



REQUEST FOR PROPOSAL (RFP)

FOR SERVICES

Project Title:	Safe Agriculture trade Facilitation through Economic integration in the Pacific (SAFE Pacific) project
Nature of the services	Consultancy services to review biosecurity legislations or any existing drafts (Plant and Animal Quarantine Acts, etc.), policies and regulations in selected PACPs and undertake gap analysis
Location:	Remote Based
Date of issue:	13/02/2024
Closing Date:	12/03/2024
SPC Reference:	RFP 24-6187

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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.

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 proposals; 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 (Annex4);
- 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 with the subject line of your email as: **Submission RFP 24-6187- Review biosecurity legislations or any existing drafts, policies, and regulations in selected PACPs and undertake gap analysis.**

Your proposal must be received no later than **12/03/2024** by **11.59pm 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 with the subject line: **Clarification RFP 24-6187- Review biosecurity legislations or any existing drafts, policies, and regulations in selected PACPs and undertake**

gap analysis. The deadline for submission of clarifications is **23/02/2024** by **11.59pm 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 (which may include educational qualification, professional accreditation or certification, licensing, experience and expertise), proposals submitted must necessarily meet these criteria.

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 must be submitted inclusive of taxes in accordance with the applicable legislation, 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
RFP advertised	13/02/2024

Deadline for seeking clarification	23/02/2024
RFP Closing Date	12/03/2024
Award of Contract	1/04/2024
Commencement of Contract	02/04/2024
Conclusion of Contract	15/11/2024

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.

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 proposals: 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.

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. 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

Background/context

Project Description

The 'Safe Agriculture trade Facilitation through Economic integration in the Pacific' (SAFE Pacific) project aims to provide targeted assistance to Pacific Island Countries and Territories (PICTs) 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 economy of Pacific ACPs but because of its regional context of 'smallness' and 'remoteness', there are challenges to accessing markets and improving trade. The unique geography of the Pacific islands and consequently being isolated from larger markets means the costs for transportation (freight), marketing and distribution are higher. Additionally, Pacific ACPs find it difficult to meet international trade requirements and standards which further limits access to markets.

The SAFE Pacific project supports Pacific ACPs to address these barriers through plant health, animal health, value chains and market certification assistance 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 project 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 SAFE Pacific project is focused on "improving and strengthening compliance with international standards" in the trade of plant and animal products. Pacific ACPs struggle to adopt and/or meet international standards which also includes food safety and quality requirements. This limits access to niche and premium markets. Compliance with sanitary and phytosanitary (SPS) measures ensures that products/commodities are safe for human consumption and do not carry the risk of introducing plant/animal pests and diseases. Strengthening regulatory services will improve the capacity of exporters to meet requirements that are designed to mitigate biosecurity risks. Under the SAFE Pacific project, one of the key activities to improve SPS compliance and related services in Pacific ACPs include:

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

Purpose, objectives, scope of services

Scope of Work

Key responsibilities will include:

1. Review the biosecurity and biosecurity-related legislative framework in the selected PACPs which includes reviewing all biosecurity Acts, regulations, rules, orders, and policies including any existing draft legislation in selected PACPs.

2. Undertake a gap analysis of the current biosecurity legislative framework against regional and/or international biosecurity standards to identify gaps, issues, areas for improvement and possible solutions to update the legislation and align it with regional and/or international standards (note: the Consultant will be given copies of the Fiji and PNG Biosecurity Policies which can be used as a reference for regional standards). The Consultant must provide a gap analysis report setting out his/her/its findings.
3. Undertake national-level consultation with stakeholders (e.g., government representatives and national biosecurity focal points and other relevant parties) to consult on the gap analysis report and the suggested legislative amendments and recommended policy changes that will address the gaps identified in the gap analysis report.

When undertaking these consultations, the Consultant must ensure that these consultations capture all the areas within which biosecurity work is involved. The Consultant will have Biosecurity and Legal assistance from identified **national technical assistants** and technical assistance related to the international level from SPC's Biosecurity Sanitary Phytosanitary (BSPS) Team.

4. Subject to the legislative drafting requirements and process in each PACP, the Consultant will produce any necessary draft legislative amendment(s) or drafting instructions for suggested legislative amendments for each PACP to address the identified gaps in the current legislation.
5. All suggested draft legislative amendments must be fit for purpose, taking into account the local context. To that end and to the extent practicable, in drafting the legislative amendments, the Consultant will work in consultation with the relevant national focal point and a national legal focal point to ensure the draft legislative amendments are fit for purpose and adapted to the local context. Nb: Focal point details to be advised.
6. The final draft legislative amendments will be submitted to each national focal point for acceptance.
7. The Consultant will draft any policies and standard operating procedures (SOPs) necessary to set out the guidelines or framework to implement the amended biosecurity standards that result from the draft legislative amendments.
8. Drafting of the policies to inform the implementation of the revised legislation.
9. Drafting of Standard Operating Procedures (SOPs) in line with their proposed legislation. and submitting the final draft to national focal points.
10. The consultant will be expected to work with the identified legislative focal point in each country.
11. It is important for the selected consultant to carry out the above tasks while keeping the SPC SAFE Pacific Team fully informed and involved.

Country	Plant Biosecurity Gap Analysis	Animal Biosecurity Gap Analysis	Revise or Draft Legislation including primary bills	Draft Policies to inform Bills	Draft 6 SOPs
Kiribati	X	X	X	X	X
Samoa	X	X	X	X	X
Tuvalu	X	X	X	X	X

Countries	Legislation work needed to be done by the Consultant	Focal Contact points and their contacts	Current Legislation relevant to the Biosecurity Review
<p>Samoa</p>	<p>The assistance we are seeking from SPC on this assignment is to review & consolidate the policy paper for Biosecurity legislation.</p> <p>There is an existing reform/amendment of the Biosecurity legislation (Biosecurity Bill) with the absence of a <i>consolidated policy paper</i> The draft Bill and consultation were completed in or around 2018-2019, however along the line the policy paper cannot be found or perhaps incomplete. The reforms to the existing Biosecurity legislation were possible from the assistance we had from FAO at that time, we also like to mention that there are 2 additional Bills that impact the Biosecurity Bill which are the (Animal Health & Welfare Bill & Plant Protection Bill). They were reviewed and consulted together, and we understand it to be a decision whether to merge or to separate these 3 areas/Bills as the understanding back then, it all connects under Biosecurity to some extent.</p> <p>Given the extensive time needed for the review & to consolidate the policy, we are not able to finalise these Bills for Government deliberation & approval because of the absence of the policy paper to inform policy decisions on the segments or parts of the Bills, therefore the assistance needed from a consultant in particular includes the following;</p> <p>a) draft & consolidate the policy paper for the reforms (Biosecurity Bill, Animal Health, and Welfare Bill & Plant Protect Bill).</p> <p>b) the policy to be updated to existing international regulations & laws (Treaties, Conventions etc).</p> <p>c) recommend appropriate changes to the existing Bills to align with the policy (if needed).</p>	<p>Biosecurity Focal Contact Point:</p> <p>Dr. Seuseu Tauati Chief Executive Officer, MAF Email: seuseu@maf.gov.ws</p> <p>Alternative Focal Contact Point:</p> <p>Ms. Nafanua Malele Principal Biosecurity Officer, Biosecurity, MAF Email: nafanua.malele@maf.gov.ws</p> <p>Legal Focal Point:</p> <p>Ms. Glory Fuimaono ACEO, Legal Email: glory.fuimaono@maf.gov.ws</p>	<p>Quarantine (Biosecurity) Act 2005 and possibly the establishing Act of MAF Animal Health existing legislation;</p> <ul style="list-style-type: none"> • Agriculture and Fisheries Act 2020 • Export of Meat Act 1997 • Produce Export Ordinance 1961
<p>Tuvalu</p>	<p>Tuvalu needs the assistance from the SPC to</p>	<p>Biosecurity Focal Contact</p>	

	<p>review our Biosecurity Act and consolidation with other legislation. There is a need by the Biosecurity of Tuvalu (Quarantine and Plant Protection) to review its existing Biosecurity Act 2017.</p> <p>The review needs to be in line with Biosecurity Act or Legislation of other Pacific Countries. The review needs to in line with the new Tuvalu Constitution Law</p> <ul style="list-style-type: none"> a) This biosecurity bill was to merge of the Quarantine Act, Animal Act and Plant Act of Tuvalu, so this review needs to identify either this act can be combined or to separate b) Gaps analysis of the Biosecurity Act c) Legislation to be align with exists agreement (Treaties, Convention) <p>Note: The Tuvalu Biosecurity Act has been enacted and passed by parliament, but we need to review and provide additional information that would support the Act. (Please check repeals and savings – page 86 of the Tuvalu Biosecurity Act.</p> <p>Additional regulations to support the legislation. For instance – using of ephyto which is not stated in the Act. Only Phytosanitary Certificate. Other information is the importation of live dogs.</p>	<p><u>Point:</u></p> <p>Ms. Evolini Mani Principal Biosecurity Officer Email: evolinim@gmail.com</p> <p>Mr. Matio Lonolona Director of Agriculture Email: matioIn@gmail.com</p> <p><u>Legal Focal Point:</u></p> <p>To be Confirmed</p>	
<p>Kiribati</p>	<p>Kiribati needs the assistance from SPC on the review of the Kiribati Biosecurity Act and through a gap analysis and ensure that the Act is fit for purpose. Aligned to the international standards and captures well the Animal and Plant components and the SPS related matters on safe trade. The review needs to be in line with the Kiribati Constitution Law.</p> <p>Also captures well internal biosecurity regulations and safe movement of plants and animals. Additions on the use of ePhytosanitary and biosecurity fees and chargers.</p>	<p><u>Biosecurity Focal Contact Point:</u></p> <p>Ms. Kinaai Kairo Director and Head of NPPO Email: dald@melad.gov.ki</p> <p>Ms. Tekataake Oromita Chief Biosecurity Officer Email: t.oromita@melad.gov.ki</p>	

		<p><u>Legal Focal Point:</u> To be Confirmed</p>	
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Expected Outputs and Deliverables

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

- Biosecurity legislation review and gap analysis report for each country, progressive reports and outcomes of national-level consultations and a final report of all technical support provided, achievements, lessons learnt and recommendations per country.
- Draft policies, legislative amendments or drafting instructions for legislative amendments for the selected PACPs that addresses the gaps identified in the gap analysis report.
- Draft Acts, regulations and policies and SOPs for the selected PACPs that set out the guidelines or framework to implement the amended biosecurity standards that result from the draft legislative amendments.

Timelines

Duration of the Work

- The consultancy is for 55 days over a 7-month period.
- 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.

Reporting and contracting arrangements

Institutional Arrangement

- The consultant will report to and be supervised by the SPC SAFE Pacific Team (based in Suva, Fiji).
- The consultant is expected to produce all documentation, reports, and a final report upon successful completion of activities according to the agreed schedules and endorsed by the focal contact points in the selected PACPs.
- The consultant is expected to provide his/her own computer.
- All travel associated with this assignment will be prepared by SPC following its Travel Policy and guidelines. It is to be noted that SPC does not organize and pay travel insurance and visa fees to consultants, and these are to be arranged by successful contractor themselves prior to travel.

Duty Station

National (in-country) consultations and field visits shall be undertaken as needed and will be organized through the

SAFE Pacific project. The Consultant is expected to supply his/her own work IT equipment and workspace. 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, policies, and SOPs.

Supervision / Reporting

- I. The Consultant will report directly to the Team Leader SAFE Pacific Project and BSPS Team.
- II. The Consultant will provide scheduled reports to the Team Leader SAFE Pacific Project and BSPS Team which, upon request, will be shared with the countries.

Skills and qualifications

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 timelines.

The following qualification(s) and experiences are required:

Education:

Advanced degree in Law, Agriculture Science, Biosecurity or Environmental Law.

Experience:

- 5 or more years of relevant experience in natural or environmental sciences, biosecurity legislation related work or other similar expertise.
- 5 or more years of legislative drafting experience.
- Previous experience in conducting review of biosecurity legislation, policies and SOPs is essential. Similar work undertaken in the region in the past will be advantageous.
- Previous experience in national level consultation and producing technical reports.
- Previous experience in undertaking consultancies for projects and/or development agencies.
- Established networks with the region's Governments, statutory bodies/organizations, and other relevant stakeholders.

- Strong understanding of biosecurity and SPS, challenges and opportunities in the PICTs.

Language requirements:

- Fluent in the English language (verbal and written).
- Understanding of local languages is advantageous.

Scope of Bid Price and Schedule of Payments

Price Proposal and Schedule of Payments

The consultant must submit a financial proposal with the application in line with part 2.2 “Submission Instructions”. The total amount quoted shall be all-inclusive and incorporate all cost components required to perform the deliverables identified in the TOR. This shall comprise professional fee, 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.

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 DSA rates for any travel undertaken under this consultancy services.

SPC does not organize and pay travel insurance and visa fees to consultants, and these are to be arranged by successful contractor themselves prior to travel.

Payment Schedule

Milestone/deliverables	Deadline	% payment
Upon submission and acceptance of a workplan within 1-2 weeks of signing the contract. The workplan should outline the schedule of consultations, methodologies and plans to fully achieve the objectives of the consultancy.	30 April 2024	20%
Submission of the gap analysis report by consultant and accepted by the 3 countries and SPC team.	30 May 2024	15%
Upon submission and acceptance of a progress report and PowerPoint presentation detailing key findings from national consultations and recommendations for achievement of consultancy objectives.	15 July 2024	15%
Upon submission and acceptance by the PACP of policies, draft legislative amendments or drafting instructions for legislative amendments, Acts and SOPs.	30 September 2024	20%
Submission and acceptance of a final report and final copies of legislative amendments, policies and SOPs plus any other documents produced in relation to this consultancy to SPC.	30 October 2024	30%
TOTAL		100%

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 bellow 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.

Evaluation Method and Criteria

Individual consultants or consultancy firms or companies will be evaluated based on the following methodology:

Cumulative analysis

The contract shall be awarded to the individual consultant or consultancy firm or company whose offer has been evaluated and determined as a) responsive, compliant, acceptable and b) having received the highest score out of the set weighted technical criteria (70%) and financial criteria (30%).

Evaluation criteria	Score Weight (%)	Points obtainable
Mandatory requirements		
<ul style="list-style-type: none"> a) CVs of all personnels being proposed for this assignment b) Bidder's Letter of Application (Annex 1); c) Conflict of Interest Declaration (Annex 2); d) Information about the bidder and Due diligence (Annex 3); e) Technical proposal submission form (Annex4); f) Financial proposal submission form (Annex 5). 	Bidders may be disqualified if any of the requirements are not met	
Technical requirements		
Qualification:		
Advanced degree in Law, Agriculture Science, Biosecurity or Environmental Law.	10%	70
Relevant Experience:		

<ul style="list-style-type: none"> • 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. 	30%	210
Skills:		
<ul style="list-style-type: none"> • Demonstrate integrity and commitment to SPC principles, values, and ethical standards; • Have strong interpersonal and communication skills and foster team work; • 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; • 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 	20%	140
Workplan and method of approach		
<ul style="list-style-type: none"> • Adequacy of work plan, Budget, and Activity schedule with timelines to achieve the expected outputs using the appropriate methodologies • Indicates clear methodology, timeframe for completion of the review within the duration of the work. • Demonstrate strong commitment to meet reporting deadlines and other timelines 	30%	210
Report writing and communication		
Demonstrate practical experience in report writing and communication	10%	70
Total Score	100%	700
Qualification score	70%	490

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
1. Please provide information related to your entity.				
Company name	[Enter company name]		Address	[Enter address]
Director/CEO	[Enter name of the executive person]		Position	[Enter position of the executive person]
Business Registration/License number	[Enter company registration/license number (or tax number)]			
Date of business registration	[Enter date of business registration]			
Country of business registration	[Enter country of business registration]			
Status of the entity:				
<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: [insert details]				
2. Please provide relevant documentation to support and verify the legal existence of the entity, the authority of its officer and proof of its address, such as:				
<input type="checkbox"/> Delegation of authority or power of attorney document <input type="checkbox"/> Certificate of business registration/license <input type="checkbox"/> Memorandum, Articles or Statutes of Association <input type="checkbox"/> Telephone, water, or electricity bill in the name of the entity <input type="checkbox"/> Bank account details bearing the name of the entity				
3. How many employees does your company and its subsidiaries have?			[provide answer]	
4. Do you have professional insurance against all risks in respect of your employees, sub-contractors, property and equipment?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'No', what type of business insurance do you have?			[provide answer]	
5. Are you up to date with your tax and social security payment obligations?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'No', please explain the situation:			[Provide details]	
6. Is your entity regulated by a national authority?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'Yes', please specify the name:			[Insert name of the national regulation authority]	
7. Is your entity a publicly held company?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. Does your entity have a publicly available annual report?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
Please send SPC your audited financial statement from the last 3 financial years if available				

DUE DILIGENCE					
9. Does your entity have foreign branches and/or subsidiaries?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered 'yes' to the previous question, please confirm the branches:					
• 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
10. Does your entity provide financial services to customers determined to be high risk including but not limited to:					
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]		
11.If you answered 'yes' to any of the boxes in question 10, does your entity's policies and procedures specifically outline how to mitigate the potential risks associated with these higher risk customer types?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'Yes', please explain how:		[Provide explanation]			
12.Does your entity have a written policy, controls and procedures reasonably designed to prevent and detect fraud, corruption, money laundering or terrorist financing activities?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'Yes', please send SPC your policy in English.					
If 'No', what process does your entity have in place to prevent and detect money laundering or terrorist financing activities?				[provide answer]	
13.Does your entity have an officer responsible for anti-corruption, or anti-money laundering and counter-terrorism financing policy?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'Yes', please state that officer's contact details:		[Insert name and contact details]			
14.Has your entity or any of its current or former directors or CEOs ever filed for bankruptcy?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'Yes', please provide details:		[Provide details]			
15.Has your entity or any of its current or former directors or CEOs 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?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'Yes', please provide details:		[Provide details]			

SOCIAL AND ENVIRONMENTAL RESPONSIBILITY (SER)

16.Does your entity have a written policy, controls and procedures to implement its Social and Environmental Responsibility (SER) commitments?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'Yes', please send SPC your policy in English.					
If 'No', what process does your entity have in place to ensure your social and environmental responsibility?				[provide answer]	
Does your Policy or Process cover the followings?					
<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]			
17.Does your entity have an officer responsible for Social and Environmental Responsibility (SER)?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If 'Yes', please state that officer's contact details:		[Insert name and contact details]			

SUPPORTING DOCUMENTS (where relevant)

• Business registration/license proof	<input type="checkbox"/>
• Bank account details document	<input type="checkbox"/>
• Address of the entity and Authority of officer proofs	<input type="checkbox"/>
• Audited financial statement from the last 3 financial years	<input type="checkbox"/>
• Fraud, corruption, anti-money laundering and counter terrorist financing Policy	<input type="checkbox"/>
• SER Policy	<input type="checkbox"/>

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 PROPOSAL SUBMISSION FORM – SERVICES

INSTRUCTIONS TO BIDDERS

The Technical Proposal Submission Form is a table that includes the technical criteria (set out in Part 4) on which bidders will be scored and allows the bidder to respond to them. This table is then used by the technical evaluation committee to score the technical proposals received.

Technical Requirements		
Evaluation criteria		Response by Bidder
References		
Details for three references :		
1. Client's name : <i>[insert name of client 1]</i>		
Contact name :	<i>[insert name of contact]</i>	
Contact details :	<i>[insert contact details]</i>	
Value contract :	<i>[insert value of contract]</i>	
2. Client's name : <i>[insert name of client 2]</i>		
Contact name :	<i>[insert name of contact]</i>	
Contact details :	<i>[insert contact details]</i>	
Value contract :	<i>[insert value of contract]</i>	
3. Client's name : <i>[insert name of client 3]</i>		
Contact name :	<i>[insert name of contact]</i>	
Contact details :	<i>[insert contact details]</i>	
Value contract :	<i>[insert value of contract]</i>	
Personnel : <i>[insert details of the personnel/sub-contractors required]</i>	Details about personnel/sub-contractors	
	Leads Consultant/Manager's experience :	<i>[insert details about manager's experience]</i>
	Consultants' experience (if applicable & add more personnels if necessary :	<i>[insert details about consultants' experience]</i>
Qualification:		
Advanced degree in Law, Agriculture Science, Biosecurity or Environmental Law.	<i>[Bidder's answer]</i>	
Relevant Experience:		
<ul style="list-style-type: none"> 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. 	<i>[Bidder's answer]</i>	

<ul style="list-style-type: none"> • 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. 	
Skills:	
<ul style="list-style-type: none"> • Demonstrate integrity and commitment to SPC principles, values, and ethical standards; • Have strong interpersonal and communication skills and foster team work; • 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; • 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 	<p><i>[Bidder's answer]</i></p>
Workplan and method of approach	
<ul style="list-style-type: none"> • Adequacy of work plan, Budget, and Activity schedule with timelines to achieve the expected outputs using the appropriate methodologies • Indicate clear methodology, timeframe for completion of the review within the duration of the work. • Demonstrate strong commitment to meet reporting deadlines and other timelines 	<p><i>[Bidder's answer]</i></p>
Report writing and communication	
<p>Demonstrate practical experience in report writing and communication</p>	<p><i>[Bidder's answer]</i></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

BIDDER'S FINANCIAL PROPOSAL

All costs indicated on the Financial Proposal should be **inclusive** of **applicable taxes** only.

The format shown below should be used in preparing the price schedule. All prices in the proposal must be presented in bidders' local currency.

Particulars	Amount (STATE CURRENCY)
Professional fees	Daily rate: _____
Total professional fees (lumpsum)	
Other expenses (please specify)	
TOTAL [Insert Currency]	

Professional fees: Staff salaries, consultant fees and any other professional costs (with details on the level of effort of each person on the team if applicable. i.e., 50% full time, full-time, etc.).

SPC will not cover separate lines for overheads/running costs, contingencies... If these apply, the costs are to be considered in the professional fees charged for the delivery of the specific services.

SPC does not provide or reimburse insurance for consultant's travel or health, professional indemnity or any other risks or liabilities that may arise during the consultancy (this includes any subcontractors or associates the consultant may hire). SPC is also not responsible for any arrangements or payments related to visas, taxes, or duties for which the consultant may be liable.

The Contractor's duty station is their home country with likelihood of travel. If travel is required, SPC will pay semi flexible economy airfares, meals, incidentals, and accommodation (DSA).

SPC will not cover any IT and communication equipment for the duration of the assignment. The consultant is to ensure stable internet connection for virtual interactions when necessary.

No payment will be made for items which have not been priced. Such items are deemed to be covered by the financial offer.

Bidders will be deemed to have satisfied themselves, before submitting their proposal and to its correctness and completeness, considering of all that is required for the full and proper performance of the contract and to have included all costs in their rates and prices.

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]*