the evaluation of the technical proposals. The technical proposal is evaluated based on its responsiveness to the Term of Reference (TOR), as captured in the table below. In the second stage, the price proposal of all
contractors, who have attained minimum 70% score in the technical evaluation will be compared. The contract will be awarded to the lowest priced technically qualified proposal.

<table>
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<tr>
<th>Technical Proposal Evaluation Criteria</th>
<th>Max score (100)</th>
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<tr>
<td><strong>Proposed Methodology</strong></td>
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<tr>
<td>A clear methodology must be described and outline how the Objectives, Scope of Work &amp; Output Deliverables will be fulfilled. The strategic approach should reflect adaptive capability based on possible scenarios of progress in pilot implementation. The methodology should showcase an expert understanding of biodiversity offsetting from identification through implementation to monitoring and enforcement in the context of the envisaged work.</td>
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<td><strong>Proposed Work Plan</strong></td>
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<td>A detailed work plan should include an outline of key activities; the expected level of effort against scope of work and key deliverables; critical success factors; and key milestones in a tentative timeline. Designated responsibilities of the consultant should be indicated in the proposal for achieving of the deliverables. A proposed invoicing schedule should be included based on achievement of key milestones/deliverables.</td>
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<td><strong>Documented qualifications and experience (CV)</strong></td>
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<tr>
<td>Relevant academic qualifications should be showcased, as well as experience, track record and evidence of undertaking similar projects.</td>
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<tr>
<td><strong>Technical expertise &amp; capability required to undertake and successfully complete the project should be demonstrated.</strong></td>
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UNDP is committed to achieving workforce diversity in terms of gender, nationality and culture. Individuals from minority groups, indigenous groups and persons with disabilities are equally encouraged to apply. All applications will be treated with the strictest confidence.

10. Implementation, Reporting and Administration:

The service provider will be appointed through UNDP processes.

Following the contracting process of the service provider, the service provider is expected to engage closely with the BIOFIN Project management specialist and assigned contact within DFFE and to participate in person during an inception meeting.

Whilst the contract is held with UNDP, coordination and implementation modalities will be jointly shared with DFFE. UNDP and DFFE will have the overall responsibility for supervising the technical quality of the deliverables, calling and convening all meetings with the service provider, making logistical arrangements, and seeing to the overall day-to-day interaction directly with the service provider. UNDP is responsible for making payments and administration associated with contract management. To this end, UNDP will authorise payments upon written approval by both the BIOFIN Programme Manager in South Africa and BIOFIN Project Management Specialist. It is expected that there will be a minimum of a monthly meeting with UNDP and DFFE and this may be arranged in frequency as needed during the implementation to present Monthly progress reporting. Any proposed deviations from the original project implementation plan shall be explained to UNDP and DFFE in writing.

The consultant is expected to present monthly progress reports detailing:

- Progress against the project plan
- Risks/current challenges identified
- Items needing attention and decision making.
- Any proposed deviations from the original project implementation plan shall be explained to the BIOFIN National Project Manager, BIOFIN task team leader and UNDP in writing.

The project report (s) must be submitted in electronic format in English.

11. Response Format:

To facilitate the analysis of responses, all interested parties are required to prepare their response in accordance with the instructions outlined in this section. All proposals should be electronically generated.

Applicants are required to submit the following:

- A technical proposal outlining a methodology on the approach, and workplan for the implementation of the assignment showing envisaged level of effort.
- Personal CV highlighting qualifications and experience in similar projects and relevant expertise.
- Minimum of 3 contactable work references – organizations for whom you have conducted/undertaken similar assignments (email addresses).
- 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. The proposal must incorporate all the costs including travel etc. for the service provider to achieve the required deliverables.