
EUROPEAN FOREST INSTITUTE

TENDER SPECIFICATIONS

PROCUREMENT REFERENCE NUMBER (6-15-2021 EFITAP)

Technical support to the development of the Guyana Timber Legality Assurance System (GTLAS)

1. TERMS OF REFERENCE

1.1. Background

Forests cover 87% of Guyana's total land area of 21.1 million hectares and they are an important contribution to the economy, providing jobs and sustaining livelihoods. The government own 86% of the forests, while indigenous peoples own 14% of the land. The culture and traditions of Guyana's indigenous peoples are rooted in sustainable use of lands they have customarily occupied and used. Guyana has maintained one of the lowest deforestation rates peaking at 0.079% in 2012 and 0.048% in 2017. Of the forested area, approximately 12.6 million hectares is State Forest administered by the Guyana Forestry Commission (GFC). These forests are classified as swamp forest on the coast and rainforest, seasonal and dry evergreen forest in the interior. The forest industries sub-sector consists of mainly logging and sawmilling operations conducted by GFC approved Forest Sector Operators (FSO) that can include large concessions (>8097ha), small concessions (<8097ha), Amerindian villages, private landowners, and State lands in conversion (i.e. Salvage Timber).

The timber trade between Guyana and Europe accounts for up to 5-8% of Guyana's timber industry. Most exports of timber from Guyana to the Europe are destined for the UK.

Guyana decided in 2012, after a series of consultations with internal and external stakeholders, to engage the European Union to negotiate a Voluntary Partnership Agreement (VPA). Guyana's motivations for entering into a VPA with the EU extended beyond expanding markets in Europe and included **strengthening its forest sector governance and improving its systems of tracking and tracing timber and timber products**. The Guyana - EU VPA was initialled in November 2018. The ratification process is on-going in EU and Guyana.

To implement the commitments made in the VPA, Guyana has prepared a draft **Joint Implementation Framework (JIF)** through a multi stakeholder process. The JIF provides a mechanism for the Joint Monitoring and Review Committee (JMRC) to guide and monitor the implementation of the VPA. The JIF covers the period from the initialling of the VPA up to and including the independent joint evaluation of the operational readiness of the Guyana Timber Legality Assurance System (GTLAS).

The JIF provides the programmatic framework within which all VPA-related implementation actions will take place. As a coordination mechanism, the JIF was designed to ensure synergies between and among all local VPA stakeholders and the international development partners.

The Foreign, Commonwealth and Development Office (FCDO) leads the UK's efforts to tackle poverty and global challenges. Its Forest Governance, Markets and Climate Programme (FGMC) is a 10-year, £250 million programme aimed at tackling forest governance failures in developing timber-producing countries and the consequent market failures that result in illegal exploitation of forest land and resources and the associated trade in timber and other commodities. As part of this global effort, FGMC provides support to the government of Guyana through a programme with European Forest Institute, in its efforts to tackle illegal logging and strengthen governance in the sector.

The European Forest Institute (EFI) is a pan-European international organization. EFI provides forest-related knowledge around three interconnected and interdisciplinary themes: (i) bioeconomy, (ii) resilience and (iii) governance. With more than a decade of experience supporting the implementation of political and technical partnerships such as Voluntary Partnership Agreement (VPA) processes in 15 countries throughout Africa, Asia as well as Central and South America, REDD processes as well as governance and market reforms.

The EFI Technical Assistance Project (EFITAP) in Guyana provides support aimed at 'kickstarting' forest governance reforms necessary to prepare Guyana for the implementation of the VPA as part of the initial phase of the JIF, through six project outcomes:

- Outcome 1: *Strengthened and more transparent legality control system designed/ being developed;*
- Outcome 2: *Strengthened regulatory framework through harmonisation of the governing Acts and relevant procedures of TLAS agencies;*
- Outcome 3: *Increased capacity of stakeholders to implement the legality control system;*
- Outcome 4: *Increased Transparency in the forestry sector through the establishment of an information sharing mechanism;*
- Outcome 5: *Outreach increased with key stakeholders in preparation for implementation; and*
- Outcome 6: *Supporting the ALTP GRM to facilitate the channelling of Amerindian rights issues.*

EFI is seeking to contract a technical expert (hereafter ‘the contractor’) to provide support to the development of the Guyana Legality Assurance system (GLAS) as part of EFITAP (outcomes 1, 3 and 5).

1.2. Objective of this assignment

The objective of this assignment is to support **setting up the Guyana Timber Legality Assurance System** specifically by:

- Working on activities foreseen under ‘*Outcome 1: Strengthened and more transparent legality control system designed/ being developed*’.
- Support the delivery of related activities (legality control system deigned/ being developed) anticipated under ‘*Outcome 3: Increased capacity of stakeholders to implement the legality control system*’, and ‘*Outcome 5: Outreach increased with key stakeholders in preparation for implementation*’.

1.3. Scope and tasks

This section provides an overview on general tasks and activities that will be performed by the contractor during the execution of this assignment whereafter specific considerations is given to specific task anticipated for Outcomes 1, 3 and 5.

1.3.1. General

The general tasks and activities of the contractor will include:

- a. *Creating a detailed work plan* (divided into quarterly workplans) of activities for carrying out this assignment. The work plan will be completed in consultation with the designated representatives of the GFC and EFI, and identify the different phases, timeframes, and expected outcomes of the assignment as agreed with GFC and EFI. In respect of each activity, the workplan will identify the relevant counterparts within the GFC (or other agency) as well as their contributions in realising the deliverables under this assignment. The workplan will further provide a brief description of the methodology that will be used in delivering on the expected deliverables (desktop review, virtual engagements, etc.).

- b. *Collecting the necessary documents and conducting a comprehensive literature review* in preparation of this assignment and undertaking the necessary activities. Such documents will include:
 - existing literature on institutional and operational arrangements of the GFC (e.g. Policy documents, Manuals of Procedures, Standard Operating Procedures, Work Instructions, other);
 - Current information on the verification requirements and implementation of the GTLAS including the Wood Tracking System (WTS) Guidelines, Operational Procedures of GFC (and other agencies), the VPA, work done to date by EFITAP, and other relevant documentation identified.
 - Information available on existing information management systems in Guyana that is used in the context of managing verification and decision-making.
 - Report on the GTLAS Needs Assessment (January 2020).
- c. *Keeping updated and informed* on the developments, trends, challenges, and gaps within the sector as far as it relates to deliverables under this assignment.
- d. *Engaging with the relevant national stakeholders* (government departments, civil society organisations/groups, non-governmental organisations, communities, other platforms, and private sector representatives/ associations) in delivering on the objectives and anticipated outcomes of this assignment.
- e. *Liaising, in consultation and coordination with EFI and GFC*, with sector support programmes including technical programmes/projects, international partners/organisations, donors, and other relevant support provided for the implementation of the JIF.
- f. *Participating in regular meetings (in person, or virtual), field work as well working remotely* as is required in implementing this assignment.
- g. *Identifying gaps, challenges, and opportunities* at an operational level as it relates to the implementation of the GTLAS.
- h. *Provide the necessary guidance and support to GFC and EFI* in relation to the design, development and implementation measures required for setting up the GTLAS.
- i. *Delivering high quality products and reports* that supports the setting up the GTLAS (as described below).

1.3.2. Outcome 1: Strengthened and more transparent legality control system designed/ being developed

In addition to the general tasks set out above the contractor will work towards **setting up the Guyana Timber Legality Assurance System** specifically by:

- a. *Reviewing and updating the operational manuals of procedures* of the Forest Monitoring Division (FMD), Forest Resource Management Division (FRMD), and the Finance Division (FD) to strengthen the operations of the GFC and its role in implementing the GTLAS. This work will be conducted in collaboration with a team established by the GFC. The approach for the comprehensive review and update process will be determined by the GFC and EFI.
- b. *Building on existing work done by EFITAP, supporting development and completion of the GTLAS Manual of Procedures for verification (Legality Framework)* including all related procedures, supporting documents, work instructions and associated aspects needed to implement the GTLAS. Areas covered by the framework include aspects such as:
 - Development of procedures and associated documents required for the verification of (i) the forest allocation and harvesting rights, (ii) the legality definition, and (iii) wood tracking system.

- Interagency coordination and management of verification processes, information, and decision-making.
 - Information Management Systems and the management of verification information.
 - Management of non-compliance.
 - Issuance of FLEGT Licenses.
 - Management of complaints.
 - Development of related procedures and associated documents required for implementation as identified in the VPA (e.g. *confiscated timber, imported timber, other*).
- c. *Supporting the strengthening of institutional arrangements required for the efficient functioning of the GTLAS by:*
- Assessing the operational efficiency of controls relevant for verification activities and operations at different control points by the relevant authority/ agency and comparing the consistency of practice (and efficiency) *vis-à-vis* GTLAS requirements specified in the VPA.
 - Working on the closure of any gaps identified (e.g. *building capacity, establishing inter-agency cooperation agreements, other mechanisms*) to ensure the relevant institutions operate efficiently and that compliance information as required are available, up-to-date and shared in a coordinated manner in order to meet requirements of the VPA.
 - Ensuring that options/ mechanisms proposed for the efficient exchange of information/ data flow on compliance results (verification) are available to the Management Information System Unit (MISU).
 - Working to ensure that all operational requirements and procedures needed for the MISU to function as envisaged by the VPA (*including aspects such verification, validation of information, managing non-compliance, other*) are determined.
 - Developing all the necessary procedures and processes required for the establishment and functioning of the Timber Legality and Trade Unit TLTU (FLEGT Licensing Authority) (*including application, processing and decision-making on FLEGT Licensing*).
 - Engage as otherwise agreed with GFC and EFITAP.
- d. *Supporting the GFC in optimizing its existing IT infrastructure and systems with a view of efficient and more ‘real time’ information capture, transmission, and processing for purposes of issuing eventual FLEGT licenses as well as supporting existing business processes. Not limiting such support may include:*
- Assessing the efficiency of certain operational processes in capturing, verifying and reconciling information.
 - Identifying the possibilities and feasibility of capturing information electronically at different operational points covering the supply chain and its controls.
 - Providing the necessary recommendations on optimizing the efficiency of data capture, verification and reconciliation as well as transmitting and processing information.
 - Developing together with the GFC and the existing teams working on optimizing the IT environment the required functional and technical specifications for IT application development (e.g. Wood Tracking Application, existing legality application, other)
 - Supporting any field testing or piloting required.
- e. *Undertaking in close collaboration with the GFC the necessary ‘field testing’ or ‘piloting’ to ensure that any business process, procedure, or related aspect designed and developed for the implementation is ‘fit for purpose’ (practical, implementable, efficient, and cost-effective).*
- f. *Undertaking the necessary stakeholder consultations (intra/inter agency; private sector and CSO) relevant to, and required for a particular activity (e.g. design/ description, field testing, validating, other). The required stakeholder consultations will be determined together with GFC and EFI during the work planning process of this assignment.*

- g. Other aspects as agreed with GFC and EFITAP.

1.3.3. Outcome 3: Increased capacity of stakeholders to implement the legality control system

The contractor will provide support to the *design, development and delivery of activities* that specifically relate to the GTLAS and the ability of stakeholders to implement the legality control system. In this instance the contractor will work together with EFITAP, the GFC and representatives of the relevant stakeholder groups towards realising a particular activity. The contractor may be required to:

- a. Review, and provide the required inputs into any strategy/ plan developed to build capacity of the GFC, other Agencies involved in GTLAS implementation, Forest Sector Operators or any other relevant stakeholder identified for the implementation of the GTLAS.
- b. Review, and provide the required inputs into any capacity building programme, or materials designed/ being implemented to strengthen the capacity of stakeholders to implement the legality control system.
- c. Participate in the delivery of specific capacity building/ or training required on the GTLAS.
- d. Support determining the sequencing of targeted training that corresponds with the timing of the GTLAS design, development, and rollout.

1.3.4. Outcome 5: Outreach increased with key stakeholders in preparation for implementation

Outcome 5 aims to ensure that outreach with key stakeholders is increased in preparation for VPA implementation. To realise this outcome Guyana has, through the work of a Communications Working Group, developed a “*National Communication Strategy and Implementation Plan 2020-2023 (Guyana-EU VPA Implementation Phase)*”. A separate “*Outreach Plan for Stakeholders*” will be developed.

The contractor may be required (specifically as far as it relates to GTLAS components) to review, and provide inputs into the development of a materials/ tools being developed such as:

- a. A Stakeholder Engagement Kit/Materials in VPA and GTLAS.
- b. Video development on GTLAS components.
- c. PPT presentations on GTLAS aspects.
- d. GTLAS Factsheets.
- e. FAQ and responses on the GTLAS and the VPA.
- f. Booklet on the Laws relevant to GTLAS.
- g. Revised GTLAS Guide.

EFITAP Guyana may further support the GFC in holding an international learning exchange(s) in 2021 and 2022. In 2020 it supported the GFC, together with other partners, to hold an international FLEGT Forum meeting on sharing experiences in VPA implementation. In preparation for such event(s), the contractor may be expected to support the preparation of concept notes, PPTs and other technical materials.

1.4. Timing, deliverables, and reporting timeline

1.4.1. Timing

The indicative start of the contract is in August 2021 with a duration up until 30 November 2022 for a total of up to 220 working days. For the duration of the contract period, the contractor will work with the EFITAP Project Manager in Guyana, the EFITAP focal point for Guyana (based in Barcelona), the Head of FLEGT Secretariat, as well as designated staff of the Guyana Forestry Commission and other Agencies involved in GTLAS implementation.

Frequent engagement is required, and if the contractor is not based in Guyana, the contract will be required to conduct regular in country missions, each mission being approximately 2 weeks in duration. The commencement and frequency of travel are, however, dependent on the current impacts and travel restrictions associated with the COVID-19 Pandemic. In this regard, a measure of flexibility will be required.

Any travel restrictions, however, will not prohibit desk based/remote engagement with Guyana. This aspect will be further considered during the work planning process that will take place immediately after the commencement of the contract. The work plan (consisting of quarterly workplans) developed and associated with this contract may be revised during the contract period to respond to the needs of the Government of Guyana, and/or changing or unforeseen circumstances. This revision will be done in consultation, and with inputs received from EFI, FCDO, and GFC.

The contractor will have available a 'work plan budget' to cover costs related for example domestic travel, and costs of meetings (including associated expenses) for a maximum of 15,000 Euro. This provision is already integrated as part of the total financial proposal. Use of the work plan budget needs a prior approval from EFI and is estimated in the quarterly work plans of the contractor.

Apart from resources included into the 'work plan budget', the tenderer is invited to present a financial offer, which should include, separately to the experts' fees, reimbursable costs for covering cost to in country missions in Guyana (expatriation cost for travels, visas and per diems and in country mission accommodation) for up to 8 missions.

1.4.2. Deliverables

The deliverables of this assignment are:

- **Detailed work plan** for the assignment identifying different stages, timeframes and expected outcomes of the assignment as agreed with GFC and EFITAP. Key counterparts within GFC as well as their respective roles and responsibilities will be determined during the contract period.
- **Document/ literature review.** The contractor will provide a list of documents reviewed as well as people consulted in the execution of this assignment.
- **Interim reports.**
 - The contractor will provide preliminary key findings and/or views (in a short narrative) to the GFC and EFI upon the completion of each task/ phase identified in the work plan.
 - A back to office report after each mission in Guyana, no later than one week after end of mission followed by a skype/telecall with Facility if requested.
 - Quarterly progress reports.
 - Analytical products where output is separately decided on a case-by-case basis.

- **A Final report:**

- Mapping and describing the existing verification controls (vis-a-vis VPA requirements).
- Detailed description on the GTLAS Manual of Procedures for Verification; related procedures and associated documents needed for implementation of the GTLAS. The MoPs and related associated documents will be attached to the report.
- Identifying gaps, areas for improvements and remedial measures in the design, development and implementation of GTLAS Manual of Procedures for Verification, related procedures and documentation.
- Listing guidance and support provided to GFC in the implementation of measures needed to ensure robust checks, verification, and validation procedures in relation to the legality definition, supply chain controls, and related procedures.
- Articulating the requirements for an effective electronic system, and for transitioning from a predominantly paper-based system to an electronic system that enables near real time information sharing and process of data for purposes of implementing the GTLAS.

The above list of deliverables against the project outcomes and associated tasks maybe subject to change and/variation in the required content or scope during the execution of the assignment based on the needs of the Guyana Forestry Commission and the prevailing circumstances. Such changes/ variations will be discussed and agreed upon between the contractor, EFI and the Guyana Forestry Commission.

1.4.3. Reporting timeline

The assignment will be carried out between August 2021 and November 2022. The work will be carried out in accordance with the detailed workplan (divided into quarterly workplans) developed by the contractor in consultation with EFI and the Guyana Forestry Commission upon the commencement of the assignment which workplan and work schedule is to be agreed upon by the Guyana Forestry Commission and EFI. It is anticipated that the detailed workplan will be finalised within one month of commencement of the contract.

The contractor will provide preliminary key findings and/or views to the GFC and EFI upon the completion of each task/ phase of the assignment in the form of interim reports (short narrative) and/or products (outputs that may result from activities as well as BTOR after each mission undertaken – *see deliverables above*). In addition, the contractor will submit quarterly progress reports against delivery of the workplan. The contractor will further submit a detailed report (as per scope above) to both GFC and EFI upon completion of the assignment and upon a date agreed with EFI; the detailed report will not be submitted later than 10 November 2022. EFI will review the report and provide feedback to the contractor, which feedback may include inputs from key implementation partners. The contractor will address any comments raised and resubmit the final report to EFI for approval before 30 November 2022.

2. TENDER DOCUMENTATION

2.1. Administrative Documentation

The tender shall include the following documentation, properly filled out and signed:

- Cover letter (Annex 1)
- Identification form (Annex 2) including supporting documentation
- Bank identification form (Annex 2a)
- Declaration on Exclusion Criteria and Absence of Conflict of Interest (Annex 3)
- Nomination of Expert form (Annex 4)
- Minimum criteria declaration (Annex 5)
- Consortium agreement (Annex 6) *where applicable*

2.2. Technical Proposal

In order to evaluate the tender against the minimum criteria and the award criteria A.I. – A.II in section 3.1. and 3.2., the Tenderer shall submit a technical proposal consisting only of the following elements:

1) A nomination of one Expert to carry out the tasks in the Terms of Reference:

- **Technical support to the development of the Guyana Legality Assurance System (GTLAS)**

The Technical Proposal shall include CV of the nominated Expert.

The Tenderer shall be able to certify the information contained in the CV for the nominated Expert at EFI's request.

The CV shall have all the information as in the EuroPass CV

<https://europass.cedefop.europa.eu/documents/curriculum-vitae>

2) A description of no more than four pages – **referring to the Terms of Reference and the previous experience of the nominated Expert** – demonstrating understanding of:

- The Guyana forest sector and forest sector stakeholders
- VPA processes and their implementation; specific reference to illustrate how this experience will find application in Guyana and realising the outcomes identified and aligned with the JIF
- The requirements of Timber Legality Assurance Systems, Verification Systems, and/or Supply Chain systems, the processes and procedures underpinning such systems applied to the Guyanese context.

3) A description of no more than six pages on the Tenderer's methodology for the assignment – **building upon the Terms of Reference and the experience of the nominated Expert** – addressing the following elements:

- Understanding and approach to the timing and sequencing of the activities associated with the 3 identified outcomes. The approach and methodology for the following outcomes should be clearly illustrated:

- i. Outcome 1: *Strengthened and more transparent legality control system designed*
 - ii. Outcome 2: *Strengthened regulatory framework through harmonisation of the governing Acts and relevant procedures of TLAS agencies, and*
 - iii. Outcome 3: *Increased capacity of stakeholders to implement the legality control system.*
- Approach to working with the agencies involved in TLAS implementation, understanding and responding to their needs whilst taking complex and political sensitive issues in the context of forest governance into consideration.
 - Understanding and approach to capacity building of Government administrations/departments to implement a TLAS.
 - Timing and sequence of tasks and deliverables, indicating the approximate allocation of time for the nominated Expert for each task and analysis of risks and mitigation measures in relation to eventual COVID-19 impact on the implementation of the service.

2.3. Financial Proposal

The Tenderer shall submit a financial proposal, which shall be completed by using the form in annex 7 and by following the instructions therein.

The full general conditions applicable to the payment of fees and per diem as well as the reimbursement of costs can be found in annex 8 (draft contract).

3. EVALUATION OF TENDERS AND AWARD OF THE CONTRACT

3.1. Minimum Criteria

The **Expert** nominated must meet the following criteria:

N°	Criteria description
M.I.	At least 8 years of working experience in the field of natural resources management, governance or forestry, in particular tropical timber producing or processing countries.
M.II.	Proven expertise and track record in developing, implementing and/or assessing supply chain controls, legality verification, quality management systems or system auditing.
M.III.	Good understanding of IT systems (and their operations) used in context of legality verification and supply chain management.
M.IV.	Working knowledge of the Guyana EU-VPA and its implementation.
M.V.	University degree in natural resource management, political science, law and economics, forestry, or a related and suitable field.
M.VI.	Experience in working with multi-disciplinary teams on complex and politically sensitive forest related issues with governments, industry, NGOs or communities.
M.VII	Communication, networking and administrative skills (solid writing, reporting and presentation skills.)

Tenders not fulfilling the minimum criteria will be rejected.

3.2. Award Criteria

Tenders fulfilling the minimum criteria will be evaluated using the following award criteria:

A. Technical component (maximum 75 points)

N°	Award criteria	Max points
A.I.	Understanding of:	30
i.	The Guyana forest sector and forest sector stakeholders.	5

ii.	VPA processes and their implementation; specific reference to illustrate how this experience will find application in Guyana and realising the outcomes identified and aligned with the JIF	10
iii.	The requirements of Timber Legality Assurance Systems, Verification Systems, and/or Supply Chain Control Systems, the processes and procedures underpinning such systems applied to the Guyanese context.	15
A.II.	Proposed methodology for the implementation of the tasks	45
i.	Understanding and approach to the timing and sequencing of the activities associated with the 3 identified outcomes in particular the approach and methodology for the design and development of a more transparent legality control system.	20
ii.	Approach to working with the agencies involved in TLAS implementation; understanding and responding to their needs whilst taking complex and politically sensitive issues in the context of forest governance into consideration.	10
iii.	Understanding and approach to capacity building of Government administrations/departments to implement a TLAS	10
iv.	Timing and sequence of tasks and deliverables, indicating the approximate allocation of time for the nominated Expert for each task and analysis of risks and mitigation measures in relation to eventual COVID-19 impact on the implementation of the service.	5

The Technical component (TC) is calculated according to the following formula:

$TC = A.I. + A.II.$

Tenders must receive a score of more than half of the maximum Technical component to be considered qualitatively acceptable.

Tenders not considered qualitatively acceptable will not be considered further.

B. Financial component (maximum 25 points)

Tenders presenting a total financial proposal (Fo) superior to the maximum contract value of EUR 250,000 (including the work plan budget EUR 15,000) will not be considered further.

For tenders being considered, the Financial component (F) is calculated according to the following formula:

$$F = (F_{min} / F_o) \times 25$$

where

F_{min} is total sum in the tender in the evaluation with the lowest total financial proposal; and

F_o is the total sum in the financial proposal being considered.

C. Most economically advantageous tender

A combined score (CS) will be calculated according to the following formula:

$$CS = TC + F$$

The Tenderer with the highest combined score (CS) for Technical component (TC) and Financial component (F) will be awarded the Contract.

Where two or more tenders have an equal combined score the contract will be awarded according to the highest score for the financial component (F).

ANNEXES

Annex 1	Cover letter
Annex 2	Identification form
Annex 2a	Bank identification form
Annex 3	Declaration of exclusion criteria and absence of conflict of interest
Annex 4	Nomination of Expert form
Annex 5	Minimum criteria declaration
Annex 6	Consortium agreement
Annex 7	Financial Proposal form
Annex 8	Model contract
Annex 9	Per diem rates