

# RE-ADVERTISEMENT

## REQUEST FOR PROPOSAL (RFP)

### FOR SERVICES

<b>Project Title:</b>	Safe Agricultural Trade Facilitation Through Economic Integration in The Pacific Project [Safe Pacific Project]
<b>Nature of the services</b>	Consultancy- Biosecurity Legislation, Regulation, and Policy Review in Pacific ACP Countries – Readvertised
<b>Location:</b>	Remotely
<b>Date of issue:</b>	3/10/2022
<b>Closing Date:</b>	17/10/2022
<b>SPC Reference:</b>	22-4280

## Contents

<b>PART 1: INTRODUCTION</b>	<b>3</b>
1.1 ABOUT THE PACIFIC COMMUNITY (SPC)	3
1.2 SPC'S PROCUREMENT ACTIVITIES	3
1.3 SPC'S REQUEST FOR PROPOSAL (RFP) PROCESS	3
<b>PART 2: INSTRUCTIONS TO BIDDERS</b>	<b>4</b>
2.1 BACKGROUND	4
2.2 SUBMISSION INSTRUCTIONS	4
2.3 CLARIFICATIONS	4
2.4 EVALUATION	5
2.5 CONTRACT AWARD	5
2.6 KEY DATES	5
2.7 LEGAL AND COMPLIANCE	6
2.8 COMPLAINTS PROCESS	7
<b>PART 3: TERMS OF REFERENCE</b>	<b>8</b>
A. PROJECT DESCRIPTION	8
B. SCOPE OF WORK	8
C. EXPECTED OUTPUTS	9
D. INSTITUTIONAL ARRANGEMENT	9
E. DURATION OF THE WORK	9
F. DUTY STATION	10
G. QUALIFICATIONS OF THE SUCCESSFUL CONTRACTOR	10
H. SCOPE OF BID PRICE AND SCHEDULE OF PAYMENTS	11
I. ANNEXES TO THE TERMS OF REFERENCE	11
<b>PART 4: PROPOSAL EVALUATION MATRIX</b>	<b>12</b>
<b>PART 5: PROPOSAL SUBMISSION FORMS</b>	<b>14</b>
<b>ANNEX 1: BIDDER'S LETTER OF APPLICATION</b>	<b>14</b>
<b>ANNEX 2: CONFLICT OF INTEREST DECLARATION</b>	<b>15</b>
<b>ANNEX 3: INFORMATION ABOUT THE BIDDER AND DUE DILIGENCE</b>	<b>17</b>
<b>ANNEX 4: TECHNICAL PROPOSAL SUBMISSION FORM</b>	<b>20</b>
<b>ANNEX 5: FINANCIAL PROPOSAL SUBMISSION FORM</b>	<b>23</b>

## **Part 1: INTRODUCTION**

### **1.1 About the Pacific Community (SPC)**

The Pacific Community (SPC) is the principal scientific and technical organisation of the Pacific region, established by treaty in 1947 with the signing of the Agreement Establishing the South Pacific Commission (the Canberra Agreement).

SPC has our headquarters in Noumea, New Caledonia and has regional offices in Fiji, the Federated States of Micronesia and Vanuatu, as well as an office in France. SPC works across the Pacific and has staff in nearly all of our Pacific Island Country and Territory members.

SPC works for the well-being of Pacific people through the effective and innovative application of science and knowledge and is guided by a deep understanding of Pacific Island contexts and cultures. Our unique organisation covers more than 20 sectors and is renowned for knowledge and innovation in such areas as fisheries science, public health surveillance, geoscience and conservation of plant genetic resources for food security.

For more information about SPC and the work that we do, please visit our website: <https://www.spc.int/>.

### **1.2 SPC's procurement activities**

SPC's procurement activities are guided by the principles of high ethical standards, value for money, open competition and social and environmental responsibility and are carried out under our Procurement Policy.

SPC's *Procurement Policy* provides the framework for ensuring that SPC obtains the best value for its purchases, in terms of both cost and quality; demonstrates financial probity and accountability to its members and development partners; manages and prevents the potential for conflicts of interest; reduces its environmental impact and manages any other risks.

At SPC, all procurement follows the same main steps: planning; statement of needs; requisition; solicitation; evaluation; award; receipt; and payment. Different procedures apply depending on the value of the goods, services and works to be procured.

For further information or enquiries about SPC's procurement activities, please visit the procurement pages on our website: <https://www.spc.int/procurement> or email: [procurement@spc.int](mailto:procurement@spc.int).

### **1.3 SPC's Request for Proposal (RFP) Process**

At SPC, procurement valued at more than EUR 45,000 must be advertised through a Request for Proposal (RFP) with any bids received evaluated by SPC's Procurement Committee to determine the offer that provides the best value for money.

This RFP sets out SPC's requirements and it asks you, as a bidder, to respond in writing in a prescribed format with pricing and other required information. The RFP contains detailed instructions and templates to enable you to submit a compliant bid. It sets out the overall timetable; it confirms the evaluation criteria that SPC will use to evaluate quotations; it explains the administrative arrangements for the receipt of the bids; and it sets out how bidders can request further information.

Your participation confirms your acceptance of SPC's conditions of participation in the RFP process.

## Part 2: INSTRUCTIONS TO BIDDERS

### 2.1 Background

SPC invites you to submit a bid to deliver the services as specified in [Part 3](#).

SPC has advertised this RFP on its website and may send it directly to potential vendors. The same specifications, submission and other solicitation requirements will be provided to all vendors.

SPC has compiled these instructions to guide prospective bidders and to ensure that all bidders are given equal and fair consideration.

Please read the instructions carefully before submitting your bid. For your bid to be considered, you must provide all the prescribed information by the closing date and in the format specified.

### 2.2 Submission instructions

Your submission must be clear, concise and complete and should only include information that is necessary to respond effectively to this RFP. Please note that you may be marked down or excluded from the procurement exercise if your submission contains any ambiguities or lacks clarity.

Your proposal must include the following documents (annexes of [Part 5](#) of the RFP):

- a) Bidder's Letter of Application (Annex 1).
- b) Conflict of Interest Declaration (Annex 2).
- c) Information about the bidder and Due diligence (Annex 3).
- d) Technical proposal submission form (Annex 4).
- e) Financial proposal submission form (Annex 5).

Your proposal must be submitted in **two separate emails**.

You must submit your **Technical proposal** (Annexes 1 to 4 and all their supporting documents) in English as an attachment to one email. No financial information may appear in the technical proposal.

You must submit your **Financial proposal** (Annex 5) in a separate email. All prices in the proposal must be presented in bidders' local currency. Your Financial proposal is to be password protected. SPC will request the password in the event that it is required.

Both emails are to be sent to [procurement@spc.int](mailto:procurement@spc.int) with the subject line of your email as: **Submission RFP 22-4280-Consultancy- Biosecurity Legislation, Regulation, and Policy Review in Pacific ACP Countries**.

Your proposal must be received no later than **17/10/2022 by 5pm Fiji time**. Only one bid per bidder is permitted.

SPC will send a formal acknowledgement to each proposal received before the deadline.

SPC reserves the right to exclude from consideration any proposal not received by the deadline, with incomplete information or in incorrect form.

### 2.3 Clarifications

You may submit questions or seek clarifications on any issue relating to this RFP. The questions are to be submitted in writing to [procurement@spc.int](mailto:procurement@spc.int) with the subject line: **Clarification RFP 22-4280-Consultancy- Biosecurity Legislation, Regulation, and Policy Review in Pacific ACP Countries**. The deadline for submission of clarifications is **10/10/2022 by 4pm Fiji Time**.

Details will be kept of any communications between SPC and bidders. This assists SPC to ensure transparency of the procurement process. While SPC prefers written communication in the RFP process, at any point where there is phone call or other conversation, SPC will keep a record or a file note of the exchange with prospective bidders.

## 2.4 Evaluation

### Validity

Each proposal will be assessed for compliance with the submission requirements by the Bids Opening Committee. At this stage, basic due diligence will also be undertaken.

To assist in the examination, evaluation and comparison of proposals, SPC may ask the bidder for clarification of its proposal or additional information. The request for clarification will be in writing.

### Technical

All valid proposals will be assessed against the technical evaluation criteria set out in Part 4. The criteria are provided with weighted scores according to the relative importance of each. SPC will not change the evaluation criteria set out in the RFP at any stage of the procurement process. Any changes in the evaluation criteria will result in the RFP process being re-issued.

Bidders are expected to familiarise themselves with local conditions and take these into account in preparing their proposal. Where minimum qualifications are set as specific evaluation criteria, these could include educational qualification, professional accreditation or certification, licensing, experience and expertise.

### Shortlisted bidder's presentation

Bidders that are short-listed during the RFP evaluation process may be required to conduct a presentation to, and respond to queries of, SPC's Procurement Technical Evaluation Committee. The bidders will be provided an opportunity to provide an overview of the operational aspect of the services they are proposing.

### Financial

Any bids that pass the minimum technical evaluation requirements will pass onto financial evaluation.

During the financial evaluation, if there is a discrepancy between the unit price and the total price, the lower price shall prevail. If there is a discrepancy between words and figures the amount in words will prevail.

The total cost of the proposal is to be inclusive of any taxes and is not subject to revision.

## 2.5 Contract award

SPC may award the contract once the Procurement Committee has determined that a bidder has met the prescribed requirements and the bidder's proposal has been determined to be the most responsive to the RFP documents, provide the best value for money and best serve the interests of SPC.

SPC's [General Terms and Conditions of Contract](#) will apply to any contracts awarded under this RFP, unless otherwise agreed. Any requested changes to the General Terms and Conditions of Contract must be foreshadowed in the submission.

The award of the contract will be made by contract signed and dated by both parties.

## 2.6 Key dates

Please see the proposed procurement timetable in the table below. This timetable is intended as a guide only and while SPC does not intend to depart from the timetable, it reserves the right to do so at any stage.

STAGE	DATE
-------	------

<b>RFP advertised</b>	3/10/2022
<b>Deadline for seeking clarification</b>	10/10/2022
<b>RFP Closing Date</b>	17/10/2022
<b>Award of Contract</b>	14/11/2022
<b>Commencement of Contract</b>	30/11/2022
<b>Conclusion of Contract</b>	31/07/2023

## 2.7 Legal and compliance

**Child and vulnerable adult protection:** SPC is committed to the well-being of children and vulnerable adults. All SPC contractors are required to commit to the principles of SPC's Child and Vulnerable Adult Protection Policy ([XI.G Manual of Staff Policies](#)). Breach of this requirement can result in SPC terminating any contract with a successful bidder. Any allegations of potential misconduct in relation to this RFP involving children or vulnerable adults should be sent to [complaints@spc.int](mailto:complaints@spc.int).

**Confidentiality:** Unless otherwise agreed by SPC in advance or where the contents of the RFP are already in the public domain when **shared** with the bidder, bidders shall at all times treat the contents of the RFP and any related documents as confidential. SPC will also treat the information it receives from the bidders as confidential.

**Conflict of interest:** Bidders must take all necessary measures to prevent any situation of conflict of interest. You must notify SPC in writing as soon as possible of any situation that could constitute a conflict of interest during the RFP process. If you have any familial connection with SPC staff, this must be declared, and approval will then be sought for you to engage in the RFP process. Breach of this requirement can result in the exclusion of the bidder from the RFP process or in SPC terminating any contract with a successful bidder.

**Cost of preparation of quotations:** Under no circumstances will SPC be liable for any proposal submission costs, expenditure, work or effort that you may incur in relation to your provision of a proposal (including if the procurement process is terminated or amended by SPC).

**Currency, validity, duties, taxes:** Unless specifically otherwise requested, all proposals should be in bidders' local currency and must be net of any direct or indirect taxes and duties and shall remain valid for 120 days from the closing date. The successful bidder is bound by their proposal for a further 60 days following notification they are the preferred bidder so that the contract may be awarded. No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted at any time during this period.

**Eligibility:** Bidders are required to disclose to SPC whether they are subject to any sanction or temporary suspension imposed by any international organisation, or whether they are subject to bankruptcy proceedings. You may not be bankrupt or suspended, debarred, or otherwise identified as ineligible by any international organisation. Failure to disclose such information may result in debarment and termination of any contract issued to the bidder by SPC.

**Fraud and corruption:** SPC has zero tolerance for fraud and corruption. All contractors have an obligation to report potential fraud and corruption. Breach of this requirement can result in the exclusion of the bidder from the RFP process or in SPC terminating any contract with a successful bidder. Allegations of potential misconduct by an SPC staff member or contractor involving fraud or corruption can be sent to [complaints@spc.int](mailto:complaints@spc.int).

**Good faith:** The information in this RFP is provided by SPC in good faith. No representation, warranty, assurance or undertaking (express or implied) is or will be made, and no responsibility or liability will be accepted by SPC in relation to the adequacy, accuracy, completeness or reasonableness of this RFP or any

information provided by SPC in relation to this RFP.

**Modifications:** Any clarifications, corrections or modifications will be published on the SPC website prior to deadline. In the event a bidder has submitted a bid before the clarification, correction or modification, the bidder will be informed and may modify the bid. The modified bid will still need to be received before the deadline.

**No offer of contract or invitation to contract:** This RFP is not an offer to contract or an invitation by SPC to enter into a contract with you.

**Privacy:** The bidder is to comply with the requirements of applicable legislation and regulatory requirements in force for the use of personal data that is disclosed for the purposes of this RFP. SPC will handle any personal information it receives under the RFP in line with its [Privacy Policy](#), and the [Guidelines for handling personal information of bidders and grantees](#).

**Right to amend, seek clarity, withdraw, not award:** SPC reserves the right to: (1) amend, add to or withdraw all or any part of this RFP at any time, or to re-invite bids on the same or any alternative basis; (2) seek clarification or documents in respect of any bidder's submission; (3) choose not to award a contract as a result of this RFP; (4) make whatever changes it sees fit to the timetable, structure or content of the procurement process, depending on approvals processes or for any other reason. Please note that while SPC will not change the evaluation criteria set out in the RFP without the RFP process being re-issued, SPC does reserve the right at the time of award of contract to vary the quantity of services and goods specified in the RFP and to accept or reject any proposal at any time prior to award of the contract without incurring any liability to the affected bidder or any obligation to inform the affected bidder/s of the grounds for SPC's action.

**Right to disqualify:** SPC reserves the right to disqualify: (1) any bidder that does not submit a proposal in accordance with the instructions in this RFP; (2) any bidder that misrepresents information to SPC; (3) any bidder that directly or indirectly canvasses any SPC employee concerning the award of a contract.

**Use of material:** Bidders shall not use the contents of the RFP or any related material for any purpose other than for the purpose of considering submitting, or submitting, a bid to SPC.

**Warranty, representation, assurance, undertaking:** The bidder acknowledges and agrees that no person has any authority to give any warranty, representation, assurance or undertaking on behalf of SPC in connection with any contract which may (or may not) follow on from this RFP process.

## 2.8 Complaints process

Bidders that consider they were not treated fairly during any SPC procurement process may lodge a protest. The protest should be addressed to [complaints@spc.int](mailto:complaints@spc.int). The bidder must provide the following information: (1) full contact details; (2) details of the relevant procurement; (3) reasons for the protest, including how the alleged behaviour negatively impacted the bidder; (4) copies of any documents supporting grounds for protest; (5) the relief that is sought.

## Part 3: Terms of Reference

### A. Project Description

The Safe Agriculture trade Facilitation through Economic integration in the Pacific (SAFE Pacific) project aims to provide targeted assistance to support small Pacific Island Countries (PICs) to increase export capacity and improve economic growth. With its rich diversity of culture and resources, there is potential for greater trade and market opportunities for small Pacific ACP (African, Caribbean, Pacific) states.

International trade already plays a crucial role in the economic life of Pacific ACPs but because of its regional context of 'smallness' and 'remoteness', there are challenges to accessing markets and improving trade. With the geographical nature of the Pacific islands, isolated from larger markets, the export costs for transportation, marketing and distribution are higher. Small island countries strain to meet international trade requirements and standards which further limits access to markets.

The SAFE Pacific project supports Pacific ACPs to address these barriers in accessing the export market, enhancing value-added products and improving compliance with international standards. SAFE Pacific focuses on strengthening economic integration in the region which will have positive impacts leading to improved livelihoods for communities, creation of jobs and reduction in poverty.

SAFE Pacific is being implemented in 15 Pacific ACPs: Cook Islands | Fiji | Federated States of Micronesia | Kiribati | Marshall Islands | Nauru | Niue | Palau | Papua New Guinea | Solomon Islands | Samoa | Timor-Leste | Tonga | Tuvalu | Vanuatu.

Component 1 of the project is focused on "improving and strengthening compliance with international standards." Small PICs struggle to meet and adapt to international standards for trade and food safety, which limit access to export markets. This includes sanitary and phytosanitary services (SPS) measures which ensure that products/ commodities are safe for human consumption and prevents the risk of introducing plant and animal pests and diseases. Strengthening these regulatory services in the Pacific will improve the capacity of Pacific ACP exporters to meet the requirements, standards and technical regulations in place. Under the SAFE Project, one of the key activities to improve sanitary and phytosanitary services include:

"Strengthening biosecurity services, legislation and protocols for all Pacific ACP countries to align with international standards."

This RFP seeks to engage a consultant to carry out a review of biosecurity legislation, regulations, and policies in selected PACPs and undertake a gap analysis=

### B. Scope of Work

#### Key responsibilities will include:

- Review biosecurity legislation, regulation, and policies in selected PACPs and undertake gap analysis.
- Undertake national-level consultation with the assistance of identified national technical assistants and Pacific Community (SPC) Biosecurity Sanitary Phytosanitary (BSPS) Team in the review and updating of biosecurity legislation in selected PACPs.
- Draft and submit legislation in a format agreed by the relevant country (be it separate instruments for plant, animal and environmental biosecurity or a combined holistic instrument covering all sectors) and provide initial assistance with official endorsement of the legislation by countries through their national legal frameworks.



- Assist countries in the drafting of important Standard Operating Procedures (SOPs) in line with their proposed legislation.

Country	Plant Biosecurity Gap Analysis	Animal Biosecurity Gap Analysis	Environmental Biosecurity (Invasive Species)	Revise or Draft Legislation	Draft SOPs	6
FSM	X	X	X	X	X	
Kiribati		X	X	X	X	
Marshall Is.		X	X	X	X	
Niue		X	X	X	X	
Palau	X	X	X	X	X	
Samoa	X	X	X	X	X	
Solomon Is.	X	X	X	X	X	
Timor Leste	X	X	X	X	X	
Tonga	X	X	X	X	X	
Tuvalu	X	X	X	X	X	
Vanuatu		X	X	X	X	

It is important for the selected consultant to carry out the above tasks while keeping the SPC SAFE Pacific Team fully informed and involved.

### C. Expected Outputs

The consultant is expected to deliver the following products by the end of the consultancy:

- Legislation reviews and gap analysis report, progressive reports and outcomes of national-level consultations and a final report of all technical support provided, achievements, lessons learnt and recommendations.
- Reviewed and updated (draft) legislation for the selected PACPs.
- Draft SOPs for the selected PACPs in line with their legislation.

### D. Institutional Arrangement

- The consultant will report to and be supervised by the SPC SAFE Pacific Team Leader (based in Suva, Fiji).
- The consultant is expected to produce all documents, reports, and a final report upon successful completion of activities according to the agreed schedules.
- The consultant is expected to provide their own resources required to complete consultancy including ICT equipment's.

### E. Duration of the Work

- The consultancy is for 110- 120 days for the duration of 6- 8 months.
- The consultant shall be engaged to undertake the consultancy working according to a planned schedule to be completed no later than expiry of the contract.
- The consultant must propose a work plan, budget and activity schedule with timelines to achieve the expected outputs using the appropriate methodologies.

### **Supervision / Reporting**

- The Consultant will report directly to the Team Leader SAFE Pacific Project and BSPS Team.
- The Consultant will provide scheduled reports to the Team Leader SAFE Pacific Project and BSPS Team.

### **F. Duty Station**

The consultant will be home based and likely to hold all meetings and consultations virtually. Due to the current extraordinary circumstances, the consultant is not expected to travel to the field. Should the situation improve, field visits can be undertaken as needed and will be organized through the SAFE Pacific project. The Consultant is expected to supply his/her own work equipment. At its discretion, the SAFE Pacific project may convene a (virtual) regional consultation to validate findings and assist with the review and drafting of legislation and SOPs.

### **G. Qualifications of the Successful Contractor**

- Advanced degree in Law, Agriculture Science, Biosecurity or Environmental Law.
- 5 or more years of relevant experience in natural or environmental sciences, biosecurity legislation related work or other similar expertise.
- Previous experience in conducting review of biosecurity legislation, regulations and SOPs is essential. Similar work undertaken in the Pacific region previously will be advantageous.
- Previous experience in national level consultation, drafting legislation and/or regulations and producing technical reports.
- Previous experience in undertaking consultancies for projects and/or development agencies.
- Established networks with regional Governments, Statutory organizations and other relevant stakeholders.
- Strong understanding of biosecurity and SPS in the PICs.

### **Competencies**

The following competencies are required:

- Demonstrate integrity and commitment to SPC principles, values and ethical standards.
- Have strong interpersonal and communication skills and foster teamwork.
- Possess ability to work well as part of a multi-cultural team and display gender, religion, race, nationality and age sensitivity and adaptability.
- Demonstrate self-management and emotional intelligence.
- Be analytical and have strategic thinking, be results oriented.
- Have experience in participating and following project cycles and be computer literate.
- Have ability to engage with various stakeholders and build strong relationships while dealing with competing demands and interests.
- Demonstrate strong commitment to meet reporting deadlines and other timeline

## H. Scope of Bid Price and Schedule of Payments

- The consultant must submit a financial proposal with the application. The total amount quoted shall be all-inclusive and incorporate all cost components required to perform the deliverables identified in the terms of reference. This shall comprise professional fee, travel costs, living allowances (if any work is to be done outside the consultant’s duty station) and any other cost that will be incurred by the consultant in completing the assignment. The contract cost will be a fixed output-based cost regardless of any extension of the herein specified duration. Payments will be made upon successful completion of deliverables in accordance with the payment schedule below. Other than the professional fees, all other costs will be reimbursable based on actuals and will require prior approval from the SAFE Pacific project manager/team leader before it is incurred.
- SPC shall not accept travel costs exceeding those of an economy class ticket. Should the consultant wish to travel on a higher class, he/she will do so at their own expense. The consultant will comply to SPC’s [Travel Policy](#) and Daily Subsistence Allowance rates (attached in part I) for any travel undertaken under this consultancy services.
- In the event of unforeseeable travel not anticipated in this terms of reference, payment of travel costs including tickets, lodging and terminal expenses should be agreed between the SAFE Pacific project’s Project Management Unit (PMU) and the consultant prior to travel and will be reimbursed or will be arranged by SPC.

Milestone/output	% Payment
Signing of contract	10%
Submission and acceptance of a workplan	10%
Submission and acceptance of a report outlining schedule of consultations, methodologies and plans	10%
Submission and acceptance of a progress report and PowerPoint presentation detailing key findings from national consultations and recommendations for achievement of consultancy objectives	20%
Submission and acceptance of draft legislation for selected PACPs and draft SOPs	20%
Submission and acceptance of a final report and any revised documents	30%
Costs reimbursable based on actuals	
<b>TOTAL</b>	<b>100%</b>

## I. Annexes to the Terms of Reference

 [SPC per diem rates - 17May2022.xlsx](#)

## Part 4: PROPOSAL EVALUATION MATRIX

### 4.1 Evaluation criteria & Score Weight

A two-stage procedure will be utilised to evaluate the proposals, with evaluation of the technical proposal being completed prior to any financial proposal being opened and compared.

The competencies which will be evaluated are detailed in [Part 3](#).

The evaluation matrix below also reflects the obtainable score specified for each evaluation criterion (technical requirement) which indicates the relative significance or weight of the items in the overall evaluation process.

The technical component, which has a total possible value of 700 points, will be evaluated using the following criteria.

Competency Requirements	Score Weight (%)	Points obtainable
<b>Organisational requirements</b>		
Annex 1: Bidders Application Annex 2: Conflict of interest declaration Annex 3: Information about the bidder and due diligence Annex 4: Technical proposal submission form Annex 5: Financial proposal submission form	<b>Mandatory requirements.</b> Bidders will be disqualified if any of the requirements are not met	
<b>Technical requirements</b>		
<b>Qualification and Experience</b>		
<ul style="list-style-type: none"> <li>Advanced degree in Law, Agriculture Science, Biosecurity or Environmental Law is desirable.</li> <li>5 or more years of relevant experience in natural or environmental sciences, biosecurity legislation related work or other similar expertise.</li> <li>Previous experience in conducting review of biosecurity legislation, regulations and SOPs is essential. Similar work undertaken in the Pacific region previously will be advantageous.</li> <li>Bidders are required to submit detailed CV with three referees.</li> <li>Bidders with Legal knowledge of the Legislation Review is desired.</li> </ul>	<b>20%</b>	<b>140</b>
<b>Technical Skills</b>		
<ul style="list-style-type: none"> <li>Previous experience in national level consultation, drafting legislation and/or regulations and producing technical reports.</li> <li>Previous experience in undertaking consultancies for projects and/or</li> </ul>	<b>20%</b>	<b>140</b>

<p>development agencies.</p> <ul style="list-style-type: none"> <li>Established networks with regional Governments, Statutory organizations and other relevant stakeholders.</li> <li>Strong understanding of biosecurity and SPS in the PICs.</li> </ul>		
<b>Timelines and Methodology</b>		
<ul style="list-style-type: none"> <li>Adequacy of Work plan and Activity schedule with timelines to achieve the expected outputs using the appropriate methodologies.</li> <li>Indicates clear methodology, timeframe for completion of the review within the duration of the work.</li> <li>Demonstrate strong commitment to meet reporting deadlines and other timelines.</li> </ul>	<b>40%</b>	<b>280</b>
<b>Competency Skills</b>		
<ul style="list-style-type: none"> <li>Demonstrate integrity and commitment to SPC principles, values and ethical standards.</li> <li>Have strong interpersonal and communication skills and foster teamwork.</li> <li>Possess ability to work well as part of a multi-cultural team and display gender, religion, race, nationality and age sensitivity and adaptability.</li> <li>Demonstrate self-management and emotional intelligence</li> <li>Analytical and have strategic thinking, be results oriented.</li> <li>Have experience in participating and following project cycles and be computer literate.</li> <li>Have ability to engage with various stakeholders and build strong relationships while dealing with competing demands and interests.</li> </ul>	<b>20%</b>	<b>140</b>
<b>Total Score</b>	<b>100%</b>	<b>700</b>
<b>Qualification score</b>	<b>70%</b>	<b>490</b>

## 4.2 Financial evaluation

The financial component of the proposal will be scored on the basis of overall costs for the delivery of the services and financial incentives and benefits provided to SPC. The lowest financial proposal will be awarded maximum 300 points and other financial offers and incentives will be awarded points as per the formula below:

$$\text{Financial Proposal score} = (\text{Lowest Price} / \text{Price under consideration}) \times 300$$

## Part 5: PROPOSAL SUBMISSION FORMS

### Annex 1: BIDDER'S LETTER OF APPLICATION

Dear Sir /Madam:

Having examined the Solicitation Documents, the receipt of which is hereby duly acknowledged, we the undersigned, offer to supply the required services for the sum as may be ascertained in accordance with the Financial Proposal attached herewith and made part of this proposal.

We acknowledge that:

- SPC may exercise any of its rights set out in the Request for Proposal documents, at any time;
- The statements, opinions, projections, forecasts or other information contained in the Request for Proposal documents may change;
- The Request for Proposal documents are a summary only of SPC's requirements and is not intended to be a comprehensive description of them;
- Neither the lodgement of the Request for Proposal documents nor the acceptance of any tender nor any agreement made subsequent to the Request for Proposal documents will imply any representation from or on behalf of SPC that there has been no material change since the date of the Request for Proposal documents, or since the date as at which any information contained in the Request for Proposal documents is stated to be applicable;
- Excepted as required by law and only to the extent so required, neither SPC, nor its respective officers, employees, advisers or agents will in any way be liable to any person or body for any loss, damage, cost or expense of any nature arising in any way out of or in connection with any representations, opinions, projections, forecasts or other statements, actual or implied, contained in or omitted from the Request for Proposal documents.

We undertake, if our proposal is accepted, to commence and complete delivery of all items in the contract within the time frame stipulated.

We understand that you are not bound to accept any proposal you may receive and that a binding contract would result only after final negotiations are concluded on the basis of the Technical and Financial Components proposed.

**For the Bidder:** *[insert name of the company]*

Signature:

Name of the Bidder's representative: *[insert name of the representative]*

Title: *[insert Title of the representative]*

Date: *[Click or tap to enter a date]*

## Annex 2: CONFLICT OF INTEREST DECLARATION

### INSTRUCTIONS TO BIDDERS

#### What is a conflict of interest?

A conflict of interest may arise from economic or commercial interests, political, trade union or national affinities, family, cultural or sentimental ties, or **any other type of relationship or common interest between the bidder and any person connected with the contracting authority** (SPC staff member, consultant or any other expert or collaborator mandated by SPC).

#### Always declare a conflict

The existence of a potential or apparent conflict of interest does not necessarily prevent the bidder concerned from taking part in a tender process. **However, the declaration of the existence of such a conflict by the persons concerned is essential and allows SPC to take appropriate measures to mitigate it and prevent the associated risks.**

Bidders are therefore invited to declare any situation, fact or link which, to their knowledge, could generate a real, potential or apparent conflict of interest.

#### Declaration at any time

Conflicts of interest may arise at any time during the procurement process or the implementation of a contract (e.g. new partner in the project) or as a result of a change in personal life (e.g. marriage, inheritance, financial transaction, creation of a company). If such a relationship is found and could be perceived by a reasonable person as likely to influence a decision, a declaration of the situation is necessary. In case of doubt, a conflict situation must be declared.

#### Declaration for any person involved

A declaration must be completed for each person involved in the tender (principal representative of the bidder, possible subcontractors, consultant, etc.)

#### Failure

Failing to declare a potential conflict of interest may result in the bidder being refused a contract or placed on SPC's list of non-responsible suppliers.

## DECLARATION

I, the undersigned, *[name of the representative of the Bidder]*, acting in the name and on behalf of the company *[name of the company]*, declare that:

<input type="checkbox"/>	To my knowledge, I am not in a conflict-of-interest situation
<input type="checkbox"/>	There is a potential conflict of interest with regard to my <i>[Choose an item]</i> . relationship with <i>[name of the person concerned]</i> in his or her capacity as <i>position/role/personal or family link with the person concerned</i> , although, to the best of my knowledge, this person is not directly or indirectly involved in any stage of the procurement process
<input type="checkbox"/>	I may be in a conflict of interest with regard to my <i>[Choose an item]</i> relationship with <i>[name of the person concerned]</i> in his or her capacity as <i>position/role/personal or family link with the person concerned</i> , as this person is, to the best of my knowledge, directly or indirectly linked to the procurement process
<input type="checkbox"/>	To my knowledge, there is another situation that could potentially constitute a conflict of interest: <i>[Describe the situation that may constitute a conflict of interest]</i>

In addition, I undertake to:

- declare, without delay, to SPC any situation that constitutes a potential conflict of interest or is likely to lead to a conflict-of-interest;
- not to grant, seek, obtain or accept any advantage, whether financial or in kind, to or from any person where such advantage constitutes an unfair practice or an attempt at fraud or corruption, directly or indirectly, or constitutes a gratuity or reward related to the award of the contract;
- to provide accurate, truthful and complete information to SPC in connection with this procurement process.

I acknowledge that I and/or my company and/or my business partners who are jointly and severally bidding on the RFP *[SPC Reference]* may be subject to sanctions such as being placed on SPC's list of non-responsible vendors, if it is established that false statements have been made or false information has been provided.

**For the Bidder:** *[insert name of the company]*

Signature:

Name of the representative: *[insert name of the representative]*

Title: *[insert Title of the representative]*

Date: *[Click or tap to enter a date]*



### Annex 3: INFORMATION ABOUT THE BIDDER AND DUE DILIGENCE

Please complete the following questionnaire and provide supporting documents where applicable.

VENDOR INFORMATION			
Are you already registered as an SPC vendor?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'No', please complete the form. If 'Yes', do you have any information to update?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'Yes', please complete the form. If 'No', sign directly the form without completing it			
<b>1. Please provide information related to your entity.</b>			
Company name	<i>[Enter company name]</i>	Address	<i>[Enter address]</i>
Director/CEO	<i>[Enter name of the executive person]</i>	Position	<i>[Enter position of the executive person]</i>
Business Registration/License number	<i>[Enter company registration/license number (or tax number)]</i>		
Date of business registration	<i>[Enter date of business registration]</i>		
Country of business registration	<i>[Enter country of business registration]</i>		
<b>Status of the entity:</b>			
<input type="checkbox"/> For-profit entity (company), <input type="checkbox"/> NGO, <input type="checkbox"/> International organisation, <input type="checkbox"/> Government body, <input type="checkbox"/> University, <input type="checkbox"/> Association, <input type="checkbox"/> Research Institute, <input type="checkbox"/> Other: <i>[insert details]</i>			
<b>2. Please provide the following documents (or any other relevant documents according to your national legislation) to verify the legal existence of the entity, the authority of its officer and proof of its address:</b>			
<input type="checkbox"/> Evidence of the power of attorney or board resolution granted to the officer to transact business on its behalf or any other document delegating authority <input type="checkbox"/> Certificate of business registration/license <input type="checkbox"/> Memorandum, Articles or Statutes of Association <input type="checkbox"/> Telephone or electricity bill in the name of the entity <input type="checkbox"/> Bank statement bearing the name of the entity			
<b>3. How many employees does your company and its subsidiaries have?</b>		<i>[provide answer]</i>	
<b>4. Do you have professional insurance against all risks in respect of your employees, sub-contractors, property and equipment?</b>		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>5. If 'no', what type of business insurance do you have?</b>		<i>[provide answer]</i>	
<b>6. Are you up to date with your tax and social security payment obligations?</b>		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>7. Is your entity regulated by a national authority?</b>		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<i>If you answered 'yes', please specify the name:</i>		<i>[Insert name of the national regulation authority]</i>	
<b>8. Is your entity a publicly held company?</b>		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>9. Does your entity have a publicly available annual report?</b>		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<i>Please send SPC your audited financial statement from the last 3 financial years if available</i>			

DUE DILIGENCE			
<b>10. Does your entity have foreign branches and/or subsidiaries?</b>		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<i>If you answered 'yes' to the previous question, please confirm the branches.</i>			
• Head Office & domestic branches		<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Domestic subsidiaries		<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Overseas branches		<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Overseas subsidiaries		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>11. Does your entity provide financial services to customers determined to be high risk including but not</b>			

<b>limited to:</b>					
Foreign Financial Institutions	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Casinos	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Cash Intensive Businesses	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Foreign Government Entities	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Non-Resident Individuals	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Money Service Businesses	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Other, please provide details:			[Provide details]		
<b>12.If you answered 'yes' to any of the boxes in question 11, does your entity's policies and procedures specifically outline how to mitigate the potential risks associated with these higher risk customer types?</b>				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered 'yes', please explain how:				[Provide explanation]	
<b>13.Does your entity have a written policy, controls and procedures reasonably designed to prevent and detect fraud, corruption, money laundering or terrorist financing activities?</b>				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'yes', please send SPC your policy in English.					
<b>14.Does your entity have an officer responsible for anti-corruption, or anti-money laundering and counter-terrorism financing policy?</b>				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please state that officer's contact details:			[Insert name and contact details of your officer in charge]		
If 'no', what process does your entity have in place to prevent and detect money laundering or terrorist financing activities?				[provide answer]	
<b>15.Has your entity or any affiliated entity ever filed for bankruptcy?</b>				<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>16.Have any of the entity's current or former directors or CEO filed for bankruptcy?</b>				<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>17.Has your entity ever been the subject of any investigations or had any regulatory or criminal enforcement actions resulting from violations of any laws or regulations, including those relating to money laundering or terrorism financing?</b>				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered 'yes', please provide details:			[Provide details]		
<b>18.Has the director or CEO of your entity ever been the subject of any investigations or had any regulatory or criminal enforcement actions resulting from violations of any laws or regulations, including those relating to money laundering or terrorism financing?</b>				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered 'yes', please provide details:			[Provide details]		

## SOCIAL AND ENVIRONMENTAL RESPONSIBILITY (SER)

<b>19.Does your entity have a written policy, controls and procedures to implement its Social and Environmental Responsibility (SER) commitments?</b>				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please send SPC your policy in English.					
<b>Does your Policy cover the followings?</b>					
<input type="checkbox"/> Child protection <input type="checkbox"/> Human rights <input type="checkbox"/> Gender equality <input type="checkbox"/> Social inclusion <input type="checkbox"/> Sexual harassment, abuse or exploitation <input type="checkbox"/> Environmental responsibility					
Please, outline the major actions you have undertaken in these areas:			[provide answer]		
<b>20.Does your entity have an officer responsible for Social and Environmental Responsibility (SER)?</b>				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please state that officer's contact details:			[Insert name and contact details of your officer in charge]		
If 'no', what process does your entity have in place to ensure your social and environmental responsibility?				[provide answer]	

I declare that the particulars given herein above are true, correct and complete to the best of my knowledge, and the documents submitted in support of this form are genuine and obtained legally from the respective issuing authority.

I declare that none of the funds received or to be received by my company will be used for criminal activities, including financing terrorism or money laundering.

By sending this declaration to SPC, I agree that my business and personal information may be used by SPC for due diligence purposes. I also understand and accept that SPC will treat any personal information it receives in connection with my proposal in accordance with its [Privacy Policy](#), and the [Guidelines for handling personal information of bidders and grantees](#).

**For the Bidder:** *[insert name of the company]*

Signature:

Name of the representative: *[insert name of the representative]*

Title: *[insert Title of the representative]*

Date: *[Click or tap to enter a date]*

## Annex 4: TECHNICAL PROPOSAL SUBMISSION FORM

Technical Requirements	
Competency Requirements	Response by Bidder
<b>References:</b> Provide at least 3 key references of similar work carried out in last 5 years	<b>Details for three references</b>
	1. Client's name: [insert name of contact]
	Contact name: [insert name of contact]
	Contact details: [insert contact details]
	Value contract: [insert value of contract]
	2. Client's name: [insert name of contact]
	Contact name: [insert name of contact]
	Contact details: [insert contact details]
	Value contract: [insert value of contract]
	3. Client's name: [insert name of contact]
	Contact name: [insert name of contact]
	Contact details: [insert contact details]
	Value contract: [insert value of contract]
<b>Personnel:</b> Provide details of key personnel proposed for this work with their CV	[Title of expected answer]
	Manager's experience: [insert details about manager's experience]
	Consultants' experience: [insert details about consultants' experience]
<b>Qualifications and Experience - (Bidders are required to submit detailed CV with three referees)</b>	
Advanced degree in Law, Agriculture Science, Biosecurity or Environmental Law or equivalent.	[Bidder's answer]
Demonstrate years of experience in natural or environmental sciences, biosecurity legislation related work or other similar expertise.	[Bidder's answer]
Demonstrate experience in conducting review of biosecurity legislation, regulations and SOPs is essential. Similar work undertaken in the Pacific region previously will be advantageous.  Bidders with Legal knowledge of the	[Bidder's answer]

Legislation Review is desired.	
<b>Technical Skills</b>	
Demonstrate experience and ability to carry out national level consultation, drafting legislation and/or regulations and producing technical reports.  Provide examples from past work where possible.	<i>[Bidder's answer]</i>
Previous experience in undertaking consultancies for projects and/or development agencies.  Established networks with regional Governments, Statutory organizations and other relevant stakeholders.	<i>[Bidder's answer]</i>
Established networks with regional Governments, Statutory organizations and other relevant stakeholders.  Strong understanding of biosecurity and SPS in the PICs.	<i>[Bidder's answer]</i>
<b>Timelines and Methodology</b>	
Provide workplan and activity schedule with timelines to achieve the expected outputs using appropriate methodologies.  Provide clear methodology, timeframe for completion of the review within the duration of the work.  Demonstrate commitment to meet reporting deadlines and other timelines.	<i>[Bidder's answer]</i>
<b>Competency Skills</b>	
Demonstrate integrity and commitment to SPC principles, values and ethical standards.  Have strong interpersonal and communication skills and foster teamwork.  Possess ability to work well as part of a multi-cultural team and display gender, religion, race, nationality and age sensitivity and adaptability.  Demonstrate self-management and emotional intelligence  analytical and have strategic thinking, be results oriented.	<i>[Bidder's answer]</i>

<p>Have experience in participating and following project cycles and be computer literate.</p> <p>Have ability to engage with various stakeholders and build strong relationships while dealing with competing demands and interests.</p>	
---	--

**For the Bidder:** *[insert name of the company]*

Signature:

Name of the representative: *[insert name of the representative]*

Title: *[insert Title of the representative]*

Date: *[Click or tap to enter a date]*

**Annex 5: FINANCIAL PROPOSAL SUBMISSION FORM**

Particulars	Amount (in bidders' local currency)
Total Professional fees Bidders to specify if Daily/Monthly/ Lumpsum rates are applicable	
Travel and Other Related Cost (Please Specify) (Reimbursable based on actuals)	
Total Financial offer (inclusive of all taxes)	

**For the Bidder:** *[insert name of the company]*

Signature:

Name of the representative: *[insert name of the representative]*

Title: *[insert Title of the representative]*

Date: *[Click or tap to enter a date]*