

Request for Proposals

Title: Consultancy Services for the Development of a Legislation Review of the legal framework relevant for the establishment and running of Protected Areas in Timor-Leste

RFP No: CITL/RFP/2022-09/002

Date of Issuance: 09 September 2022

1. Background

CI Timor-Leste is in a state of growth and development, aiming to expand our work with government and communities in creating, developing, and supporting the National Protected Area system through a GEF-6 funded project with the objective to “Establish Timor-Leste’s National Protected Area system and improve the management of forest ecosystems in priority catchment corridors”. The consultancy will support the project by assisting government partners in developing a national protected area system online platform.

2. Project Overview

Identify and clearly present the legal framework for the establishment and ongoing management of Protected Areas in Timor-Leste. The legislation review will enable Government, NGO, and CSO stakeholders to understand the legal landscape, legal obligations, and limits, of each stakeholder in relation to the establishment and running of a PA. This will include any potential contradictions between laws relevant to different government ministries, for example the legal status of protection within a PA if extractable resources are found to be present or the rights of communities to utilize natural resources living and owning land within a PA.

3. Terms of Reference, Deliverables and Deliverables Schedule

See Attachment 2

4. Submission Details

- a. **Deadline.** Proposals must be received no later than **15 October 2022, 05.00PM Dili, Timor-Leste Time**. Late submissions will not be accepted. Proposals must be submitted via email to **timor-leste@conservation.org**. All proposals are to be submitted following the guidelines listed in this RFP.
- b. **Validity of bid.** 120 days from the submission deadline
- c. **Clarifications.** Questions may be submitted to **timor-leste@conservation.org** by the specified date and time in the timeline below. The subject of the email must contain the RFP number and title of the RFP. CI will respond in writing to submitted clarifications by the date specified in the timeline below. Responses to questions that may be of common interest to all bidders will be posted to the CI

website and/or communicated via email.

- d. Amendments. At any time prior to the deadline for submission of proposals, CI may, for any reason, modify the RFP documents by amendment which will be posted to the CI website and/or communicated via email.

5. Minimum Requirements

- a. Bachelor's Degree or higher in relevant field as mentioned above
- b. Contextual knowledge of Timor-Leste (preferred), Indonesia or Asia Pacific
- c. Strong project and time management skills
- d. Excellent ability to communicate with senior-level stakeholders
- e. An orientation towards collaboration
- f. Excellent English written and verbal communication skills are required

6. Proposal Documents to Include

- a. Signed cover page on bidder's letterhead with the bidder's contact information.
- b. Signed Representation of Transparency, Integrity, Environmental and Social Responsibility (Attachment 1)
- c. Technical Proposal.
 - i. Corporate Capabilities, Experience, Past Performance, and 3 client references. Please include descriptions of similar projects or assignments and at least three client references.
 - ii. Qualifications of Key Personnel. Please attach CVs that demonstrate how the team proposed meets the minimum requirements listed in section 5 (Minimum Requirements).
 - iii. Technical Approach, Methodology and Detailed Work Plan. The Technical Proposal should describe in detail how the bidder intends to carry out the requirements described in the Terms of Reference as described in **Attachment 2**. This part shall be between 3 and 5 pages long but may not exceed 5 pages (Add specific requirements needed in the Technical Proposal here. Include page limit if appropriate)
- d. Financial Proposal. Offerors shall use the cost proposal template (**Attachment 3**).

- ## 7. Evaluation Criteria
- In evaluating proposals, CI will seek the best value for money considering the merits of the technical and costs proposals. Proposals will be evaluated using the following criteria:

Proposals will be evaluated ONLY against the Evaluation Criteria in the RFP (no other evaluation criteria may be considered for selection).

No.	Evaluation Criteria	Score (out of 100)
1	Is the proposed approach and methodology appropriate to the assignment and practical in the prevailing project circumstances?	25
2	Is the presentation clear and is the sequence of activities and the planning logical, realistic and promise efficient implementation to the project?	20
3	Does the bidder's past performance demonstrate recent proven experience doing similar work?	20
4	Does the bidder and the proposed personnel have the specific technical expertise for the assignment?	20
5	Cost: Costs proposed are reasonable and realistic, reflect a solid understanding of the assignment.	15

8. Proposal Timeline

RFP Issued	09 September 2022
Clarifications submitted to CI	21 September 2022
Clarifications provided to known bidders	25 September 2022
Complete proposals due to CI	15 October 2022
Final selection	24 October 2022

- 9. Resulting Award** CI anticipates entering into an agreement with the selected bidder by **07 November 2022**. Any resulting agreement will be subject to the terms and conditions of CI's Services Agreement. A model form of agreement can be provided upon request.

This RFP does not obligate CI to execute a contract, nor does it commit CI to pay any costs incurred in the preparation or submission of the proposals. Furthermore, CI reserves the right to reject any and all offers, if such action is considered to be in the best interest of CI. CI will, in its sole discretion, select the winning proposal and is not obligated to share individual evaluation results.

- 10. Confidentiality** All proprietary information provided by the bidder shall be treated as confidential and will not be shared with potential or actual applicants during the solicitation process. This includes but is not limited to price quotations, cost proposals and technical proposals. CI may, but is not obliged to, post procurement awards on its public website after the solicitation process has concluded, and the contract has been awarded. CI's evaluation results are confidential and applicant scoring will not be shared among bidders.

11. Code of Ethics All Offerors are expected to exercise the highest standards of conduct in preparing, submitting and if selected, eventually carrying out the specified work in accordance with CI's Code of Ethics [for GCF-funded projects only, add: "and the Green Climate Fund's [Policy on Prohibited Practices](#)"]. Conservation International's reputation derives from our commitment to our values: Integrity, Respect, Courage, Optimism, Passion and Teamwork. CI's Code of Ethics (the "Code") provides guidance to CI employees, service providers, experts, interns, and volunteers in living CI's core values, and outlines minimum standards for ethical conduct which all parties must adhere to. Any violation of the Code of Ethics, as well as concerns regarding the integrity of the procurement process and documents should be reported to CI via its Ethics Hotline at www.ci.ethicspoint.com.

12. Attachments:

- Attachment 1: Representation of Transparency, Integrity, Environmental and Social Responsibility
- Attachment 2: Terms of Reference
- Attachment 3: Cost Proposal Template

Attachment 1: Representation of Transparency, Integrity, Environmental and Social Responsibility

RFP No. CITL/RFP/2022-09/002

All Offerors are expected to exercise the highest standards of conduct in preparing, submitting and if selected, eventually carrying out the specified work in accordance with CI's Code of Ethics. CI's Code of Ethics provides guidance to CI employees, service providers, experts, interns, and volunteers in living CI's core values, and outlines minimum standards for ethical conduct which all parties must adhere to. Any violations of the Code of Ethics should be reported to CI via its Ethics Hotline at www.ci.ethicspoint.com.

CI relies on the personal integrity, good judgment and common sense of all third parties acting on behalf, or providing services to the organization, to deal with issues not expressly addressed by the Code or as noted below.

I. With respect to CI's Code of Ethics, we certify:

- a. We understand and accept that CI, its contractual partners, grantees and other parties with whom we work are expected to commit to the highest standards of Transparency, Fairness, and Integrity in procurement.

II. With respect to social and environmental standards, we certify:

- a. We are committed to high standards of ethics and integrity and compliance with all applicable laws across our operations, including prohibition of actions that facilitate trafficking in persons, child labor, forced labor, sexual abuse, exploitation or harassment. We respect internationally proclaimed human rights and take no action that contributes to the infringement of human rights. We protect those who are most vulnerable to infringements of their rights and the ecosystems that sustain them.
- b. We fully respect and enforce the environmental and social standards recognized by the international community, including the fundamental conventions of International Labour Organization (ILO) and international conventions for the protection of the environment, in line with the laws and regulations applicable to the country where the contract is to be performed.

III. With respect to our eligibility and professional conduct, we certify:

- a. We are not and none of our affiliates [members, employees, contractors, subcontractors, and consultants] are in a state of bankruptcy, liquidation, legal settlement, termination of activity, or guilty of grave professional misconduct as

- determined by a regulatory body responsible for licensing and/or regulating the offeror's business
- b.** We have not and will not engage in criminal or fraudulent acts. By a final judgment, we were not convicted in the last five years for offenses such as fraud or corruption, money laundering or professional misconduct.
 - c.** We are/were not involved in writing or recommending the terms of reference for this solicitation document.
 - d.** We have not engaged in any collusion or price fixing with other offerors.
 - e.** We have not made promises, offers, or grants, directly or indirectly to any CI employees involved in this procurement, or to any government official in relation to the contract to be performed, with the intention of unduly influencing a decision or receiving an improper advantage.
 - f.** We have taken no action nor will we take any action to limit or restrict access of other companies, organizations or individuals to participate in the competitive bidding process launched by CI.
 - g.** We have fulfilled our obligations relating to the payment of social security contributions or taxes in accordance with the legal provisions of the country where the contract is to be performed.
 - h.** We have not provided, and will take all reasonable steps to ensure that we do not and will not knowingly provide, material support or resources to any individual or entity that commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitate, or participated in terrorist acts, and we are compliant with all applicable Counter-Terrorist Financing and Anti-Money Laundering laws (including USA Patriot Act and U.S. Executive Order 13224).
 - i.** We certify that neither we nor our directors, officers, key employees or beneficial owners are included in any list of financial or economic sanctions, debarment or suspension adopted by the United States, United Nations, the European Union, the World Bank, or General Services Administration's List of Parties Excluded from Federal Procurement or Non-procurement programs in accordance with E.O.s 12549 and 12689, "Debarment and Suspension".

Name: _____

Signature: _____

Title: _____

Date: _____

Attachment 2: Terms of Reference RFP No. CITL/RFP/2022-09/002

2.1. Terms of Reference

Expected contract period: 6 months

Consultancy Key Tasks:

The broad scope of this assignment is to produce an online Protected Areas platform. In this case, the platform is a single website with both a public access area and a restricted password access area, the latter of which contains the PA system database for use by government and other official stakeholders.

Consultation

1. Consult with key government partners on functional requirements, this should include but not be limited to the Dept. of Protected Areas in the Ministry of Agriculture & Fisheries, State Secretary of Environment, and the Ministry of Tourism.
2. Consult with CI staff on the design and functional requirements.

Content collection

3. Collate existing legal and policy documents relevant to the PA system, this would include all directly relevant information to PAs and those which relate to activities that may be carried out within a PA long after its establishment, such as infrastructure developments, settlements, farming and resource extraction.

Deliverable presentation

4. The review should be presented as both a detailed written document and a schematic diagram that may be used as a poster or presentation for quick reference.

2.2. Deliverables

By the end of the consultancy period the consultant will deliver:

1. Inception Report and Workplan - within two weeks of signing the contract the consultant will produce a plan that is submitted to CI for review. The inception report will identify key issues, approach to the assignment, and a detailed work plan (recommended length max 4 pages).
2. National Protected Area System Legislation Review, including recommendations regarding overlap or contradictory laws that may affect management and/or function of a PA; word document.
3. National Protected Area System Legislation Review; schematic diagram.

Attachment 3: Cost Proposal Template

The cost proposal must be all-inclusive of profit, fees or taxes. The cost shall also include a budget narrative that explains the basis for the estimate of every cost element or line item. Additional costs cannot be included after award, and revisions to proposed costs may not be made after submission unless expressly requested by CI should the offerors proposal be accepted. Nevertheless, for the purpose of the proposal, Offerors must provide a detailed budget showing major expense line items. Offers must show unit prices, quantities, and total price. All items, services, etc. must be clearly labeled and included in the total offered price. All cost information must be expressed in USD.

If selected, Offeror shall use its best efforts to minimize the financing of any taxes on goods and services, or the importation, manufacture, procurement or supply thereof. If Offeror is eligible to apply for refunds on taxes paid, Offeror shall do so. Any tax savings should be reflected in the total cost.

Cost Breakdown by Cost Component (example only)

Description	Unit of measure (day, month etc.)	Total period of engagement	Unit cost/rate	Total Cost for the Period
Consultant 1				
Consultant 2				
Sub-total Personnel				
Travel Costs (if applicable)				
Other related Costs (please specify)				
Total Cost of Financial Proposal				

Tax Obligation: CI-TL is legally obliged to withhold 10% of the total budget amount to meet the requirement of the national tax authority. This amount will then be paid by CI-TL to the local tax authority. CI-TL will provide receipt of this tax payment to the consultant as per request. This tax obligation should be expressed in the total budget