



## TENDER SPECIFICATIONS

### **European Environment Agency's support to EECCA countries in the field of monitoring of quality and quantity of water resources**

**EEA/SKI/05/001**

#### **1. Background**

Information on the state of the environment in the countries of Eastern Europe, the Caucasus and Central Asia (EECCA countries<sup>1</sup>) is increasingly important. It is needed to ensure that one of the pillars of the Aarhus convention, access to information for the public, can be met. It is needed to enable the EECCA to take part in and report on progress in international conventions, such as those on climate change, biodiversity, transboundary air pollution, transboundary waters and international lakes etc.. It is in the interests of the EU that a harmonised system of monitoring the state of the environment be encouraged, to ensure compatibility with the EU statistical approach and indicators, and to encourage compliance with EU standards and policies. Under this framework the present project is continuing the activities carried out during the period 2003-2004 under the first EEA/TACIS project in the field of water monitoring. The activities proposed will support the implementation of the EECCA environment strategy provisions adopted in Kiev in 2003 (related to water issues) being also in line with the requirements of the Water Framework Directive. Moreover the project will support the EU Water Initiative – EECCA Component, the partnership which is the EU contribution towards the achievement of the water-related Millenium Development Goals.

#### **Results of Phase 1 (2003-04):**

Under the phase I of the activity a network of national experts in water reporting has been established. These experts acquired a good understanding of the needs of international, cross-boundary reporting and assessments. An inventory of the monitoring stations for surface waters and, where available, information on groundwater and transitional, coastal and marine waters is now available. For each monitoring station information is available on the catchment pressures. On the basis of these data a recommendation has been made for the Eionet-water<sup>2</sup> basic network.

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<sup>1</sup> Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan.

<sup>2</sup> Previous called EUROWATERNET. Eionet-water better highlight the idea that the monitoring network has been developed by the European Environment Agency together with its member countries for the past ten years.

The next steps will be to establish this network as a continuous reporting tool. In order to achieve this goal the conclusion of Phase 1 recommended the following priorities:

- Investment in laboratory capacity in all countries.
- Extension of national monitoring systems to fill the gaps between the current situation and the minimum requirements of Eionet-water (in particular to improve geographic coverage, monitoring of smaller rivers, groundwater and transitional, coastal and marine water) and to act as a platform for the surveillance monitoring required by the Water Framework Directive.
- Increasing the knowledge of the indicator development process and the use of indicators in policy assessment and improvement.
- Development of national databases and the electronic transfer of validated data from the national to the European level, using the Reportnet tools developed by the EEA.

In the current situation with out-of-date equipment and a backlog of many years of investments, bilateral support (which has started in a few countries) will be necessary to (re-)establish the basic capacity in laboratories and monitoring equipment. Building on the experience acquired in Phase 1, the present project will deliver detailed assessment reports of the monitoring needs as basis for investment projects through bilateral or multilateral support. At the same time the capacity building in strengthening local expertise in the field of water monitoring initiated in Phase 1, will be continued.

## **2. Project objectives**

Support the electronic exchange of the existing river water quality data available throughout the region using Reportnet tools

## **3. Specific activities**

### ***3.1. Assessment needs for priority investments***

Under this activity the contractor is expected to prepare and deliver for all EECCA countries, reports assessing the needs for assuring the sustainable implementation of a water quality monitoring system and its use in national policy making. The basic idea would be to form in each country the platform for a surveillance monitoring network that would be required by the Water Framework Directive (WFD) and also serving international water obligations. The consultant will need to identify the existing capacities (in monitoring networks, laboratories, data infrastructure) that could form this platform, and identify a series of additional investment needs. By establishing clear and realistic priorities, one network can be gradually expanded as the resources become available to meet the developing reporting needs of the EECCA countries thereby ensuring efficient use of resources, avoiding duplication and following the principle of streamlined reporting as adopted by EU25 Member States. The WFD also requires the monitoring of transboundary waters, and monitoring of these waters would meet also the needs of the UNECE Convention on transboundary waters and international lakes (Helsinki, 1992). Following this approach a single network would therefore meet the information needs of the Water Information System for Europe -

WISE (DG Environment, Eurostat, JRC, EEA) and the UNECE (Helsinki convention).

This activity should result in a report per country identifying clear priorities in terms of investment that can be used to apply for bilateral and multilateral funding from e.g. the European Commission, countries or International Financial Institutions (IFI's). The reports will identify requirements in human resource development, capital equipment, infrastructure and consumables. A harmonised approach to the needs assessment of all countries by an authorised body is expected to be cost efficient and to lead to better-targeted investments compared to leaving it all up to individual donors.

In the preparation of the assessment needs reports a clear distinction should be made between:

- 1) EECCA countries (Russian Federation, Ukraine, Belarus, Moldova) sharing international waters with EU Member States (or candidates) where the monitoring requirements should be thought within the framework of the preparation of a single River Basin Management Plan (the WFD requiring that a monitoring programme should be in place by 2006); In concrete it is the case of Vistula, Nemunas, Daugava, Narva, Tisza, Prut, Dniester and Danube rivers where EECCA countries are either amongst riparian or in the basin/catchment area..
- 2) EECCA countries (Georgia, Armenia, Azerbaijan) neighbouring the enlarged EU (although not sharing international waters) where convergence need to be ensured between national legislation in the field of water and the WFD requirements as well as other EU related directives;
- 3) Other EECCA countries (e.g. Tajikistan, Turkmenistan, Ukraine, Uzbekistan) where convergence is aimed primarily between the national legislation and the international obligations in the field of water, and if possible close to the EU requirements.

The proposals should serve each country as basis for future joint investment activities or projects in the area of monitoring and reporting in a transboundary context.

Country missions to each country will facilitate the preparation of the report as well as the maintenance and consolidation of the expert network build in the previous TACIS project. Therefore is strongly recommended to use the network and local capacities build during the previous project.

In addition, the missions to Turkmenistan and Uzbekistan should also be used to validate the contributions of national experts to Phase 1, since this was not possible to be achieved in the previous project.

The preparation of the assessment reports should be consistent (and consequently linked) with the EU activities carried out under the framework of the European Water Initiative<sup>3</sup> (EUWI, <http://www.euwi-eecca.org/index.htm>). Within the EUWI-EECCA

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<sup>3</sup> The "EU Water Initiative – EECCA Component" is a partnership that seeks to improve the management of water resources in the **EECCA region (Eastern Europe, Caucasus and Central Asia)**. The partnership was established between EU and the EECCA countries at the World Summit for Sustainable Development in 2002. See: <http://www.euwi.net/index.php?main=1&sub=1&id=128>.

component an analysis of the needs for achieving the water-related Millennium Development Goals will be carried out at country level for each of the EECCA country, where the monitoring aspect will be addressed as one of the actions to be undertaken when required.

**Milestones:**

- Establish contacts and linkages with the national network of experts, preferably those identified and involved in Phase 1;
- Establish close linkages with EUWI – EECCA component and the experts involved in the EECCA country analysis;
- Country missions to all EECCA countries

**Expected output**

Twelve country reports assessing the needs for the development of monitoring networks in the field of water able to support the data collection and reporting activities according with national and international obligations. Clear priority setting as basis for applying for investment support. The reports should be written in such way that they can be immediately used in project proposals.

**3.2. Training and capacity building in the field of water management**

In order to further strengthen the capacity building in the field of water management as requested by EECCA countries under Phase 1 of the project, the following training activities will be delivered:

- a) Training on the communication of Eionet-water monitoring results to stakeholders, the development of water indicators included in the EECCA set of indicators<sup>4</sup>, and the use of indicators in policy assessment and improvement.
- b) Training in institutional strengthening of water monitoring aimed at Manager/Director level. This training aims at increasing insights into the requirements of a sustainable monitoring programme, including financial and organisational aspects. This training will connect the results of the needs assessment (achieved under the activity 3.1) with the institutional issues. Involvement of experts familiar with the implementation of Eionet-water from an operational environmental protection agency or water bodies from EU25 should be foreseen in order to facilitate transfer of practical knowledge (transfers of lessons learnt, best practice etc.). Reimbursement of travel and daily allowances for the participants as well as fees for the trainers need to be covered by the project budget.

**Milestones**

- preparation of training materials;
- ensure the organisation of the training and facilitate the expert participation

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<sup>4</sup> Parallel activities related to guidance on the EECCA indicators production will be carried out as part of another component of the TACIS assistance project managed by EEA. A selection of the EECCA core set of indicators (from the water part) will be used in the preparation of the next pan-European State of environment report.

- identify and invite as speakers to the training relevant experts from EU countries in order to share relevant experience in this area.

### **Expected outputs**

Two training sessions at water expert and management levels with the participation of all EECCA countries

### ***3.3. Support to selected EECCA countries in water reporting***

Phase 1 has identified a number of countries (Azerbaijan, Belarus, Moldova, Russian Federation, and Ukraine) where a first step in the implementation of Eionet-water dataflows can be made in preparation of reporting for the 2007 Belgrade report. Depending on the country a number of issues have to be solved to actually exchange currently collected data. These will include advice and support on design of the national database and the use of the Reportnet tools such as the Data Dictionary, Central Data Repository and the Data Exchange Module. Country missions as well as specific expert support will be used to support the national experts. Resulting data will need to be made available through EEA's Dataservice on the web.

### **Milestones**

- Country missions to the selected countries (combined missions for this task and 3.1. are expected);
- Specific expert support provided in each of the 5 countries in using the Reportnet tools for exchanging available water data ;
- Country support in designing the national database in the field of water using Reportnet tools.

### **Expected outputs**

Existing water quality data from the 5 selected EECCA countries available on the EEA dataservice.

### ***3.4. Additional data collection in the field of water***

The general aim of the 2007 Belgrade report will be, as for previous reports to provide a pan-European, policy relevant, up-to-date and reliable assessment of the interactions between environment and society and of the state of the environment in Europe. It will mostly describe the current state of the environment, but where outlooks are available from e.g. GEO-4 or OECD projects, they will be used. The report is planned to be an indicator-based one, and concerning the EECCA countries will use the EECCA core set of indicators as the core of the quantitative information. The consultants are expected to closely link with EEA for this tasks and respond to the

additional data needs in the field of water identified in the preparatory process of the report<sup>5</sup>.

Although, in principle for the data collection for the 2007 Belgrade report national indicators (according to the EECCA core set) will be used, some capacity should be reserved for additional data collection in countries not yet included in the dataflow.

## 5. Project duration

The project duration will be 16 months, from the starting date. The contract is subject to possible extension or renewal.

## 6. Project execution

The work will be performed mainly at the consultants' premises. A good and timely planning of the proposed activities is needed considering the visa application problems in each of the EECCA countries.

## 7. Estimate maximum budget per components

|   |           |
|---|-----------|
| 1. Needs assessment for priority investments:   | 60 kEuro  |
| 2. Training and capacity building:  | 60 kEuro  |
| 3. Support to a first phase of reporting in selected countries  | 50 kEuro  |
| 4. Coordination, general expertise and additional data collection 2007 Belgrade report (approx.25kEuro representing the cost of missions to the 12 EECCA countries) | 60 kEuro  |
| Total maximum budget  | 230 kEuro |

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<sup>5</sup> An initial proposal for the Water chapter referring to EECCA countries is touching upon the following :

Proposed storyline: Drinking water problems in the EECCA countries are a mixture of environmental and financial and management issues. Untreated sewage (often also linked with lack of investment in repairing and renewing treatment facilities), toxic releases and in some areas nitrate contamination are main issues for environmental management in the long run. To reach the millennium development goals immediate action is needed in repairing and maintaining the water supply and sanitation infrastructure, which requires large investments. Several institutional, policy and financing issues need to be solved. For feeding the storyline a number of EECCA indicators are proposed to be used, such as: *Population connected to water supply networks, Population connected to sanitation networks; Drinking water quality; Water leakage. The full list of EECCA proposed indicators is available at:*  
<http://www.unece.org/env/europe/monitoring/meeting.html#fifth>

## 8. Estimate project timetable

| Activity: Water                         | Semester 2/2005 |   |   |    |    |    | Semester 1/2006 |   |   |   |   |   |
|---|-----------------|---|---|----|----|----|-----------------|---|---|---|---|---|
|   | 7               | 8 | 9 | 10 | 11 | 12 | 1               | 2 | 3 | 4 | 5 | 6 |
| 1. Needs assessments                    |                 |   |   |    |    |    |                 |   |   |   |   |   |
| 2. Training communication               |                 |   |   |    |    |    |                 |   |   |   |   |   |
| 3. Training institutional strengthening |                 |   |   |    |    |    |                 |   |   |   |   |   |
| 4. Support reporting selected countries |                 |   |   |    |    |    |                 |   |   |   |   |   |

| Activity: Water                         | Semester 2/2006 |  |  |  |  |  | Semester 1/2007 |  |  |  |  |  | Semester 2/2007 |  |  |  |  |  |  |  |  |  |  |  |
|---|-----------------|--|--|--|--|--|-----------------|--|--|--|--|--|-----------------|--|--|--|--|--|--|--|--|--|--|--|
| 1. Needs assessments                    |                 |  |  |  |  |  |                 |  |  |  |  |  |                 |  |  |  |  |  |  |  |  |  |  |  |
| 2. Training communication               |                 |  |  |  |  |  |                 |  |  |  |  |  |                 |  |  |  |  |  |  |  |  |  |  |  |
| 3. Training institutional strengthening |                 |  |  |  |  |  |                 |  |  |  |  |  |                 |  |  |  |  |  |  |  |  |  |  |  |
| 4. Support reporting selected countries |                 |  |  |  |  |  |                 |  |  |  |  |  |                 |  |  |  |  |  |  |  |  |  |  |  |

## 9. Participation in tendering procedure

Participation is open on equal terms to all natural and legal persons of the EEA member countries and EECCA countries (Armenia, Azerbaijan, Belarus, Russian Federation, Georgia, Kazakhstan, Moldova, Uzbekistan, Tajikistan, Turkmenistan and Ukraine).

The participation of an ineligible natural or legal person (as per paragraph above) will result in the automatic exclusion of that person.

Sub-contracting is allowed and the tenderer is requested to indicate the proportion of the contract that intends to sub-contract.

## 10. Price

The price quoted must be fixed and not subject to revision.

Under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities, the Communities are exempt from all charges, taxes and

dues, including value added tax; such charges may not therefore be included in the calculation of the price quoted; the VAT amount must be indicated separately.

The price tendered must be all-inclusive and expressed in euros, including for countries that are not part of the euro zone. For tenderers in countries that do not belong to the euro zone, the price quoted may not be revised in line with exchange rate movements. Where payment is in national currency, it shall be converted in Euro at the rate published by the European Central Bank in the “C” series of the Official Journal on the first working day of the month in which the payment is made. The exchange rates can be found on the European Commission’s web page: <http://europa.eu.int/comm/budget/inforeuro/index.cfm?Language=en>

The price quoted should include a separate estimate for travel and subsistence expenses. This estimate must be based on the Agency’s rules, as per the Annex 3 attached (Reimbursement of Travel Expenses). It must include any travel necessary and represents, at all events, the maximum amount of travel and subsistence expenses payable for all services under the contract. These expenses must be included in the price quoted.

The costs incurred in preparing and submitting tenders are borne by the tenderers and cannot be reimbursed.

## **11. Contractual Terms**

In drawing up his bid the tenderer should bear in mind the provisions of the standard contract attached to this invitation to tender.

## **12. Criteria**

### Exclusion criteria

Candidates or tenderers shall be excluded from participation in a procurement procedure if:

(a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

(b) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;

(c) they have been guilty of grave professional misconduct proven by any means which the contracting authority (EEA) can justify;

(d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;



(e) they have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;

(f) they have been convicted for an environmental offence in the exercise of the profession;

(g) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Candidates or tenderers must certify that they are not in one of the situations listed in paragraph 1. The tenderer shall provide an auto-declaration, preferably made on oath before a judicial or administrative authority, a notary or a competent professional or trade body by a person competent to do so on behalf of the tenderer, which states that none of the grounds for exclusion apply to the tenderer (See Annex 1).

Potential contractors might be requested, at a later stage, to certify that they are not in one of the situations listed above by providing additional documents.

Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:

(a) are subject to a conflict of interest;

(b) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information.

### Selection criteria

#### **Legal Capacity**

Any tenderer will be asked to prove that he is authorised to perform the contract under national law, as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation, or entry in the VAT register.

The tenderer should provide an identification sheet (Annex 2) duly filled out and signed, a copy of inscription in trade register, where applicable, and a copy of inscription in VAT registers.

#### **Economic and Financial capacity**

Proof of economic and financial capacity may be furnished by (one or more of) the following documents:

(a) appropriate statements from banks or evidence of professional risk indemnity insurance;

- (b) the presentation of balance sheets or extracts from balance sheets for at least the last two years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established;
- (c) a statement of overall turnover and turnover concerning the services covered by the contract during a period which may be no more than the last three financial years.

If, for some exceptional reason, which the contracting Authority (EEA) considers, justified, the tenderer is unable to provide the references requested by the contracting authority, he may prove his economic and financial capacity by any other means which the contracting authority considers appropriate.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links, which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

**Technical and professional capacity**

The evidence of the technical and professional capacity should be furnished on the basis of the following documents:

- (a) the educational and professional qualifications of the service provider or contractor and/or those of the firm's managerial staff and, in particular, those of the person or persons responsible for providing the services. Tenders from consortiums of firms or groups of service providers shall specify the role, qualifications and experience of each member or group. Together with the CVs, the tenderer is requested to provide a Declaration of Availability for each of the staff proposed (see Annex 4);
- (b) a list of: the principal services provided in the past three years, with the sums, dates and recipients, public or private;
- (c) an indication of the proportion of the contract which the service provider may intend to subcontract.

Award criteria

**Best value for money:** the contract is awarded to the tender with the best price-quality ratio, taking into account the following criteria:

| <b>Criteria</b>  | <b>Score</b> |
|--|--------------|
| Understanding of the objectives of the contract and the work to be carried out | 10           |
| Proposed approach for contract implementation and activities                   | 20           |

|   |     |
|---|-----|
| considered to be necessary to achieve the contract objectives   |     |
| Institutional networking experience in EECCA countries, in the field of environment.                                    | 20  |
| Experience in carrying out similar projects, preferably in EECCA countries;   | 20  |
| Experience in the Water Framework Directive implementation; familiarity with Water Information System for Europe (WISE) | 20  |
| Price   | 10  |
| <b>TOTAL</b>  | 100 |

### 13. General Comments

- The tender must comprise a technical offer and a financial offer, each of which must be submitted separately. Each Technical offer and Financial offer must contain one original and two copies.
- Tenders from consortiums of firms or groups of service providers (or contractors or suppliers, depending on the type of contract) must specify the role, qualifications and experience of each of the members or of the group.
- Declaration on exclusion and documents on selection criteria must be supplied by each member of the consortiums of firms or groups of service providers submitting a single tender.

### 14. *SUSPENSION CLAUSE*

*This tender procedure is launched before the signature of the financing agreement between the European Commission and the European Environment Agency. The award of that contract is therefore subject to the conclusion of the financing agreement and the provision of funding.*

*The tender will be annulled if the financing agreement is not signed.*