Invitation to Tender

Strategic Environmental Assessment Consultant for the development of SEA for “Brčko District Environmental Strategy and Action plan” under the “Development of The Environmental Strategy and Action Plan of Bosnia and Herzegovina (BiH ESAP 2030+)” project

Stockholm 2020-09-08
Table of contents

1. Administrative conditions ................................................................. 4

2. Tender regulations .................................................................................. 5
   2.1 Obligatory requirements ..................................................................... 5
   2.2 Questions and answers regarding the tender ....................................... 5
   2.3 Correction of errors and clarifications and supplementation of tenders ........................................... 5
   2.4 Rights reserved .................................................................................. 5
   2.5 Notice of award .................................................................................. 5

3. General tender conditions and requirements ........................................... 6

4. Tender documentation ............................................................................. 7

5. Tender price ............................................................................................. 8

6. Terms of reference ................................................................................. 9

7. Evaluation ............................................................................................... 9
   7.1 Evaluation criteria for technical and professional requirements ........ 10
   7.2 Evaluation of technical and professional requirements ...................... 12
   7.3 Price /quality evaluation ..................................................................... 12

Annex 1 - Terms of Reference ................................................................... 14

1. Introduction to SEI ............................................................................... 14

2. Introduction of the project ..................................................................... 14

3. Specification and scope of work ......................................................... 16
   3.1 The preliminary tasks/deliverables of the tenderer to be performed/delivered under this tender .......................... 16
3.2 Working and Reporting arrangements .................................................................18

3.3 Tentative schedule:...........................................................................................18

4. Qualifications of the tenderer................................................................................18

5. Skills and experiences required..............................................................................19

6. Contract Schedule ................................................................................................19

Annex 2 - Contact information of tenderer..............................................................20

Annex 3 - The role of the Responsible authority in BD (BD ESAP 2030+ SEA) ..........21
1. Administrative conditions

Contracting authority: Stiftelsen The Stockholm Environment Institute (SEI)
Postal address: Box 24218, SE-104 51 Stockholm, Sweden
Corporate ID no: 802014-0763

Contact Person: Anna Bolozeva, anna.bolozeva@sei.org

Submission of tender via email to: anna.bolozeva@sei.org
Deadline to submit tender: 13th October 2020 at 23.59 hrs CET

Procurement type:
Simplified procedure in accordance with the Swedish Public Procurement Act (2016:1145), Chapter 19 Section 5.

Tenders may be accepted without prior negotiations. Negotiations, if any, can only be commenced at the initiative of SEI.

<table>
<thead>
<tr>
<th>Timetable</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Invitation to tender published</td>
<td>08th September 2020</td>
</tr>
<tr>
<td>Last date for submission of questions:</td>
<td>22nd September 2020</td>
</tr>
<tr>
<td>SEI response to tenderers’ questions (latest)</td>
<td>29th September 2020</td>
</tr>
<tr>
<td>Last date for submission of tenders</td>
<td>13th October 2020 at 23:59 hrs CET</td>
</tr>
<tr>
<td>Preliminary dates for shortlisted interviews</td>
<td>19th – 30th October 2020</td>
</tr>
<tr>
<td>Anticipated notice of award</td>
<td>26th October – 06th November 2020</td>
</tr>
<tr>
<td>Anticipated assignment start date</td>
<td>ASAP</td>
</tr>
</tbody>
</table>
2. Tender regulations

2.1 Obligatory requirements

This Invitation to Tender, including three Annexes, contains a set of compulsory requirements. For a tender to be examined and evaluated, all these compulsory requirements must be satisfied.

2.2 Questions and answers regarding the tender

During the procurement process, Stockholm Environment Institute (SEI) as the contracting authority is not permitted to discuss documentation, tenders, evaluation or other such matters with tenderers in a manner which favours or disfavours one or more tenderers. Questions regarding contract documents must be submitted in writing and directed to the Contact Person no later than 22nd of September 2020. The answers to all questions will be published on https://www.sei.org/about-sei/opportunities/invitations-to-tender. SEI may seek to question a tenderer, in writing or verbally, for the purpose of clarifying information pertaining to the tenderer and/or their proposal.

2.3 Correction of errors and clarifications and supplementation of tenders

Responses by tenderers to requests by SEI for corrections of errors, clarifications or supplementation of tenders must be submitted in writing to the contact person indicated above.

2.4 Rights reserved

In addition to all other rights, the contracting authority specifically reserves the right to:
- Accept or reject all or part of a tender
- Negotiate further terms and other conditions of business with the successful tenderer
- Contact any tenderer(s) to obtain corrections or clarifications to a submitted tender, if necessary, to make a fair comparison of all tenders submitted
- Extend the tender submission date, for all tenderers, if determined to be necessary
- Amend or supplement this Invitation to Tender in writing at any time
- Make reservations for misprints or typos
- Withdraw this Invitation to Tender at any time

All information regarding the tender, including amendments and supplements, will be published on https://www.sei.org/about-sei/opportunities/invitations-to-tender.

2.5 Notice of award

All tenderers will be notified by e-mail of the winning tender as per schedule in the table of section 1 after a decision has been made to award the contract. A notice of award does not mean that a binding contract has been agreed upon between SEI and the winning tenderer. A contract is not legally binding until it has been signed by both parties.
3. General tender conditions and requirements

3.1. Tender must be prepared based on the conditions indicated in this Invitation to Tender, include all required information and documents and satisfy the listed must requirements.

3.2. Tenders must be submitted in writing and signed by an authorised official of the tenderer.

3.3. Tenders must contain information about the tenderer pursuant to Annex 2, Contact information, which is appended hereto.

3.4. The tender and all documentation appended must be written in English, except for copies of original certificates or licenses, which can be submitted in their original language.

3.5. The tender must be submitted as one single PDF file (including possible annexes and certificates), in case of valid technical reasons a tender may be submitted as multiple PDF files.

3.6. The tender must be submitted via e-mail to: anna.bolozeva@sei.org with the subject line “Tender for Brčko District ESAP SEA”.

3.7. Tenderers, in their tender, must state that the tender is valid and binding upon them for 90 (ninety) days from 13th of October 2020.

3.8. The tenderer must be an organisation (legally registered body) or a consortium of organisations (joint venture), who must fulfil the required legal obligations regarding registration, taxation and other legal charges in Bosnia and Herzegovina, or other country of registration. If the tender is from a consortium/joint venture, Tenderers must ensure that all the relevant information in sections 4.8 – 4.12 is provided for each party and all the relevant information in sections 4.1 – 4.7 is provided jointly as a consortium. Relevant information relates to where a tenderer is relying on the resources to qualify (e.g. human resources, previous experience) and/or to deliver the contract. The consortium must appoint a single point of contact who will assume overall responsibility for delivery, and who is authorised to sign the contract on behalf of all consortia members.

3.9. The tenderer must be eligible to conduct SEA in BD in accordance with the article 50 of the Law on Environmental Protection of Brčko district of BiH, stating that the SEA is conducted by a legal entity licensed by the competent department or entity ministry in BiH. Therefore, for the SEA BD one of the following eligibility criteria applies:

3.9.1. In Federation of Bosnia and Herzegovina (FBIH) the legal entity must be listed in the list of authorised legal entities for the Environmental Impact Assessment by Federal Ministry of Environment and Tourism – Rulebook (Official Gazette of the FBiH, 33/12.), and

3.9.2. In Republika Srpska (RS) the entity has to be licensed to undertake SEA under the Rulebook on the conditions for performing environmental protection related activities of Republika Srpska (Official Gazette of Republika Srpska, 28/13 and 74/18).

3.10. The tenderer and/or individuals representing the tenderer must not have been found guilty of any crime related to the exercise of his/her profession, nor be or be about to; (i) enter
into an arrangement for the benefit of creditors, (ii) become insolvent, (iii) file for protection under the bankruptcy laws or otherwise seek relief from creditors or (iv) anything analogous to the matters stated herein before that occur under any applicable law. Furthermore, the tenderer and/or individuals representing the tenderer must not have been convicted of trafficking in persons, procurement of commercial sex, use of forced labour, a narcotic offense or to have been engaged in drug trafficking or other serious criminal offenses. Tenderers to whom circumstances as the hereinbefore described apply will be excluded from participation in this tender.

4. Tender documentation

The proposal must include:

4.1. A statement of interest (cover letter) outlining how the organisation is qualified to perform the task. Please provide a summary of every team member you will work with, their roles, experience, expertise, and relevant experience for this assignment. The tender must describe how the assignment would be carried out and what competencies would be made available to the assignment in such detail as to enable an assessment against the Terms of Reference (Annex 1) and section 7 (Evaluation) below.

4.2. The tender must contain an acknowledgement that the tenderer has the technical, human resource, financial and other knowledge requirements for performing the assignment, as stated in this Invitation to Tender, within the timeframes specified.

4.3. The tender must include a description in the form of a Curriculum Vitae (CV) for the proposed persons. The CV (max 3 pages) must contain a full description of the person’s technical qualifications, professional work experience and include a list of previous SEAs produced (or other assignments of similar nature, scope and complexity).

4.4. A preliminary SEA design proposal, clearly corresponding to the tasks and requirements listed in the Terms of Reference (Annex 1), a chosen methodology, preliminary timeline, as well as an explanation of how the chosen approach will meet the objectives of the SEA.

4.5. A preliminary work plan with a timeline and a budget (incl. breakdown of costs and full costs for travel) which should reflect the requirements and information in sections 3.1-3.3 of the Terms of Reference (Annex 1) and Annex 3.

4.6. At least one example of a SEA of similar nature, scope and complexity and at least two other types of assessments (e.g. large scale EIA) of similar nature, scope and complexity undertaken in the past five years, including reference(s) for each assignment.
In addition to key documents above, the tenderer must append the following documents in a copy to its tender as evidence that the requirements have been satisfied:

4.7. A statement that the tender documents are valid and binding upon them for 90 (ninety) days from 13\textsuperscript{th} of October 2020 (as per section 3.7).

4.8. A document that proves that the tenderer is qualified to conduct the SEA according to the laws and regulations of BD (as per section 3.9).

4.9. A statement confirming the requirements in section 3.10.

4.10. A confirmation letter that the tenderer is independent of the ESAP 2030+ development process.

4.11. A copy of the legal entity registration certificate issued by the authorized government agency (in Bosnia and Herzegovina, or other country of registration), provided that an obligation to register exists.

4.12. A certificate showing that the tenderer is registered for the payment of value added tax, withholding tax, employee contributions, or similar taxes or charges in accordance with the law of the country of the tenderer, and is free from debts regarding taxes and social security contributions.

5. Tender price

The tenderer must provide total price for the assignment, excluding Value Added Tax (VAT), given in Swedish Crowns (SEK).

The tender must include any and all costs for the assignment and include a specification of the costs (incl. breakdown of costs and full costs for travel) as per section 4.5.

The tenderer shall be solely liable for all social security, taxes, duties or other levies whatsoever, which are related to this tender.

It is estimated that it might take up to 225 man-days (during the 18-month contract period), to complete this assignment successfully.

The price offer, together with the expertise presented, as per the Terms of Reference in Annex 1, for the tender, will be used in the evaluation of the economically and technically most advantageous tender.
6. Terms of reference

Duration: 18 months (assuming the start from October 2020)
Starting date: October 2020
Ending date: March 2022
Type: Consultancy contract

The Terms of Reference (Appendix 1) indicate fundamental and specific requirements for the performance of the assignment.

7. Evaluation

A selected group will evaluate the tenders. They will evaluate according to the criteria described below. Tenderers should ensure that they have included clear and relevant information in their tender to facilitate the evaluation.

Tenders that fail to adequately satisfy the Terms of Reference and conditions specified in this document will be dismissed.

Tenders that fulfil the requirements will be evaluated at the sole discretion of SEI. The evaluation will involve an analysis of the complete tender documentation including, but not limited to the following evaluation criteria, principles and processes:

The tenders will be evaluated following Step 1-3 below:

Step 1. Fulfilment of obligatory requirements
Initially, an examination will be made of the obligatory requirements (see sections 1 to 6). Tenders that satisfy these requirements and are deemed to be qualified will then be evaluated against a set of basic technical and professional requirements.

Step 2. Evaluation process of submitted documentation
Tenders that are deemed to satisfy the basic technical and professional requirements will be evaluated against a set of weighted criteria as per section 7.1 – 7.2. The results of the technical and professional evaluation will thereafter be used for a price /quality evaluation as described in section 7.3.

Step 3. Interviews and presentation of method for implementation
The two (2) tenders having received the lowest comparison value in the price/quality evaluation will be invited to Interview. Evaluation of the interview will follow the same evaluation criteria as stated in section 7.1.

The winning tender will be the one with the highest score.
7.1. Evaluation criteria for technical and professional requirements

7.1.1. Method for implementation (maximum 60 points)

The tender will be assessed based on the requirements in the Terms of Reference (Annex 1), and preliminary SEA design proposal request (please see 4.4 and 4.5). The following criteria will be assessed:

- Whether the tenderer has understood the assignment by designing a proposal that clearly shows how it will meet the SEA objective, to assure that the proposed environmental strategy and action plan integrate all relevant environmental, socio-economic and sustainability considerations at the early stage of its development in an effective and structured manner. (20 points)
- Whether the chosen approach and method will meet the objectives of the project with quality based on the requirements outlined in the Terms of Reference. (15 points)
- Whether the work plan for the assignment is clear, efficient and flexible in relation to the Terms of Reference. (15 points)
- Whether the tenderer managed to address and incorporate the requirements of the Law of Environmental Protection of BD related to SEA (Official Gazette of BD 24/04, 1/05, 19/07 and 9/09), EU SEA Directive (2001/42/EC) and any associated or relevant national or EU legislations and guidelines. (10 points)

7.1.2. Qualifications and competence of the team (maximum 40 points)

The tender must contain information regarding the qualifications and competence of the persons proposed. The key requirement at the bidding phase is to demonstrate quality and experience in the proposed team, in relation to the Terms of Reference.

- Team (especially the team leader) members which are experienced in leading and implementing projects and teams for the development of Strategic Environmental Assessments (and other types of assessments (e.g. large scale EIA)) of similar nature, scope and complexity in BiH and or the Wider Balkan region (in accordance to the provided examples, as per section 4.6). (12 points)
- Technical knowledge of and proven experience working within the area of environmental assessments and frameworks in Bosnia and Herzegovina and/or the Western Balkan region. (10 points)
- The relevant team members should cover all the thematic areas of the BiH ESAP 2030+ project and have relevant academic degrees and at least 8 years of relevant working experience. (8 points)
- Proven experience and knowledge of EU SEA Directive and its practical application (at least 2 examples). (6 points)
- Experience working with various stakeholders such as government officials, international organizations, non-state actors, academia, media and general public across BiH, in relation to the environmental sector. (4 points)
Summary table of evaluation criteria

<table>
<thead>
<tr>
<th>Evaluation criteria</th>
<th>Max score</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>7.1.1</strong> The tender will be assessed based on the requirements in the Terms of Reference, and preliminary SEA design request (please see 4.4 and 4.5). The following criteria will be assessed:</td>
<td>60</td>
</tr>
<tr>
<td>▪ Whether the tenderer have understood the assignment by designing a proposal that clearly shows how it will meet the SEA objective, to assure that the proposed environmental strategy and action plan integrate all relevant environmental, socio-economic and sustainability considerations at the early stage of its development in an effective and structured manner. (20 points)</td>
<td></td>
</tr>
<tr>
<td>▪ Whether the chosen approach and method will meet the objectives of the project with quality based on the requirements outlined in the Terms of Reference. (15 points)</td>
<td></td>
</tr>
<tr>
<td>▪ Whether the work plan for the assignment is clear, efficient and flexible in relation to the Terms of Reference. (15 points)</td>
<td></td>
</tr>
<tr>
<td>▪ Weather the tenderer managed to address and incorporate the requirements of the Law of Environmental Protection of BD related to SEA (Official Gazette of BD 24/04, 1/05, 19/07 and 9/09), EU SEA Directive (2001/42/EC) and any associated or relevant national or EU legislations and guidelines. (10 points)</td>
<td></td>
</tr>
<tr>
<td><strong>7.1.2</strong> The tender must contain information regarding the qualifications and competence of the persons proposed. The key requirement at the bidding phase is to demonstrate quality and experience in the proposed team, in relation to the Terms of Reference.</td>
<td>40</td>
</tr>
<tr>
<td>▪ Team (especially the team leader) members which are experienced in leading and implementing projects and teams for the development of Strategic Environmental Assessments (and other types of assessments (e.g. large scale EIA)) of similar nature, scope and complexity in BiH and or the Wider Balkan region (in accordance to the provided examples, as per section 4.6). (12 points)</td>
<td></td>
</tr>
</tbody>
</table>
- Technical knowledge of and proven experience working within the area of environmental assessments and frameworks in Bosnia and Herzegovina and/or the Western Balkan region. (10 points)
- The relevant team members should cover all the thematic areas of the BiH ESAP 2030+ project and have relevant academic degrees and at least 8 years of relevant working experience. (8 points)
- Proven experience and knowledge of EU SEA Directive and its practical application (at least 2 examples). (6 points)
- Experience working with various stakeholders such as government officials, international organizations, non-state actors, academia, media and general public across BiH, in relation to the environmental sector. (4 points)

**Total maximum score:** 100

### 7.2 Evaluation of technical and professional requirements

#### Method of evaluation

<table>
<thead>
<tr>
<th>The number of points that can be awarded under each of the evaluation criteria in section 7.1.</th>
<th>Insufficient ¹</th>
<th>Poor ²</th>
<th>Satisfactory ³</th>
<th>Good ⁴</th>
<th>Very Good ⁵</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Insufficient ¹</td>
<td>Poor ²</td>
<td>Satisfactory ³</td>
<td>Good ⁴</td>
<td>Very Good ⁵</td>
</tr>
<tr>
<td></td>
<td>0%</td>
<td>40%</td>
<td>60%</td>
<td>80%</td>
<td>100%</td>
</tr>
</tbody>
</table>

For example, if a maximum of 20 points can be awarded for a given criteria, “Good” will mean 0.8 x 20 = 16 points. (In the evaluation, the levels (in %) will have fixed values, which means that there will be no intermediate values).

¹ Not addressed or not sufficient
² Sufficient in some respects but not as a whole
³ Sufficient but lacks substantial advantages or has uneven quality
⁴ Adequate and well suited to the purpose
⁵ Gives added value and shows high quality on the whole

### 7.3 Price /quality evaluation

The results of the evaluation are used to price quality by allocating tenders a percentage surcharge on the price, where the surcharge is a function of how much lower the tender’s quality score is than the maximum quality score. This method yields a comparison value for every tender.
The following formula is used:
Comparison value = Tendered price x (1 + Percentage surcharge).

Percentage surcharge = [(maximum quality score – quality score assigned)/maximum quality score] x upward adjustment factor;

The upward adjustment factor reflects the effect the quality offered should have when added to the price in an evaluation. The higher the upward adjustment factor is, the greater the importance accorded to qualitative criteria in relation to the price.

The upward adjustment factor is set at 2.5 for this procurement.

Example:
The upward adjustment factor is set at 2.5.
Tender A: Price 480,000, quality score assigned 90 of 100.
Tender B: Price 400,000, quality score assigned 75 of 100.
Evaluation Tender A: Percentage surcharge = (100 – 90) / 100 x 2.5; Percentage increase = 0.25; Comparison value = 480 000 x (1 + 0.25); Comparison value = 600,000.
Evaluation Tender B: Percentage surcharge = (100 – 75) / 100 x 2.5; Percentage increase = 0.625; Comparison value = 400 000 x (1 + 0.625); Comparison value = 650,000.
The winning tender is A, since it has the lowest comparison value.
Annex 1 - Terms of Reference

Strategic Environmental Assessment Consultant for the development of SEA for “Brčko District Environmental Strategy and Action plan” under the “Development of The Environmental Strategy and Action Plan of Bosnia and Herzegovina (BiH ESAP 2030+)” project

1. Introduction to SEI
The Stockholm Environment Institute (SEI) is an international non-profit research organization that has worked with environment and development issues from local to global policy levels since 1989. SEI works to shift policy and practice towards sustainability.

2. Introduction of the project
Project title: BiH ESAP 2030+: Development of The Environmental Strategy of Bosnia and Herzegovina

Bosnia and Herzegovina are embarking on the preparation of an environment strategy and action plan. This plan will build on existing and past strategic environmental documents to strengthen current environmental governance in the country and across different administrative levels. The Environment Strategy and Action Plan (BiH ESAP 2030+) will also help BiH prepare for the adoption of EU environmental acquis.

BiH ESAP 2030+ background
While there has been progress over the last decade in addressing environmental issues, there is still scope for strengthening legislative frameworks and improvement of implementation and enforcement of environmental policies. An overarching environment strategic document is necessary to provide a roadmap for future measures and investments in the environmental sector, as well as effective mechanisms for their implementation. As a result, the BiH, entity and district level governments of Bosnia and Herzegovina (with the support of Stockholm Environment Institute from Sweden) aim to develop a BiH environmental strategy and action plan for the period up to 2030 and beyond: BiH ESAP 2030+. The BiH ESAP 2030+ will comprise of BiH level strategy and action plan and coherent environmental strategies and action plans for the Federation of Bosnia and Herzegovina (FBiH), Republic of Srpska (RS) and Brčko District (BD).

The BiH ESAP 2030+ will provide a long-term planning framework, allowing for coherent environmental practices and actions across the country. In the long-term perspective, the BiH ESAP 2030+ will be a critical tool for relevant authorities to reach environmental sustainability and improved citizen health and well-being for current and future generations across BiH.
The BiH ESAP 2030+ will include BiH-wide shared strategic environmental goals and principles, thematic goals and targets, and feasible measures and activities. These goals, targets and actions will be aligned to the sub-themes of the EU environmental acquis. The BiH ESAP 2030+ will facilitate monitoring and reporting of the set environmental goals and targets, and help tracking progress of the country’s efforts to become an EU member.

**Planned activities for the preparation of the BiH ESAP 2030+**

Stockholm Environment Institute will support relevant BiH state- and entity-level authorities to collaboratively develop the BiH ESAP 2030+. The activities for the preparation of strategic documents and actions will be conducted between September 2019 and April 2022. These activities will include the following:

1. Assessment of the current state (Situation analysis) of BiH environment.
2. Support of the definition of the environmental policy in BiH.
3. Support to the Strategic Environmental Assessment of the ESAP 2030+.
4. Capacity building of organizations, institutions, networks and other relevant actors in BiH to design, implement and monitor environmental policy measures, particularly in the area of cooperation with EU institutions.
5. Assessment and definition of needs for financial resources and human capacity for BiH ESAP 2030+ implementation.
6. Awareness raising related to environmental issues in BiH with focus on general public.

The project will be implemented with the support of a different bodies (BiH level and entity/district level) with respective mandates that are established specifically for the project purposes. These bodies are as follows:

- **Steering Board**, which is the highest decision-making body of the project. Steering Board is Ministerial level and will be meetings approximately twice a year.
- **BiH/Entities/District groups**, which are key policy guidance and support mechanisms. These groups are Assistant Minister level, comprising of various Ministries and relevant authorities (BD case). These groups will meet approximately six time during the project lifetime, where they will review draft documents, provide policy guidance and recommendations.
- **Working Groups**, which are technical multi sectoral groups. These groups will be a core ESAP 2030+ development instruments in the project. These groups will meet approximately six times throughout the project.

There will be 7 Working Groups (WG) per each BiH/entity/BD and these groups will cover the EU environmental policy areas as follows: WG1: Water; WG2: Waste; WG3: Biodiversity and nature conservation; WG4: Air quality, climate and energy; WG5: Chemicals and safety and noise; WG6: Sustainable Resource management; WG7: Environmental management (as horizontal policy). These WGs will be the main technical mechanisms in the development of the BiH ESAP. It is estimated that each WG will have approximately 6 meetings (6 for BiH, 6 for FBiH, 6 RS and 6 BD) between 2020 and 2021. Each Working Group has Lead Expert, who are local experts leading each thematic area development and WG proceedings.
BiH ESAP 2030+ project team consists of:

- SEI Team (Scientific advisors, principal expert, communication officer, project coordinator (based in BiH) and project manager.
- Lead Experts (7 lead experts based in BiH) and co-lead experts (7, based in BiH)
- Local partner: Consortium Enova d.o.o. Sarajevo & Center for Energy, Environment and Resources - CENER 21

3. Specification and scope of work

In accordance with the Law of Environmental Protection of BD (Official Gazette of BD 24/04, 1/05, 19/07 and 9/09) the development of district environmental strategy and action plan must undergo Strategic Environmental Assessment. Therefore, SEI is tendering for a consultant to carry out a Strategic Environmental Assessment (SEA) for the Brcko District Environmental Strategy and Action Plan (BD ESAP 2030+).

The SEA of the BD ESAP 2030+ will be undertaken to ensure that the proposed objectives, targets and actions put forward by the BD ESAP 2030+ account for any significant potential environmental impacts and will integrate all relevant environmental, socio-economic and sustainability considerations at the early stage of its development. The main language of the SEA for BD ESAP 2030+ will be BCS (languages of the people of BiH). However, the SEA consultant will also be expected to provide written and oral communications, recommendations and requests to the BiH ESAP 2030+ team in English, as requested.

The consultant will be required to support and cooperate with the Responsible Authority in BD as per Annex 3 of this Tender.

The consultants will be required to plan and carry out the SEA of the BD ESAP 2030+ and produce all associated reporting. The consultant will be required to work in parallel and in cooperation with the BiH ESAP 2030+ team and will be responsible for the implementation and management of all stages of the SEA, ensuring compliance with the requirements of all relevant legislation. The SEA shall comply with the requirements of the BD Environmental Law, EU SEA Directive (2001/42/EC) and associated relevant legislation and guidelines in BIH and BD as they relate to the SEA and best practice in SEA. The consultants will be required to deliver the following parts as part of the scope of works (3.1, 3.2 and 3.3.). SEI reserves the right to review the quality of the work and request improvements or clarifications.

3.1 The preliminary tasks/deliverables of the tenderer to be performed/delivered under this tender

3.1.1 Within a timely manner following the appointment, set out a detailed work plan to be agreed with the BiH ESAP 2030+ project team regarding how they propose to meet the tasks described below, including: identification of required information and data sources; presentation of a detailed timeline and work plan for the various stages and what will be delivered on completion of each key stage;
3.1.2 Develop a SEA Scoping Report for the BD ESAP 2030+ which details the scope (range of issues and level of detail to be covered), method of assessment, team of experts, timeline of the SEA and plans for engagement with stakeholders (including responsible authorities). SEA Scoping Report must include a summary for a non-technical audience, for public display, in accordance with existing Laws and legislation in BD and EU SEA Directive.

3.1.3 Develop a SEA report for the BD ESAP 2030+ in accordance with the contents specified in article 51 of the Law on Environmental Protection of Brcko District of BiH and Annex 1 of the EU SEA Directive, as well as other relevant guidelines and best practices, where the implementation of the SEA scoping report is described. This includes:
   a. analysis of the compliance of the BD ESAP 2030+ with environmental policies and obligations under environmental conventions and agreements that BiH is party to, as well as existing Laws in BD and BiH;
   b. assessment of the likely significant impacts on the environment and potential Natura 2000 sites (also in a transboundary context) arising from the implementation of BD ESAP 2030+;
   c. assessment of the likely significant environmental and socio-economic impacts on most vulnerable groups;
   d. identified mitigation measures which will reduce or offset those significant impacts (as described in points b. and c. above);
   e. early consideration of realistic, reasonable, viable and implementable alternatives (different ways to deliver a BD ESAP 2030+ objectives) that promote environmental and socio-economic benefits and an assessment of alternatives (what the potential environmental impacts of the preferred alternative and other reasonable alternatives are) and outline the reasons for selecting the preferred alternatives;
   f. monitoring programme which will be used to cross check significant effects which arise during the implementation stage of the BD ESAP 2030+;
   g. description of public participation in the SEA process; and
   h. a summary for a non-technical audience, for public display, in accordance with existing Laws and legislation in BD and EU SEA Directive.

3.1.4 Prepare conclusions and proposals for the improvement of the BD ESAP 2030+.

3.1.5 Prepare for and participate in the public hearings of the draft BD ESAP 2030+ and draft SEA scoping report and SEA report in BD. The logistics of the public hearings will be organised by the Responsible Authority.

3.1.6 Consider the comments and proposals submitted by the relevant public authorities and the public during the public displays and public hearings of the draft SEA scoping report and SEA report and adapt them accordingly or provide justification for ignoring them. The table of comments and adaptations will be annexed to the SEA scoping report and SEA report, respectively.

3.1.7 Participate in meetings organised by SEI or relevant authorities in BiH, entities and the district.

The preliminary list of main deliverables expected to be produced by the Consultant:

I. Detailed work plan (Section 3.1.1)
II. SEA Scoping Report (Section 3.1.2)
III. SEA Report (Section 3.1.3)
3.2 Working and Reporting arrangements

The Consultant is expected to:

3.2.1 Produce all reports and documentation in a concise and timely manner;
3.2.2 Support the work of the BiH ESAP 2030+ project team by presenting comments, advice and recommendations throughout the preparation of the BD ESAP 2030+;
3.2.3 Meet with the BiH ESAP 2030+ project team throughout the BD ESAP 2030+ preparation process to ensure an iterative process between the BD ESAP 2030+ making process and the SEA. This will be in addition to communication via telephone, online platforms (TEAMS or ZOOM) and email;
3.2.4 Liaise closely with the Local Partner, Project Coordinator, Working Group Lead experts and SEI to synchronise the activities between the BD ESAP 2030+ and overall BiH ESAP 2030+ and SEA processes.
3.2.5 Make presentations, as required, to the BD Group (BD authorities group formed specifically to review and guide BD ESAP 2030+ drafts and development) and or BD authorities which are members of the working groups within the ESAP BD development process (Please see Annex 3 for more details) or other relevant BD authority meetings; and
3.2.6 Adhere to the work plan set out in accordance with the BD ESAP 2030+ prepared by BiH ESAP 2030+ project team.

3.3 Tentative schedule:

The tentative schedule for SEA should, for the purposes of this tender, adhere to the following milestones (and in line with information in Annex 3):

- The first BD ESAP 2030+ draft is planned to be presented to the relevant authorities and for public consultation in the Q4 of 2020.
- The final draft of BD ESAP 2030+ will be presented to authorities and for public consultation in Q4 2021

It is planned that by the end of Q1 2022 the BD ESAP 2030+ will be submitted to the relevant authorities for adoption, along with the final SEA Report as an annex.

4. Qualifications of the tenderer

- Qualified to conduct Strategic Environmental Assessment according to the laws and regulations of BD; and
- Independent of the ESAP 2030+ process.
5. Skills and experiences required

The tenderer is expected to demonstrate the following skills and experiences within the SEA team:

- Knowledge of and proven experience working within the area of strategic environmental assessments in BiH and/or the Western Balkan region;
- Knowledge and proven experience working within the area of other types of assessments (e.g. large scale EIA) of similar nature, scope and complexity;
- Proven experience and knowledge of EU SEA Directive and its practical application;
- Experience working with stakeholders such as government officials, international organizations, non-state actors, academia, media and the general public across BiH, and in relation to the environmental sector;
- Expertise and knowledge in all the thematic areas of the BiH ESAP 2030+ project and have relevant academic degrees and at least 8 years of relevant working experience;
- Excellent written and verbal communication skills in BiH languages (equivalence native speakers) and English;
- Proven experience in producing a high-quality written reports and publications in English and BiH languages;
- Ability to work effectively and meet deadlines; and
- Ability to travel in BiH and regionally if required.

6. Contract Schedule

The contracting of the SEA Consultant for BD ESAP 2030+ is estimated to take place October 2020 – March 2022 if not agreed otherwise.
### Annex 2 - Contact information of tenderer

**General information**

| **Form of organisation (legal incorporation)** |  |
| **Name of organisation/company** |  |
| **Visiting address** |  |
| **Postal address** |  |
| **Postal code, city and country** |  |
| **Telephone number, incl. country code** |  |

**Contact person for the contract**

| **Name** |  |
| **Telephone number, incl. country code** |  |
| **Mobile telephone number, incl. country code** |  |
| **E-mail** |  |

**Contact person who can answer questions that may arise during the tender**

| **Name** |  |
| **Telephone number, incl. country code** |  |
| **Mobile telephone number, incl. country code** |  |
| **E-mail** |  |
Annex 3 - The role of the Responsible authority in BD (BD ESAP 2030+ SEA)

I The responsible authority

1. Mandated by the Government of the jurisdiction to develop a strategic document (hereinafter Responsible authority).

II Preliminary Tasks and timeline of the Responsible authority

1. Contact persons for the SEA Consultant of ESAP 2030+ will be appointed in the 3rd quarter of 2020 (those are previously nominated members of Working Groups in BD).
2. Department for spatial planning and property and legal affairs will develop a list of departments of Brčko District Government that may become affected by the implementation of ESAP 2030+ (by the end of 3rd quarter 2020).
3. Develop a list of public authorities that may become affected by the implementation of ESAP 2030+, if required (by the end of 3rd quarter 2020).
4. In accordance with the legal procedure, the Department for spatial planning and property and legal affairs will receive and review the draft SEA Scoping Report (by the end of 4th quarter 2020).
5. Department for spatial planning and property and legal affairs will request feedback and suggestions from the departments of Brčko District Government that may become affected by the implementation of ESAP 2030+, in regard to the draft SEA Scoping Report, giving them at least 30 days to respond (by the end of 1st quarter 2021).
6. Department for spatial planning and property and legal affairs will put the draft ESAP 2030+ and SEA Scoping Report on public display on the website of Brčko District Government www.vlada.bdcentral.net for a least 30 days, providing the opportunity for submitting feedback and proposals in regard to published documents (by the end of 1st quarter 2021).
7. Contact person on behalf of Department for spatial planning and property and legal affairs will collect the feedback and proposals received during the public display and forward the feedback and proposals made to the SEA Scoping Report to the SEA Consultant for a consideration and processing. (by the end of 1st quarter 2021).
8. Department for spatial planning and property and legal affairs will organise a public hearing (meeting with stakeholders) together with the SEA Consultant to introduce the draft ESAP 2030+ and the SEA Scoping Report. The SEA Consultant will respond to the feedback and questions at the meeting (by the end of 1st quarter 2021).
9. Department for spatial planning and property and legal affairs will respond to the feedback and proposals on the draft ESAP 2030+ received during the public display and public hearing, also in written form (by the end of 1st quarter 2021).
10. The department shall receive and approve the SEA Scoping Report developed by the SEA Consultant (by the end of 1st quarter 2021).

11. The Department for spatial planning and property and legal affairs receive the draft SEA Report from the SEA Consultant (by the end of 2nd quarter 2021). If the SEA Consultant has identified that ESAP 2030+ may have transboundary impacts, the Department for spatial planning and property and legal affairs (as party of origin) will notify the affected parties, submit the SEA Scoping report and invite to participate in public hearing.

12. The Department for spatial planning and property and legal affairs will request the feedback and proposals on SEA report from other relevant departments of Brčko District Government, providing them 30 days to respond (by the end of 3rd quarter 2021).

13. The Department for spatial planning and property and legal affairs puts the draft ESAP 2030+ and SEA Report on public display on own homepage for at least 30 days, for the second round of feedback and proposals.

14. The Department collects the feedback and proposals received during the public display, forwards the feedback and proposals made to the SEA Report to the SEA Consultant to respond during the public hearing (in the beginning of 4th quarter 2021).

15. The Department organizes a public hearing (meeting with stakeholders) together with the SEA Consultant to introduce the draft ESAP 2030+ and the draft SEA Report (by the end of 4th quarter 2021).

16. Respond to the feedback and proposals on the draft ESAP 2030+ received during the public display and public hearing in written form if written response is expected (by the end of 4th quarter 2021).

17. After summarizing the feedback and proposals received during the public display and public hearing, the ESAP 2030+ Consultant delivers the finals version of the BD ESAP 2030.

18. Receives the final SEA Report (which is an integral part of the ESAP 2030+ proposal) and provides an opinion on it (by the end of the 4th quarter of 2021).

19. The Department for spatial planning and property and legal affairs suggests the final version of BD BiH ESAP 2030+ for the adoption to Brčko District Government.

20. After adopting the BD BiH ESAP 2030+, the document shall be delivered to the Assembly of Brčko District BiH for the adoption, the adopted document shall be published on the official website of Brčko District Government [www.vlada.bdcentral.net](http://www.vlada.bdcentral.net).