

Call for Proposals for National Consultant Firm

Project: Framework for the Implementation of Environmental Liability in Georgia

Terms of Reference

1. The Project and Responsibility

The Environmental Liability Directive (ELD) seeks to achieve the prevention and remedying of environmental damage - specifically, damage to habitats and species protected by EC law, damage to species or habitats on a site of special scientific interest for which the site has been notified, damage to water resources and land contamination which presents a threat to human health. It reinforces the “polluter pays” principle - making operators financially liable for threats of or actual damage.

In its quest to achieve the desired development and economic growth, political relations and legislative harmonization, one of the Georgian government’s main policy directions is in the energy sector parallel to that of the environment sector. It is therefore in the interest of the Government of Georgia (GoG) to develop their renewable energy resources ensuring the lowest impact on the environment and society in alignment with regional and international instruments. Georgia has great hydropower potential and hydropower development has the largest environmental footprint of all renewable energy solutions. Indeed, without appropriate considerations, hydropower development can lead to environmental damage, defined in the EU Directive on environmental liability as damage to protected species and natural habitats, water and land.

The project will assist the GoG authorities who have to make decisions about environmental damage or imminent threat of the same in the hydropower sector (i.e. the supervising authorities) and other stakeholders who can be responsible for environmental damage or an imminent threat of the same. The project will draw upon cases of sound assessments (e.g., EIA) on environmental and related social infringements, which point to needs for remediation of impacts and related EL actions. The project will provide assistance to the GoG in development of an implementable package for the EU Environmental Liability Directive, in a hydropower context including key guidelines for a practical instrument. The project will, thus also assist in establishing monitoring indicators/mechanisms for undertaking regular third-party monitoring. The project will also emphasize through analysis the harmonization of the national instruments with the EU ELD framework as well as with other relevant national guidelines and mechanisms.

The Project will be managed by the International Centre for Hydropower (ICH) (hereby also referred to as the “Client”) and is financed by the Royal Norwegian Ministry of Foreign Affairs. The International Centre for Hydropower (ICH) is a capacity building centre and a key partner in providing the transfer of knowledge through training to develop competencies for the energy sector globally. Since 1995, ICH activities have focused on sustainable environmental, social, technological, economic, legal and regulatory aspects of hydropower. The ICH has a large network of international experts & consultants who are used as resource persons on ICH activities.

The Lead International Consultant (LIC) will steer and implement this capacity building project. To assist the LIC in the implementation of this project the Client aims to contract a Georgian based National Consultant firm. Through this call the Client aims to contract a firm (hereby referred to as the “National GE Consultant”-NC) to assist in the implementation of the project. This is the Terms of Reference (TOR) and call for Proposals from prospective consultants based and legally registered in Georgia.

2. The Assignment and Requirements

The assignment will concentrate on the Scope of Work and Implementation presented below. The scope of work will need to be elaborated in detail during the project. The National Consultant is expected to present how the assignment is understood, briefly provide an explanation of how the Work Packages may be developed (also based on previous experience) with the LIC and the current status (briefly) of related regulations/policy. Note that a preliminary implementation plan is provided below.

The assignment is seen as suitable for a firm with the following competency and experience, which should be elaborated upon in the proposal.

- Experience with assignments with international firms and hydropower development meeting international standards/benchmarks.
- Experience and knowledge of international and national EIA /ESIA policy and practices would be an asset.
- Experience with assisting with designing capacity building packages particularly on hydropower related projects to a range of stakeholders, running stakeholder workshops and interviews is necessary.
- Experience and ability to lead projects with Georgian consultants would be important assets.
- Experience with GoG ministries will be an asset.
- Ability to conduct reviews, editing of reports/articles and producing project notes in Georgian will be an asset.
- The NC should have good English comprehension, verbal and writing skills.
- The Consultant should be able to communicate with stakeholders and help manage disclosure of information.
- Consultant should have office spaces, printing facilities and reliable internet connections for this project. The NC should be able to assist with local logistics for the international consultants (Client and LIC).

3. Scope of Work and Implementation Plan

The NC will assist the Client and the LIC to address the aims outlined in Section 1 and implement the following tasks. Time period are indicative and are likely to overlap.

WORK PACKAGE 1: Anchoring regulatory and practice. (2016-2017)

Key output: WP1 will set the framework for further policy harmonization and guideline development.

WORK PACKAGE 2: Learning from Cases and Sharing Knowledge. (2016-2018)

Key Output: WP2 will serve to provide real case experience as well as theoretical (EU and other international remediation standards), in addition to directly contributing to guideline development.

WORK PACKAGE 3: Training for assessing environmental damage. (2017-2018)

Key output: WP3 will form the basis-provision for training and function as follow-up instruments for the GoG.

WORK PACKAGE 4: Environmental Liability Framework. (2017- 2018)

Key output: WP 4 will develop EL guidelines, inclusion of key stakeholder views and policy framework linkages.

The Ministry of Environment and Natural Resources Protection (MoENRP) is the main beneficiary on behalf of the Government of Georgia (GoG) will be deeply involved in the project implementation. MoENRP will be involved in the legislative mapping and anchoring linkages to national and international/EU instruments; case review and examples; training on ELD and in the framework and guidelines development. The Ministry of Energy, being involved in giving concessions for energy project development will also be a key actor. There will be other state institutions that will be involved as well, along with civil society/environmental NGOs and private sector representatives will be included in various project activities. Specialist local consultants will be brought in to assist in several of the above work packages.

The project is of three-year duration. The project started in October 2015 and is in the Inception Phase. The Consultant will assist the LIC in the detailed planning of work packages and planned tasks.

4. The Proposal and Procurement

The technical proposal not exceeding five-pages for this project will consist of:

The proposal must be in written in English. An approach, rational and suitability of the National Consultant (NC) must be provided. The approach must consist of a proposal of how the NC understands the project and how the NC foresees the project implementation.

A brief summary of key relevant projects (with client information) and capacity building/training/educative the last 5 years should be included in the technical proposal. If seen necessary extended details maybe added as an annex, only if highly relevant.

A Budget related to the work packages is to be included in the proposal (or annex). An hourly rate (rates as per personnel) is to be included and the anticipated allocation across work packages as anticipated should be indicated. Note that this allocation will be merely indicative and will be finalized with the LIC. The maximum limit of the project is GEL 130000,- (one hundred and thirty thousand GEL) stating VAT obligations. The budget has to be justified and additional experts should be mentioned to cover the specific tasks, if relevant. If the NC sees the need to hire extra thematic specialists (not listed in team make-up), these may be considered during the course of the project: this need should be indicated as well. In such cases, hiring of needed consultants will be based on a detailed qualification assessment by the LIC. Travel expenses within Tbilisi should be covered by the NC along with office running costs for implementing this project. Travel outside to field sites will be covered by the Client.

CVs must be included as an annex (each not exceeding five-pages). The CVs must include education and work details, experience, projects and roles in projects, clients and any other relevant information. Project Manager (required) and any key relevant personal (as seen relevant) CVs should be included.

A tax/VAT/financial statement and official firm registration must be included as annex/s.

Full contact details (e-mail; phone; name; position in firm) must be included in the cover letter (not part of technical proposal).

Evaluation and time-line

Prospective consultants are invited to tender for this call. Based on the proposals the Client may interview one or more prospective consultants, as deemed necessary. The evaluation will be carried out by the LIC and the Client advised accordingly.

The proposals will be weighted as follows: Experience (60 %), Approach/Process (30%) and Budget (10%).

Proposals are due the April 8th, 2016 at 16:00 hours (CET). The time-line for the selection is presented below.

| No | Steps | Dates |
|----|--|---|
| 1 | Call for Proposals for tender. ToR | March 25 th , 2016 |
| 2 | Deadline for Proposals | April 8 th , 2016 16:00 (CET) |
| 3 | Interview/s with shortlisted consultants only if deemed necessary. Consultants informed. | April 11 th , 2016 |
| 4 | Complaint Deadline | April 18, 2016 |
| 5 | Contact negotiation and signing | ASAP after above deadline. |

The proposal is to be sent to the following addresses: cm@ich.no, carole.rosenlund@sintef.no and shivcharnsdhillion@yahoo.no

CLIENT: International Centre for Hydropower (ICH),
Project Manager: Ms. Carole Rosenlund,
Klæbuveien 153, N-7465 Trondheim, Norway
www.ich.no

Lead International Consultant,
Team Technical Leader, Dr. S. S. Dhillion,
ENVIRO-DEV, 2510 Tyllidalen, Norway