



REQUEST FOR TENDERS

RFT: PWP-103-CON
File: AP_6/5/8/4
Date: 15 November, 2022
To: Interested consultants
From: PacWastePlus Finance and Procurement Officer

Subject: Request for tenders (RFT): Design of Samoa's E-Waste Product Stewardship Scheme

1. Background

- 1.1. The Secretariat of the Pacific Regional Environment Programme (SPREP) is an intergovernmental organization charged with promoting cooperation among Pacific islands countries and territories to protect and improve their environment and ensure sustainable development.
- 1.2. SPREP approaches the environmental challenges faced by the Pacific guided by four simple Values. These values guide all aspects of our work:
 - We value the Environment
 - We value our People
 - We value high quality and targeted Service Delivery
 - We value Integrity
- 1.3. For more information, see: www.sprep.org.

2. Specifications: statement of requirement

- 2.1. SPREP wishes to call for tenders from qualified and experienced consultants who can offer their assistance to support the design of Samoa's E-Waste Product Stewardship Scheme
- 2.2. The Terms of Reference of the consultancy are set out in Annex A.
- 2.3. The successful consultant must supply the services to the extent applicable, in compliance with SPREP's Values and Code of Conduct: https://www.sprep.org/attachments/Publications/Corporate_Documents/spreporganisational-values-code-of-conduct.pdf. Including SPREP's policy on Child Protection, Environmental Social Safeguards, Fraud Prevention & Whistleblower Protection and Gender and Social Inclusion.
- 2.4. SPREP Standard Contract Terms and Conditions are non-negotiable

3. Conditions: information for applicants

- 3.1. To be considered for this tender, interested consultants must meet the following conditions:
 - i. Submit a detailed Curriculum vitae detailing qualification and previous relevant experience for each proposed personnel;
 - ii. Provide three referees relevant to this tender submission, including the most recent work completed;
 - iii. Provide examples of past related work outputs;

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- iv. Complete the **tender application form** provided (*Please note you are required to complete in full all areas requested in the Form, particularly the Statements to demonstrate you meet the selection criteria – DO NOT refer us to your CV. Failure to do this will mean your application will **not** be considered*).
For the Technical and Financial proposals you may attach these separately.
 - v. Submissions must include a **TECHNICAL PROPOSAL** that includes a detailed work plan, methodology schedule of activities, and other items deemed necessary by the tenderer.
 - vi. Submissions must include a **FINANCIAL PROPOSAL** that has an annotated budget listing for each task as required of the scope of works
 - vii. Provide a copy of valid business registration/license.
- 3.2 Tenderers must declare any areas that may constitute conflict of interest related to this tender and sign the **conflict of interest form** provided.
- 3.3 **Tenderer is deemed ineligible due to association with exclusion criteria**, including bankruptcy, insolvency or winding up procedures, breach of obligations relating to the payment of taxes or social security contributions, fraudulent or negligent practice, violation of intellectual property rights, under a judgment by the court, grave professional misconduct including misrepresentation, corruption, participation in a criminal organisation, money laundering or terrorist financing, child labour and other trafficking in human beings, deficiency in capability in complying main obligations, creating a shell company, and being a shell company.
- 3.4 Tenderer must sign a declaration of **honour form** together with their application, certifying that they do not fall into any of the exclusion situations cited in 3.3 above and where applicable, that they have taken adequate measures to remedy the situation.

4. Submission guidelines

- 4.1. Tender documentation should demonstrate that the interested consultant satisfies the conditions stated above and in the Terms of Reference and is capable of meeting the specifications and timeframes. Documentation must also include supporting examples to address the evaluation criteria.
- 4.2. Tender documentation should be submitted in English and outline the interested consultant's complete proposal:
- a) **SPREP Tender Application form and conflict of interest form.** (*Please note you are required to complete in full all areas requested in the Form, particularly the Statements to demonstrate you meet the selection criteria – DO NOT refer us to your CV. Failure to do this will mean your application will **not** be considered*).
For the Technical and Financial proposals you may attach these separately.
 - b) **Honour form**
 - c) **Curriculum Vitae** of the proposed personnel to demonstrate that they have the requisite skills and experience to carry out this contract successfully.
 - d) **Technical Proposal** which contains the details to achieve the tasks outlined in the Terms of Reference.
 - e) **Financial Proposal** which outlines the costs involved in successfully delivering the project submitted in United States Dollars (USD) and inclusive of all associated taxes.
- 4.3. Provide three referees relevant to this tender submission, including the most recent work completed.

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- 4.4. Tenderers/bidders shall bear all costs associated with preparing and submitting a proposal, including cost relating to contract award; SPREP will, in no case, be responsible or liable for those costs, regardless of the conduct or outcome of the bidding process.
- 4.5. The tenderer/bidder might be requested to provide additional information relating to their submitted proposal, if the Tender Evaluation Committee requests further information for the purposes of tender evaluation. SPREP may shortlist one or more Tenderers and seek further information from them.
- 4.6. The submitted tender proposal must be for the entirety of the Terms of Reference and not divided into portions which a potential tenderer/bidder can provide services for.
- 4.7. The Proposal must remain valid for 90 days from date of submission.
- 4.8. Tenderers must insist on an acknowledgement of receipt of tender.

5. Tender Clarification

- 5.1. a. Any clarification questions from applicants must be submitted by email to pwprocurement@sprep.org before 22 November 2022. A summary of all questions received complete with an associated response posted on the SPREP website www.sprep.org/tender by 23 November 2022.
- b. The only point of contact for all matters relating to the RFT and the RFT process is the SPREP Procurement Officer.
- c. SPREP will determine what, if any, response should be given to a Tenderer question. SPREP will circulate Tenderer questions and SPREP's response to those questions to all other Tenderers using the SPREP Tenders page (<https://www.sprep.org/tenders>) without disclosing the source of the questions or revealing any confidential information of a Tenderer.
- d. Tenderers should identify in their question what, if any, information in the question the Tenderer considers is confidential.
- e. If a Tenderer believes they have found a discrepancy, error, ambiguity, inconsistency or omission in this RFT or any other information given or made available by SPREP, the Tenderer should promptly notify the Procurement Officer setting out the error in sufficient detail so that SPREP may take the corrective action, if any, it considers appropriate.

6. Evaluation criteria

- 6.1. SPREP will select a preferred consultant on the basis of SPREP's evaluation of the extent to which the documentation demonstrates that the tenderer offers the best value for money, and that the tender satisfies the following criteria:
- 6.2. A proposal will be rejected if it fails to achieve 70% or more in the technical criteria and its accompanying financial proposal shall not be evaluated.

I. Technical Score – 80%

Criteria	Detail	Weighting
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Experience	Demonstrated Experience on designing of recycling system with knowledge of economic instrument that will enable the financing of recycling system.	25%
	Demonstrated Experience in E-Waste Management with knowledge of E-Waste components and international agreements governing e-waste components	10%
	Demonstrated Experience in Policy and Regulation Drafting with a Clear understanding legislation in Pacific Countries and associated enforcement challenges	10%
	Demonstrated Experience in Data Analysis and Assessment	10%
Methodology	Detailing activities to be conducted over the term of the engagement, with specific mention of: <ul style="list-style-type: none"> • Scope of Investigation • List of Stakeholders to be consulted and questions to be addressed by each identified agency • Data to be assessed and analysed 	25%
	Timeline for deliverable	

II. Financial Score – 20%

The following formula shall be used to calculate the financial score for ONLY the proposals which score 70% or more in the technical criteria:

$$\text{Financial Score} = a \times \frac{b}{c}$$

Where:

a = maximum number of points allocated for the Financial Score

b = Lowest bid amount

c = Total bidding amount of the proposal

7. Variation or Termination of the Request for Tender

- 7.1 a. SPREP may amend, suspend or terminate the RFT process at any time.
- b. In the event that SPREP amends the RFT or the conditions of tender, it will inform potential Tenderers using the SPREP Tenders page (<https://www.sprep.org/tenders>).
- c. Tenderers are responsible to regularly check the SPREP website Tenders page for any updates and downloading the relevant RFT documentation and addendum for the RFT if it is interested in providing a Tender Response.
- d. If SPREP determines that none of the Tenders submitted represents value for money, that it is otherwise in the public interest or SPREP's interest to do so, SPREP may terminate this RFT process at any time. In such cases SPREP will cancel the tender, issue a cancellation notice and inform unsuccessful bidders accordingly.

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8. Deadline

- 8.1. **The due date for submission of the tender is: 30 November 2022, midnight (Apia, Samoa local time).**
- 8.2. Late submissions will be returned unopened to the sender.
- 8.3 Please send all tenders clearly marked 'RFT 'PWP-103-CON: **Design of Samoa's E-Waste Product Stewardship Scheme**

Mail: SPREP

Attention: Procurement Officer

PO Box 240

Apia, SAMOA

Email: tenders@sprep.org (MOST PREFERRED OPTION)

Fax: 685 20231

Person: Submit by hand in the tenders' box at SPREP reception,
Vailima, Samoa.

Note: Submissions made to the incorrect portal will not be considered by SPREP. If SPREP is made aware of the error in submission prior to the deadline, the applicant will be advised to resubmit their application to the correct portal. However, if SPREP is not made aware of the error in submission until after the deadline, then the application is considered late and will be returned unopened to the sender.

SPREP reserves the right to reject any or all tenders and the lowest or any tender will not necessarily be accepted.

SPREP reserves the right to enter into negotiation with respect to one or more proposals prior to the award of a contract, split an award/awards and to consider localised award/awards between any proposers in any combination, as it may deem appropriate without prior written acceptance of the proposers.

A binding contract is in effect, once signed by both SPREP and the successful tenderer. Any contractual discussion/work carried out/goods supplied prior to a contract being signed does not constitute a binding contract.

For any complaints regarding the Secretariat's tenders please refer to the Complaints section on the SPREP website <http://www.sprep.org/accountability/complaints>

Annex A: Terms of Reference Design of Samoa's E-Waste Product Stewardship Scheme

1. BACKGROUND

The Secretariat of the Pacific Regional Environment Programme (SPREP) is working with the European Union's Delegation to the Pacific, and 14 Pacific Island Countries and Timor-Leste to undertake the PacWastePlus Programme (the Project) which seeks to improve and enhance waste management activities and the capacity of governments, industry, and communities to manage waste to reduce the impact on human health and the environment.

PacWastePlus seeks to generate improved economic, social, health and environmental benefits for Pacific Island Countries arising from stronger regional economic integration and the sustainable management of natural resources and the environment. The programme activities will be designed to assist Countries to ensure the safe and sustainable management of waste with due regard for the conservation of biodiversity, reduction of marine litter, health and well-being of Pacific Island communities, and climate change mitigation and adaptation requirements.

Activities for PacWaste Plus will focus on targeted priority waste streams which are: hazardous wastes (specifically **asbestos, e-waste and healthcare waste**); solid wastes (specifically **recyclables, organic waste, disaster waste, and bulky waste**); and related aspects of **wastewater** (water impacted by solid waste).

2. INTRODUCTION TO PROJECT

Samoa is a Polynesian island country consisting of two main islands (Savai'i and Upolu), two smaller inhabited islands, and several small uninhabited islands. Samoa lies south of the equator, about halfway between Hawaii and New Zealand, in the Polynesian region of the Pacific Ocean. The total land area is 2,842 km². Samoa reported a population of 194,320 in its 2016 census with about three-quarters of the population living on the main island of Upolu. Total population for Samoa estimated in 2023 was 207,075.

Waste management services in Samoa is provided by the Ministry of Natural Resources and Environment (MNRE). Household general waste is collected twice a week while bulky waste including e-waste, construction wastes, and old furniture is collected quarterly in Samoa. A World Bank Funded Waste Audit in 2020 identified that on average, 40 tonnes of E-waste generated in the country on an annual basis. MNRE is utilising the PWP in-country investment to introduce an E-Waste Product Stewardship Scheme. In addition, the project will also establish an e-waste policy, establish an e-waste dismantling facility, and introduce an e-waste regulation in pursuant to Section 10 of Samoa's Waste Management Act 2010 that will establish in law, how the E-Waste Product Stewardship Scheme operates.

The E-Waste Product Stewardship Scheme will introduce a sustainable financing arrangement for electronics to enable effective management once product reaches its end of life, establish collection points for end-of-life electronics (E-Waste), and determine pre-treatment of e-waste prior to export for recycling.

In addition to the design and implementation of an E-Waste Product Stewardship Scheme, the Samoa PacWastePlus Project will achieve the following:

- (i) Drafting of regulations that will enable the implementation of the e-waste Product Stewardship Programme
- (ii) Drafting of an E-Waste Policy
- (iii) Construction of a facility at Tafaigata to ensure safe dismantling and storage of e-waste and e-waste components

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- (iv) Facilitation of education and awareness programme on proper e-waste management, and the Samoa E-Waste Product Stewardship programme.
- (v) Training of local waste workers on safe handling and dismantling of e-waste.

This TOR seeks to engage a consultant to design the Samoa Product Stewardship Scheme's operational activities ONLY.

3. EXPECTED OUTCOME

The PacWastePlus Programme seeks to engage a consultant to deliver the following:

1. Identify suitable options for safe/effective collection, and processing for each of the type of e-waste generated in Samoa e.g. phones, computers, refrigerators etc.
2. Design an E-Waste Product Stewardship Programme for Samoa that is inclusive of collection, processing, storage and export of e-waste and e-waste components.
3. Develop instruction guideline for the drafting of a National E-Waste policy and E-Waste Regulations.

The Samoa PacWastePlus country project will be utilising the findings from this consultancy to develop National E-Waste Policy and the E-Waste regulations. Detail on the targeted outcome of this consultancy is highlighted in Table 1.

4. SCOPE OF WORK

The expected delivery of this consultancy will be developed in stages and is described in the following table:

Table 1: Scope of Work

Phase	Description	Documentation SPREP will provide	Supplier Output
Inception	<p>Lead an inception meeting with the PacWastePlus team to discuss the delivery of the project, addressing delivery of the outputs of the project, issues likely to cause delays (risk management), and ensure a common understanding of the action, and required outputs.</p> <p>The Contractor shall create and submit to SPREP a Work Plan that shall upon execution ensure effective delivery of services under this contract. The Draft Work Plan shall contain at a minimum:</p> <ul style="list-style-type: none"> Proposed time schedule and sequence of events that the Contractor shall use to meet the contract deliverables, including preparation stages, assessment of data, consultations, drafting and review of system design. General description of the methods which the Contractor proposes to adopt for executing the contract Comprehensive risk plan to ensure effective delivery of services Any further details and information as SPREP may reasonably require. 	Nil	<p>Inception meeting</p> <p>Minutes of the inception meeting with confirmation of activities, and scope of work to be developed and agreed by meeting participants prior to commencement of any activities.</p> <p>Draft Work Plan</p> <p>The Draft Work Plan shall be delivered to SPREP for consideration and comment. The workplan should provide confirmation of process and timing for the various stages of works described in this table.</p> <p>Final Work Plan</p> <p>Final work plan incorporating revisions and addressing all comments by reviewers on the draft work plan</p>
Identify suitable management options of each type of e-waste generated in Samoa	<p>The consultant will undertake assessment and analysis of available e-waste data and the Waste Audit report to determine the following:</p> <ul style="list-style-type: none"> the type of e-waste generated in the country existing management arrangement for e-waste establish options for managing each type of e-waste generated e.g. phones, computers, refrigerators, washing machines, etc. 	<p>(i) Samoa Waste Audit Report</p> <p>(ii) Samoa Waste Audit Data</p> <p>Samoa ARFD Feasibility Report</p>	<p>Draft E-Waste Management Option Report</p> <p>The report will identify the types and volume of E-wastes produced, provide management for each of</p>

Phase	Description	Documentation SPREP will provide	Supplier Output
	<p>Management Options recommended should address the following (as a minimum):</p> <ul style="list-style-type: none"> • Collection and Transportation arrangement • Shredding and Sorting Process • Depollution Process • Preparation process for export • Components reuse in country. • Estimate Operation cost for in-country treatment of each of the e-waste type 		<p>the e-waste type, management arrangement, and address the requirement of this component.</p> <p>Final E-Waste Management Option Report</p> <p>Final report will address all comments by SPREP, and Samoa's MNRE.</p>
<p>Design E-Waste Product Stewardship Scheme</p>	<p>Phase I</p> <p>The consultant will utilise the outcome of the e-waste management option assessment, Samoa National Waste Audit, stakeholder consultations, and the finding of the Samoa ARFD Feasibility Report to recommend at least three possible design Samoa's-Waste Product Stewardship scheme. The consultant will facilitate consultation to present the recommendation to MNRE and SPREP who then will determine a suitable design.</p> <p>Phase II</p> <p>Following decision by SPREP and MNRE, the consultant is expected to draft Samoa's E-Waste Take Back report that discuss in more detail the chosen option.</p> <p>The report will establish a material flow diagram and clearly identify the following:</p> <ol style="list-style-type: none"> a) Recommend electronics and electronics equipment (EEE) to be covered in the initial phase of the National E-Waste Product Stewardship Scheme (i.e. computers, whiteware, mobile phones, etc) b) Discuss how will the E-Waste Product Stewardship Scheme be administered c) Identify the level of dismantling activities to be undertaken in the country for items that needs to be dismantling prior to export. 	<ol style="list-style-type: none"> (i) Feasibility Report – Samoa Advance Recovery Fee and Deposit system. (ii) Technical Guiding Note - advanced recovery fee for the independent state of Samoa (i) PWP Guide on Designing Sustainable financing for 	<p>Draft E-Waste Product Stewardship Scheme Options Report</p> <p>The report should address all items identified under the description of this Component to assess / analyse each of the options identified. The report should provide information and technical specifications for the various options at a level to enable informed decision making (to be undertaken through the facilitated Options selection workshop).</p> <p>Presentation of the Options Report, and Facilitated option selection workshop</p> <p>The consultant will design and deliver a presentation summarising finding of the Options Report for the project stakeholders and will lead a consultation for Stakeholders to explore the options and select a preferred option for implementation.</p>

Phase	Description	Documentation SPREP will provide	Supplier Output
	<ul style="list-style-type: none"> d) Segregation option of e-waste at the generation source e) Collection method for e-waste from all communities in Samoa f) Discuss in detail how deposit is levied on the different type electronics imported into Samoa g) Determine the state and standard of items returned under the system to allow for effective recycling. h) Determine the Target Recovery Rate for each identified electronics to be covered under the system. i) Identify deposits to be placed on each type of electronics j) Discuss how deposit is collected and maintained prior to refund k) Discuss how refunds are paid out to the public l) Discuss the administration of funds that will hold all deposits collected for the system m) Recommend a national standard on importation of electronics into Samoa to help minimise generation of e-waste in the country. n) Identify Monitoring plan for the implementation of the E-Waste Product Stewardship Scheme 	waste management	<p>Final Report - design of Samoa E-Waste Product Stewardship Scheme</p> <p>The report will provide in detail the chosen design by SPREP and MNRE and adequately addresses comments raised on the draft report. The report will include details of all participants to the meeting that assesses the three proposed design, and the minute of discussions.</p>
<p>Technical Drafting Note</p>	<p>The consultant will develop the following: National E-Waste Product Stewardship Scheme Policy.</p> <p>E-Waste Product Stewardship Scheme Regulation to govern the E-Waste Product Stewardship Scheme.</p> <p>Technical Drafting Note for a National E-Waste Management Policy</p> <p>Technical Drafting Note for the E-Waste policy will address the following:</p> <ul style="list-style-type: none"> (i) Establish a phased approach to including other WEEE (not included in the initial phase) and WEEE parts/components into the E-Waste Product Stewardship Scheme. The initial phase will include specific e-waste categories and products and, once the E-Waste Product Stewardship Scheme is in place and running smoothly, additional e-waste categories and products may be incorporated. 	<p>Nil</p> <p>Template for Technical Drafting Note</p>	<p>Draft Technical Drafting Note for an E-Waste Management Policy</p> <p>Report to clearly identify how the national E-Waste Product Stewardship Scheme is to be implemented and monitored by MNRE. Policy will need to address all the requirement of this component.</p> <p>Final E-Waste Management Policy</p> <p>Report must address all comments on the draft report</p>

Phase	Description	Documentation SPREP will provide	Supplier Output
	<ul style="list-style-type: none"> (ii) Identify various processes through which MNRE can increase awareness on the national E-Waste Takeback system and the legislation, and how they can work in partnership with other public and private stakeholders. (iii) Establish an overview of common challenges and identify solutions to assist MNRE effectively implement the national E-Waste Product Stewardship Scheme. Challenges to be addressed to include but not limited to data on e-waste stocks, entrenched informal sector, limited capacity, lack of stakeholder engagement, and lack of enforcement. (iv) Establish a minimum volume of E-Waste that can be stockpiled in Samoa before exportation, including in-country storage standard. (v) Ongoing E-waste and environmental expertise and institutional capacity building needed. (vi) Determine Infrastructure for appropriate e-waste management needed in Samoa with appropriate Environment Monitoring Criteria for the operation of this infrastructure. (vii) Identify minimum resources needed to effectively implement e-waste management. (viii) Comply with international treaties and regulations, primarily the Basel Convention, to both export e-waste and avoid the import of second hand or used EEE near its End of Life or with obsolete technology. (ix) Technical Standard for safe handling and dismantling of E-Waste. <p>Technical Drafting Note for E-Waste Regulation</p> <p>The consultant must establish a Technical Drafting Note to guide legal counsels in the drafting of a E-Waste Product Stewardship Scheme Regulation in pursuant to Section 10 of the Waste Management Act 2010. The technical drafting note must clearly identify the following:</p> <ul style="list-style-type: none"> (i) parts and contents of the regulations to be drafted that adequately addresses all the components of the E-Waste Product Stewardship Scheme. (ii) Enforcement criteria (iii) Define Offences under the regulations <ul style="list-style-type: none"> - Penalties for non-compliant to the regulations. 		<p>Draft Technical Drafting Note for E-Waste Regulation</p> <p>Report to clearly identify parts and contents of the E-Waste Regulations</p> <p>Final Technical Drafting Note for E-Waste Regulation</p> <p>Report must address all comments raised by SPREP and MNRE on the draft report.</p>

Phase	Description	Documentation SPREP will provide	Supplier Output
Project Closure	The consultant will facilitate a closure meeting for SPREP and MNRE to present the outcome of this consultancy and hand over all final reports.	Nil	Final report Final report addressing any comments provided from the review activity.

Consultant Responsibilities

The consultant will be responsible for scheduling and facilitating meetings with service/technology providers, country representatives, and SPREP, taking minutes, and distributing these for comment prior to finalising.

5. SCHEDULE OF WORK

The activities are to be completed no later than **22 weeks from Agreement signing date** with a preference for the activities to be completed much earlier.

Expected project activity is detailed in Table 2, it is expected that tenderers will detail how and when each of these steps will be delivered.

Table 2: Project Schedule

Activity	Timeline
1. Draft Workplan	1 day prior to Inception Meeting
2. Inception Meeting	One week from date of Contract Execution
3. Finalised Workplan	No later than 2 weeks from date of Contract Execution
4. Draft E-Waste Management Option Report	No later than 5 weeks from date of contract execution
5. Final E-Waste Management Option Report	No later than 8 weeks from date of contract execution
6. Draft Design of E-Waste Product Stewardship Scheme with Presentation	No later than 14 weeks from date of contract execution
7. Final Design of Samoa E-Waste Product Stewardship Scheme Report	No later than 17 weeks from date of contract execution
8. Draft Technical Drafting Note for the National E-Waste Policy and E-Waste Regulations	No Later than 19 weeks from date of contract execution
9. Final Technical Drafting Note for the E-Waste policy and the E-Waste Regulations	No Later than 21 weeks from date of contract execution
10. Final consultation and handing over of final reports	No later than 22 weeks from date of contract execution

6. BUDGET

Submissions are required to itemise all financial elements of their proposal in USD, including, but not limited to, the following:

- Salary costs (hourly rate)
- All applicable taxes

Submissions must include an annotated budget listing for each task.

SPREP reserves the right to withdraw this tender at any time, reserves the right to accept or reject any or all bids and to waive any formal defects or irregularities in the bids, when deemed to be in the interest

7. Other Information

The successful consultant must supply the services to the extent applicable, in compliance with SPREP's Values and Code of Conduct https://www.sprep.org/attachments/Publications/Corporate_Documents/sprep-organisational-values-code-of-conduct.pdf

