

“Specific Terms of Reference” for a feasibility study on an EU Action Plan on deforestation

1. Context/General information

According to FAO estimates, some 13 million hectares of forests are lost every year. Competing and often conflicting demands for land are likely to grow further towards 2050, when 9 billion people will be sharing one planet and its limited resources, under changing climate patterns and socio-economic conditions. To date, the land on which forest grows is often considered more valuable than the standing forest itself. Deforestation accounts for some 20% of global carbon dioxide (CO₂) emissions (IPCC, 2007) – more than the total EU greenhouse gas emissions. Addressing deforestation is therefore a cost-effective way to combat climate change and, at the same time, conserving biodiversity and securing better livelihoods.

UNFCCC is gearing up towards a new legally binding climate regime 2020, applicable to all Parties, based on ambitious national contributions. In light of UNFCCC COP Decision 15/CP.19 on addressing the drivers of deforestation, the EU and Member States have endorsed the 2014 (UN Climate Summit) New York Declaration on Forests, a non-legally binding political declaration that grew out of dialogue among governments, companies and civil society.

The 7th Environment Action Programme calls for "assessing the environmental impact, in a global context, of Union consumption of food and non-food commodities and, if appropriate, developing policy proposals to address the findings of such assessments, and considering the development of a Union action plan on deforestation and forest degradation". The EU Forest Strategy, also foresees that: [...the Commission will assess the environmental impact of EU consumption of products and raw materials likely to contribute to deforestation and forest degradation outside the EU. If appropriate, it will consider policy options for limiting such impacts, including the development of an EU action plan on deforestation and forest degradation. It will do this in line with the 7th EU EAP].

The EU needs to deliver on the objective set in 2008¹ to halt global forest cover loss by 2030 at the latest and to reduce gross tropical deforestation by at least 50 % by 2020, and, the EU Biodiversity Strategy 2020 that seeks to "help avert global biodiversity loss", foreseeing that "the EU will take measures to reduce the biodiversity impacts of EU consumption patterns, particularly for resources that have significant negative effects on biodiversity" and on the recently agreed Sustainable Development Goals targets.

To achieve these objectives, the EU needs to work on both demand and supply side measures. Particular attention should be paid to imports and consumption of certain commodities (mainly agricultural) that can contribute to deforestation and forest degradation processes by encouraging more demand for agricultural land and production of specific crop or products, mostly outside EU borders. To inform this reflection, in 2013 the Commission financed a study on “the impact of EU consumption of imported food and non-food commodities” (e.g. meat, soy, timber, palm oil, metal ores) that are likely to contribute to deforestation or forest

¹ COM(2008) 645 final, 17.10.2008

degradation. These results are now publicly available and are informing further debate and studies on this topic. On 26 - 27 May 2014, a Conference was organised on this topic and provided useful inputs to inform the further assessment and the feasibility of developing an Action Plan on deforestation².

2. Subject of the request

A specific study is needed to further define and assess policy options available to step up EU action on deforestation and forest degradation. Among a number of cross sectorial studies and initiatives, EU thematic policies and legislation, the study can draw and build on information generated, *inter alia*, by the FLEGT Action Plan Evaluation, the EU Timber Regulation review, the ongoing work on the Circular Economy package and Trade and Investment strategy, the recently agreed UN SDG targets and the outcomes of the UNFCCC COP 21 in Paris.

The study should produce original and innovative thinking on policy options without duplicating recently completed and ongoing studies funded by the European Commission and by other entities such as ENGOs, private sector operators, EU MS and international organisations. The contractor will receive a preliminary list of recent studies as reference material. In its broader approach, this assessment should be guided by the relevant existing objectives and commitments taken by the EU at international level, by the ten priorities of the Juncker Commission and the EC 'Better Regulation' agenda, which includes assessing the effectiveness, efficiency, relevance, coherence and EU added value of any proposed policy option³.

The outcomes of this assessment will inform broader decisions by the European Commission on any future EU international forest strategy, which includes considering the feasibility of an action plan or other suitable instrument containing specific measures to tackle deforestation and forest degradation, as mentioned in the 7th EAP and the Forest Strategy.

3. Tasks to be performed, guide and details of how the tasks are to be carried out, meetings to be held

The objective of the study is broken down into 3 main tasks:

TASK 1: The first TASK aims at conducting a comprehensive mapping exercise of existing EU policy, legislation and initiative that can address, directly or indirectly, the drivers of deforestation and forest degradation within and outside EU borders. The exercise includes mapping actions undertaken at national level by MS and/or relevant stakeholders, including private sector operators and main industrial players. All relevant policy areas and main legislative acts should be considered, such as those concerning Trade and Investment, Common Commercial Policy, Development and International Cooperation, Internal Market, Agriculture and Fisheries, Environment, Consumer Protection, Energy, Climate Change, Sustainable Production and Consumption, EU and international forest policies, including the FLEGT Action Plan. The mapping exercise will result in a reasoned and analytical inventory

² http://ec.europa.eu/environment/forests/impact_deforestation.htm

³ http://ec.europa.eu/smart-regulation/index_en.htm

of existing and forthcoming policy and legal instruments and describe how any identified item has potential to, and how it can, address deforestation and forest degradation. The analysis should also indicate where the responsibilities to implement and enforce the policy/legislation lay, and its nature (voluntary, regulatory, market based instrument etc.). It is expected that TASK1 would use about 30% of the budget and will be carried out within the first three months of the contract.

TASK 2: Based on the result of TASK1 and relevant literature review (desk based), to identify and assess the policy options that can address the drivers of deforestation and forest degradation at global scale. The options will be tested in qualitative and – to the extent possible – in quantitative terms including the likely economic (as well as administrative), social and environmental impacts within time periods that cover until 2030 and, using existing foresight scenarios, until 2050 if possible. The role played by private sector operators should be subject to a specific analysis in order to assess cost and benefits of any identified policy option. Each option should consider how mainstreaming into existing policies and legislation could be achieved and through which instruments and coordination mechanisms within the EC and at EU level. The report should propose concrete recommendations on the priorities, subsequent steps, risks and opportunities that any action/policy could address . TASK2 would use about 50% of contracted resources.

TASK3: The third TASK focusses on preparing information material {for future stakeholders' consultations (that will be organised by the Commission at a later stage)} and dissemination of the results. A first deliverable consists in preparing a comprehensive questionnaire with open and closed questions, based on the results of the previous tasks and on the assessment of the proposed policy options,. The second deliverable is to present the partial or complete results of the overall study in at least four meetings in Brussels (mission costs for the contractor should be budgeted for) for dissemination purposes and for coordination with the responsible EC services. The contractor should also budget for a kick off meeting in Brussels where the methodology will be presented and discussed with the Commission services. If necessary to maximise efficiency and best use of resources, the Commission may propose amendments to the proposed methodology. This TASK would use about 20% of contracted resources. Organisational costs such as hiring meeting rooms, interpretation, ancillary service and travel costs for the participants are not covered under this contract.

4. Estimated expertise requirement

The contractor is expected to provide technical assistance and expert analysis/assessment by deploying a team of at least three specialists on: policy impact assessment and EU policy making in relevant EU thematic policy areas, the economics of relevant commodity supply chains (such as palm oil, cocoa, coffee, soy, meat,) including the role of finance and financial markets and chain of custody/traceability systems. Given the wide range of EU policies that needs to be analysed, at least two experts shall have 10 years of proven experience in performing thematic policy analysis and policy options assessment at EU level. Legal expertise in the team is a prerequisite; experience in development cooperation and support to third countries is an asset. The work will be carried out over a period of 8 months and does not foresee missions other than to Brussels for the activities specified in these Terms of Reference.

5. Deliverables

The deliverables would consist of:

- One inception report outlining TASK1 (up to 20 pages +inventory and Annexes, if needed);
- One interim report on TASK2 (up to 30 pages + annexes);
- One interim report on TASK3 (up to 10 pages + annexes);
- One final report summarising the findings of the three TASKS (up to 50 pages).

6. Estimated timetable

Months from signature of the contract	Deliverable	TASK
<i>1</i>	Kick off meeting in Brussels	-
<i>3</i>	TASK1 report	1
<i>5</i>	TASK 2 report	2
<i>5</i>	TASK 3 – delivery of questionnaire	3
<i>7</i>	TASK 3 - report	3
<i>5 -8</i>	TASK 3 presentation of partial or complete study outcomes	3
<i>8</i>	Final report	1/2/3

7. Budget

The maximum budget available is 150.000 Euro.

8. Award criteria

Award criteria 1 –Methodology (maximum points: 50)

This criterion assesses the suitability and strength of the proposal as measured against the requests in terms of the technical content, completeness, originality of ideas (where appropriate) and proposed effort..

Award criteria 2 – Project management and availability (maximum points: 30)

This criterion relates to the quality of project planning, the organisation of the team with a view to managing a study of this nature and the availability of the resources for the completion of the contractual tasks

Award criteria 3 – Quality control measures (max points: 20)

This criterion will assess the quality control system applied to the service foreseen in these illustrative tasks concerning the quality of the deliverables, such as the language quality check, and continuity of the service in case of absence of a member of the team. The quality system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.

A maximum of 50 points will be attributed to criterion 1, a maximum of 30 points will be attributed to criterion 2, and a maximum of 20 points will be attributed to criterion 3⁴. In addition a minimum threshold will be set up under this system of points:

- Technical sufficiency levels: Selected companies will have to score a minimum of 25, 15 and 10 points under criteria 1, 2 and 3 respectively, with a minimum total of 65 points.

Tenders scoring less than 65 in the overall points total or less than 50% in the points awarded for a single criterion will be excluded from the rest of the assessment procedure. Since assessment of the tenders will focus on the quality of the proposed services, tenders should elaborate on all points addressed by these specifications in order to score as many points as possible. The mere repetition of mandatory requirements set out in these specifications, without going into details or without giving any added value, will only result in a very low score. In addition, if certain essential points of these specifications are not expressly covered by the tender, the Commission may decide to give a zero mark for the relevant qualitative award criteria.

The bid offering the best value for money will be chosen, provided that the minimum number of points cited above is achieved. Best value for money will be calculated as follows:

- All bids that do not reach the stated technical sufficiency levels for each individual award criteria will not be considered for contract award.
- All bids that have passed the individual levels and score 65 or higher are deemed to be technically sufficient. Then the price is divided by the total number of points awarded to obtain the price-quality ratio. The award of the contract will be made in accordance with the lowest ratio.

The Commission reserves the right not to select any tender if the amounts tendered exceed the budget envisaged for the particular piece of work or to reject any offers that do not comply with the pre-agreed rates in the framework contract.

⁴ While this is a typical standard approach, the Commission may apply different weighting for specific services.

CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE FINAL DELIVERABLES

All studies produced for the European Commission and Executive Agencies shall conform to the corporate visual identity of the European Commission by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo⁵.

The Commission is committed to making online information as accessible as possible to the largest possible number of users including those with visual, auditory, cognitive or physical disabilities, and those not having the latest technologies. The Commission supports the [Web Content Accessibility Guidelines 2.0](#) of the W3C.

For full details on Commission policy on accessibility for information providers, see: http://ec.europa.eu/ipg/standards/accessibility/index_en.htm

Pdf versions of studies destined for online publication should respect W3C guidelines for accessible pdf documents. See <http://www.w3.org/WAI/>

Final study report

The final study report shall include:

- An abstract of no more than 200 words and an executive summary of maximum 6 pages, both in English and French.
- The following standard disclaimer:

“The information and views set out in this study are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”
- Specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

Publishable executive summary

The publishable executive summary shall be provided in both English and French and shall include:

- The following standard disclaimer:

“The information and views set out in this study are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”

⁵ The Visual Identity Manual of the European Commission is available upon request. Requests should be made to the following e-mail address: comm-visual-identity@ec.europa.eu

- Specific identifiers which shall be incorporated on the cover page. These will be provided by the Contracting Authority after the signature of the contract.

Graphic requirements

For graphic requirements please refer to the template available at http://ec.europa.eu/environment/funding/calls_en.htm (study template final report). The cover page shall be filled in by the contractor in accordance with the instructions provided in the template. For further details you may also contact comm-visual-identity@ec.europa.eu.