

TERMS OF REFERENCE

For National 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 international consultant.
- Review and study all relevant national and international legislation relevant to biodiversity and Access and Benefit-Sharing (ABS).
- Revise and finalise the Biodiversity Act 2003 of Bhutan in line with existing national and international legal instruments related to biodiversity and ABS till Adoption by the parliament.
- Draft and finalise the Rules and Regulations of the Revised Biodiversity Act 2003 as adopted by the parliament.
- Design, Conduct, Facilitate and Document any process such as workshops and meetings for the activity.
- Consolidate the information, insights, comments and views elicited from the workshops and meetings into a comprehensive and well-structured report for record and reference.
- Carry out consultations with key individuals in relevant agencies for additional information and insights; and clarifications.
- Make presentations on the draft and final Biodiversity Act and the draft and finalized Rules and Regulations to NBC and other relevant authorities/groups as and when requested.

4. Period of Engagement

The assignment should be completed within 1 year from the date of signing the contract agreement. The work plan and the time frame shall be jointly developed in consultation with international 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 17th 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:

1st 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

2nd stage (Financial Evaluation)

- a. Reasonableness of the quoted price

8. Price and Payment

- I. Unless otherwise stated, prices are in Ngultrum 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 with copies in English and Dzongkha should be submitted to NBC.
- II. The final Rules and Regulations with copies in English and Dzongkha should be submitted to NBC.
- III. All the documents and supporting research material, whether draft or final documents should be submitted to 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.