

## **TERMS OF REFERENCE**

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### **For International Consultant**

#### **Service Reference: Review of Biodiversity Act of Bhutan 2003 and Development of Rules and Regulations of Biodiversity act of Bhutan**

#### **1. Objectives**

The National Biodiversity Centre is seeking the service of a consulting firm to revise the existing Biodiversity Act 2003 and develop its Rules and Regulations.

#### **3. ToR**

- Work under the supervision of NBC and in close collaboration with the national consultant.
- Review and study all relevant national and international legislation relevant to biodiversity and Access and Benefit-Sharing (ABS).
- Guide the national consultant in revision of the Biodiversity Act of Bhutan 2003 and drafting of its rules and regulations.
- Guide the national consultant in designing the national and regional stakeholder consultation meetings.
- Facilitate and provide advice/international perspectives during the stakeholder consultation meetings.
- Participate in consultation meetings in Bhutan for a minimum one time as per the agreed work plan.
- Review and provide expert advice/inputs especially from an international perspective on all the drafts which are prepared and shared by the national consultant.
- Revise and finalise the Biodiversity Act 2003 of Bhutan in line with existing national and international legal instruments related to biodiversity and ABS till adopted by the Parliament.
- Draft and finalise the Rules and Regulations of the Revised Biodiversity Act 2003 till adopted by the Parliament
- Make presentations on both the draft and final Biodiversity Act, and Rules & Regulations to NBC and other relevant authorities/groups as and when requested.

#### **4. Period of Engagement**

The assignment should be completed within a year from the date of signing of the contract agreement. The work plan and the time frame shall be jointly developed in consultation with the national consultant and NBC.

#### **5. Proposal documents to be submitted**

Shortlisted firm should submit the technical and financial proposal in two separate packages on or before 17<sup>th</sup> June, 2015. The envelope should be clearly labelled and sealed as “Technical proposal” and “Financial Proposal”. The technical proposal should consist of relevant documents covering the technical evaluation criteria.

(\*The CV along with photograph for the identified consultant representing the consulting firm working with NBC should be included in the proposal)

#### **6. Evaluation of the bids**

- I. The bids will be evaluated in two stages (Technical and Financial) by the evaluation team comprising representatives from NBC and other relevant agencies.
- II. To qualify for the second stage (Financial evaluation), the firms should score 80% and above for the technical evaluation.
- III. The firms qualifying both the stages only will be considered for the award of the assignment.
- IV. The weightage for the technical and the financial bid would be at the ratio of 80:20.
- V. The firm that scores highest in the accumulated assessment result of technical and financial assessment will be selected for the award of the assignment.
- VI. The technical evaluation and the financial evaluation will be based on the following factors:

##### 1<sup>st</sup> stage (Technical Evaluation)

- a. Quality of the technical proposal (Understanding of the subject, Methodology, Work plan)
- b. Specific expertise in the relevant area of practice/specialization
- c. Track record of successful completion of past assignments
- d. Skills related to capacity building and facilitation (assessment will be based on awareness and community/stakeholders facilitation conducted)

- e. Availability/ flexibility

#### 2<sup>nd</sup> stage (Financial Evaluation)

- a. Reasonableness of the quoted price

### **8. Price and Payment**

- I. Prices are in USD and are exclusive of all payable taxes.
- II. Discounts should be included on quoted prices, if any.
- III. Quoted price would be open to negotiations.
- IV. Payment shall be made as per the contract agreement.

### **9. Deliverables**

- I. The final revised Biodiversity Act of Bhutan 2003 as adopted by the Parliament
- II. The final Rules and Regulations of the revised Biodiversity Act of Bhutan 2003 as adopted by the Parliament.
- III. All the documents and supporting research material whether draft or final documents should be submitted NBC in soft and hard copies.
- IV. Any material submitted under this ToR is the property of NBC and cannot be submitted or distributed to or used by any other agencies, unless arranged otherwise.

### **10. Legal responsibility**

- I. Quotations are not binding on NBC and a Contract will only come into being when a written confirmation of the work order is issued.
- II. In case of any error or omission in the contracted work, it shall be the responsibility of the service provider to carry out the service to the satisfaction of the client.