



MINISTRY OF ENVIRONMENT, CLIMATE CHANGE AND TECHNOLOGY

MALE' REPUBLIC OF MALDIVES

Announcement Reference No: (IUL)438-CCD/438/2021/345

Development of technical documents and related regulations under Chapter 6 of the Energy Act

[24th November 2021]

Prepared by:

Project Management Unit

Strengthening Low Carbon Energy
Island Strategies (LCEI) Project



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1. Introduction & Background

The Government of Maldives (GoM) has enacted the Energy Act of the Maldives. This TOR outlines the tasks required to meet the energy efficiency requirements under the Act.

The Maldives Energy Act establishes a legal framework of standards and laws for the provision of energy in the Maldives, dealing with both the production and consumption of energy. This Act establishes the rights of consumers and the rights of service providers, including the quality providers must uphold and the responsibility to price reasonably. Furthermore, this Act covers enhancing energy in order to establish energy services that are sustainable and safe for the environment.

The LCEI project is funded by the Global Environment Facility and administered by the United Nations Environment Programme and is designed with the goal of market transformation to energy efficient technologies and investment in emerging low carbon technologies in buildings and the built environment in the Maldives.

The LCEI project is seeking a qualified vendor to develop the legal and technical documentation to fulfil the energy efficiency requirements under the Energy Act.

2. Objective

The objective of the assignment is to undertake the activities regarding energy efficiency prescribed under the Maldives Energy Act (Law no.: 18/2021).

3. Scope of Assignment

The scope of work involves the following:

1. Development of “Regulation for Energy Efficient Certification of New Building” in Dhivehi and English
2. Development of “Energy Auditing Regulation” in Dhivehi and English
3. Translation of Energy Act from Dhivehi to English

4. Indicative Tasks

The following are indicative tasks to achieve the objectives of the consultancy, but are not necessarily limited to these activities:

1. **Development of “Regulation for Energy Efficient Certification of New Building” in Dhivehi and English**
 - a. The regulation shall address the Energy Act’s Chapter 6, No. 57, (-), (5), Chapter 6, No. 57, (-), (7) and Chapter 6, No. 58.
 - b. The regulation shall be developed based on Guideline on Energy Efficiency for buildings in the Maldives to certify new buildings that meet the minimum requirements under the prescriptive method of the Guideline.
 - c. Undertake consultations with all relevant stakeholders through meetings, workshops and other appropriate forums as agreed by MECCT, to facilitate discussion for the formulation of the draft regulation.
 - d. Based on the stakeholder feedback, draft the regulation in Dhivehi language.
 - e. Make presentations on the draft regulation to MECCT and key stakeholders and draft English translation
 - f. Provide final regulation in Dhivehi with translation to English

2. **Development of “Energy Auditing Regulation” in Dhivehi and English**
 - a. The regulation shall address the Energy Act’s Chapter 6, No. 57, (-), (6), Chapter 6, No. 59 and Chapter 6, No. 60
 - b. Develop recommendations for the technical requirements for Certifying Energy Auditors in Maldives. This recommendation must be based on Energy Auditor Certifying requirements of other countries and current status of Energy Auditors in Maldives.

- c. Develop recommendations for conducting energy audits in Maldives. This recommendation must be based on existing international best practices and standards
- d. Any standards referred to in the finalized recommendations must be supplied to the MECCT (Hard Copy and PDF)
- e. Undertake consultations with all relevant stakeholders through meetings, workshops and other appropriate forums as agreed by MECCT, to facilitate discussion for the formulation of the draft regulation.
- f. Based on the stakeholder feedback, draft the regulation in Dhivehi language.
- g. Make presentations on the draft regulation to MECCT and key stakeholders
- h. Provide final regulation in Dhivehi with translation to English

3. Translation of Energy Act from Dhivehi to English

- a. The technical terms used in the Act shall be consulted with the Ministry at the initial stage.
- b. The translation shall be done by the technical expert with the support of the legal expert.
- c. The translation shall be completed in stages
 - i. Submit first draft translation of the Act
 - ii. Submit second draft after incorporating comments
 - iii. Submit final draft after incorporating final comments

5. Deliverables

Deliverable	Timeline (from start date)
1. Draft “Regulation for Energy Efficient Certification of New Building” in Dhivehi 2. Draft recommendations for the technical requirements for Energy Auditors in Maldives 3. Draft recommendations for conducting energy audits in Maldives	4 weeks
4. “Regulation for Energy Efficient Certification of New Building” in Dhivehi 5. Final recommendations for the technical requirements for Energy Auditors in Maldives 6. Final recommendations for conducting energy audits in Maldives 7. Supply of standards referred to in the finalized recommendations in the developed technical requirements	8 weeks
8. Draft “Energy Auditing Regulation” in Dhivehi	10 weeks
9. Final “Energy Auditing Regulation” in Dhivehi and English	14 weeks
10. First draft translation of the Energy Act	12 weeks
11. Final translation of the Energy Act	17 weeks

6. Duration of the Consultancy

The duration of the consultancy is 04 calendar months upon signing the contract.

7. Provision of Monitoring and Progress Controls

Consultants are expected to work closely with the LCEI Project Management Unit (LCEI-PMU). The consultants will report directly to LCEI Project Manager. The consultants shall attend progress meetings once every 3 weeks with the LCEI-PMU. Team members in post(s) under section 8 (Requirements for Experience and Qualification) must participate in the progress meetings. Team members who are not in Maldives at the time of the meeting shall participate via Online meeting platform. Team members are required to be present in person for the following:

- 2 consultations during the development process

For meetings held under this consultancy, the Minutes of Meeting must be provided to the LCEI-PMU within 2 days of the meeting.

8. Requirements for Experience and Qualifications

In executing this TOR, the consultancy is expected to meet the following eligibility criteria and should provide CVs and commitment letters of team member(s) meeting the following requirements:

#	Post	Nos
1	Energy Efficiency Expert	1
2	National Expert	1
3	Legal Expert(s)	2

Details of any other support persons and positions must be included in Standard Forms 3 and 4.

1) Energy Efficiency Expert

- Academic qualification
 - Bachelors' degree or equivalent in architecture/ engineering
- Experience in developing the Energy Efficiency Building Guideline of the Maldives Professional experience
 - Minimum 10 years of working experience
 - Must have experience in development and implementation of international energy efficiency building codes and green construction practices/standards/guidelines
 - Prior experience in the development/conduction of energy audits and understanding of energy auditor requirements
 - Prior work experience of executing projects in Maldives
 - Must have demonstrated experience and abilities to pro-actively lead and coordinate a team, including strong interpersonal skills with ability to multi-task and maintain effective work relationships with diverse range of institutional partners and undertake complex assignments.
 - Must have excellent speaking, reading, report writing and presentation skills in English

2) National Expert

- Academic qualification
 - Must have undergraduate qualification in a building related field e.g. Civil Engineering, Architecture, or related field
- Professional experience
 - Minimum three (3) years' work experience in Maldives building construction/design sector
 - Must have excellent working knowledge of building design/construction sector of the Maldives – must be described in the CV
 - Must have excellent communication skills in Dhivehi and English.
 - Must have the ability to work well in a team
 - Must have experience in working with different stakeholders
 - Must have excellent presentation and report writing skills.
 - Must demonstrate experience via samples of similar work previously conducted
 - Must have excellent written and oral communication skills in both Dhivehi and English

3) Legal Expert

- Academic qualification
 - A minimum of Bachelor's Degree in Law;
 - Should hold licenses by respective Maldivian authority to conduct legal practices.
- Professional experience
 - Minimum five (5) years' work experience
 - Demonstrated experience in drafting laws and regulations in English and Dhivehi language.
 - Demonstrated experience in drafting laws/regulations/Standard Operating Procedures related to energy/climate change sector is an asset.
 - Must have experience in working with different stakeholders
 - Must have excellent presentation and report writing skills.
 - Must demonstrate experience via samples of similar work previously conducted
 - Must have excellent written and oral communication skills in both Dhivehi and English

9. Evaluation and comparison of proposals

9.1 Preliminary Examination

- a) Pre-Evaluation determines if bidder is substantially responsive to the terms of this ToR as specified below;
 - Bidder meets all requirements identified under Section 13. Applications.
 - Bidder has the financial capacity to undertake the works required in the TOR. Refer to Annex 3 for details.
- b) Substantially non-responsive bids at this pre-evaluation stage will be rejected from further stages of evaluation. Criteria for determining completeness and substantial responsiveness is given in Annex 2.
- c) Substantially responsive bids at this pre-evaluation stage shall be qualified for technical evaluation.

9.2 Evaluation of Proposals

A two-stage procedure is utilized in evaluating the proposals.

The Technical Evaluation will be completed at the First Stage of the evaluation. The proposals which pass the minimum technical score of **60%** of the obtainable score of 1000 points in the technical evaluation will be considered in the Second Stage of the evaluation.

Financial Proposal will be evaluated in the Second Stage. The proposal with the Lowest Financial Quote (Fq) will get the maximum Financial Score (Sf) of 100 points. The Financial Scores (Sf) of the other Financial Proposals will be computed according to the following formula:

$Sf = 100 \times Fq / F$, in which Sf is the financial score, Fq is the Lowest Financial Quote received and F is the price of the proposal under consideration.

Proposals will be ranked according to the combined Technical Score (St) and Financial Score (Sf) using the weights (T = the weight given to the Technical Proposal; P = the Weight given to the Financial Proposal; T+P = 1) and will be computed according to the following formulae.

$S = St \times T\% + Sf \times P\%$, in which S is the combined score,

Where T% = 70% and P% is 30%

MECCT reserves the right to undertake a post-qualification exercise aimed at determining to its satisfaction, the validity of the information provided in the proposal. Such post-qualification shall be fully documented and, among those that may be listed in the Annex 2, may include, but need not be limited to, all or any combination of the following:

- a) Verification of accuracy, correctness and authenticity of information provided by the proponent on the legal, technical and financial documents submitted;
- b) Validation of extent of compliance to the TOR requirements and evaluation criteria based on what has so far been found by the evaluation team;
- c) Inquiry and cross-checking with other previous clients on the quality of performance on ongoing or previous contracts completed;

10. Payment

Payments will be made as specified below:

REQUIREMENT	ALLOCATION
1. Submission and acceptance of Draft “Regulation for Energy Efficient Certification of New Building” in Dhivehi 2. Submission and acceptance of draft recommendations for the technical requirements for Energy Auditors in Maldives 3. Submission and acceptance of draft recommendations for conducting energy audits in Maldives	20%
4. Submission and acceptance of Final “Regulation for Energy Efficient Certification of New Building” in Dhivehi and English 5. Submission and acceptance of final recommendations for the technical requirements for Energy Auditors in Maldives 6. Submission and acceptance of final recommendations for conducting energy audits in Maldives 7. Supply of standards referred to in the finalized recommendations in the developed technical requirements	20%
8. Submission and acceptance of Draft “Energy Auditing Regulation” in Dhivehi	15%
9. Submission and acceptance of Final “Energy Auditing Regulation” in Dhivehi and English	15%
10. Submission and acceptance of first draft translation of the Energy Act	15%
11. Submission and acceptance of the final translation of the Energy Act	15%
Total	100%

11. Additional Information

The LCEI-PMU of MECCT has overall responsibility for the management of the contract and contractual reporting obligations.

Documents and data provided by the government for the purpose of this assessment which is not of public nature shall be considered confidential and should not be disclosed to any other party.

All outputs and materials produced as part of this TOR shall be handed over to the LCEI-PMU at the end of the contract and will become the sole property of MECCT.

12. Application

Registered entities under Maldives Inland Revenue Authority (MIRA) can apply for this consultancy

Proponent should submit their proposals containing the following (Standard forms, where required, are provided in Annex 1):

- Completed proposal submission form ([FORM-1](#))
- Completed financial breakdown form ([FORM-2](#)).
- Brief description of the proponent and an outline of recent similar consultancy services provided, with references. This section must include an introduction of the proposed experts with a description of their experiences relevant to the required tasks, justifying their ability to complete the assignment.
- A description of the approach, methodology and work plan for performing the assignment covering the following subjects: technical approach and methodology, work plan, and organization and staffing schedule. Guidance on the content of this section is provided in [FORM-3](#).
- The list of the proposed professional staff team, the positions they would be assigned, and their tasks ([FORM-4](#)).
- A summary of the work plan must be presented in the format in Work Schedule ([FORM -6](#)) showing in the form of a bar chart the timing proposed for each activity.
- Detailed CVs of the experts signed by the expert themselves (required experiences and other experiences relevant to this TOR must be specified clearly or highlighted in their respective CVs.)
- Demonstrations of required experiences listed in this TOR – reference letters and pictures of previous works
- Letter of commitment from each member to undertake the project ([FORM -5](#)).
- Copy of Company/Institution Registration
- Copy of SME registration certificate
- Copy of GST Registration certificate issued from Maldives Inland Revenue Authority
- Tax Clearance Report issued from Maldives Inland Revenue Authority
- Documentation to determine financial capabilities as per Annex 3.

13. Queries

For any queries please email to procurement@environment.gov.mv and CC to low.carbon@environment.gov.mv before **1100hrs on 2nd December 2021**. Answers will be provided to all the queries received before the deadline and will be made available via the Ministry website (www.environment.gov.mv) on **05th December 2021**.

14. Submission

Bid submission	On or before 13th December 2021 at 1000 hours local time
Bid opening	13th December 2021 at 1000 hours' local time. Proposals will be opened in the presence of the proponents' representatives who choose to be present at the address below at the time of proposal opening.
Submission instruction	Proposals must be delivered in sealed envelopes titled <i>“Do not Open Before 13th December 2021 at 1000 hours - Development of technical documents and related regulations under Chapter 6 of the Energy Act” – (IUL)438-CCD/438/2021/345”</i> and the submitting party's name and address Electronic submission is not permitted. Late proposals will be rejected.
Submission address	Procurement Section Ministry of Environment, Climate Change and Technology Green Building, Handhuvaree Hingun, Maafannu Male', 20392, Republic of Maldives Email: procurement@environment.gov.mv Cc: low.carbon@environment.gov.mv Website: www.environment.gov.mv Project name: Strengthening Low Carbon Energy Island Strategies (LCEI) Announcement number: (IUL)438-CCD/438/2021/345

ANNEX 1: STANDARD FORMS

1. STANDARD FORMS

FORM -1: PROPOSAL SUBMISSION FORM

[Location, Date]

To: [Name and address of Client]

Dear Sir/Madam:

We, the undersigned, offer to provide the **“Development of technical documents and related regulations under Chapter 6 of the Energy Act”** in accordance with your Terms of Reference dated [Insert Date] and our Proposal. We are hereby submitting our Proposal; our financial offer is for the sum of [Insert the final total amount(s) in Form 2 in words and figures in Maldivian Rufiyaa] which is inclusive of the all-applicable taxes.

We hereby declare that all the information and statements made in this Proposal are true and accept that any misinterpretation contained in it may lead to our disqualification.

Proposal validity is for a period of [Insert number of days, 60 days minimum] days. If negotiations are held during the period of validity of the Proposal, we undertake to negotiate on the basis of the methodology and proposed staff. Our Proposal is binding upon us and subject to the modifications resulting from Contract negotiations.

We undertake, if our Proposal is accepted, to initiate the services and fulfil the requirements of the terms of reference.

We understand you are not bound to accept any Proposal you receive.

We remain,

Yours sincerely,

Authorized Signature [*In full and initials*]: _____

Name and Title of Signatory: _____

Name of Company: _____

Address: _____

FORM-2: FINANCIAL BREAKDOWN

	Description	MVR
	Total :	
	GST/Applicable tax :	
	Total with GST/Applicable tax:	

Note: The total contract price should be quoted inclusive of Goods and Services Tax (GST) or any applicable Maldivian taxes as per the Tax Legislation and must be shown in the breakdown.

NOTE: For the consultation workshops, venue and catering (lunch at noon and refreshments for morning and evening) **SHOULD BE INCLUDED** in the price quotation. Under this TOR, 2 (full day) consultation workshops are required to be held at Male'. The number of stakeholders attending each day will be 50.

FORM-3: DESCRIPTION OF APPROACH, METHODOLOGY AND WORK PLAN FOR PERFORMING THE ASSIGNMENT

Technical approach, methodology and work plan are key components of the Technical Proposal. You are suggested to present your Technical Proposal divided into the following three chapters:

- a) Technical Approach and Methodology,*
- b) Work Plan, and*
- c) Organization and Staffing,*

a) Technical Approach and Methodology. In this chapter you should explain your understanding of the objectives of the assignment, approach to the services, methodology for carrying out the activities (development process) and obtaining the expected output, and the degree of detail of such output. You should highlight the problems being addressed and their importance, and explain the technical approach you would adopt to address them (including details of any instruments, software, technical formulae, information files, and file formats where applicable). You should also explain the methodologies you propose to adopt and highlight the compatibility of those methodologies with the proposed approach and highlight on the maintenance and support - any important technology information and specifications used in your solution – languages, platform etc.

b) Work Plan. In this chapter you should propose the main activities of the assignment, their content and duration, phasing and interrelations, milestones (including interim approvals by the Client), and delivery dates of the reports. The proposed work plan should be consistent with the technical approach and methodology, showing understanding of the TOR and ability to translate them into a feasible working plan.

c) Organization and Staffing. In this chapter you should propose the structure and composition of your team. You should list the main disciplines of the assignment, the proposed professional staff responsibility.

FORM-4: TEAM COMPOSITION AND TASK ASSIGNMENT

Name of Staff	Position Assigned	Task Assigned

FORM-5: Letter of Commitment

[*Date*]

[Company Name]
[Road Name]
Male'
Maldives

Re: Development of technical documents and related regulations under Chapter 6 of the Energy Act , Ref no: _____

Dear Sir/Madam,

I am writing to confirm my availability to provide services as _____ to the **Development of technical documents and related regulations under Chapter 6 of the Energy Act** for the Ministry of Environment, Climate Change and Technology.

I undertake, if this proposal is accepted, to complete and deliver the whole of the services assigned to me in the scope of services.

I undertake, if this proposal is accepted upon receipt of the Ministry of Environment, Climate Change and Technology's notice, to commence performance of the services with due expedition and without delay.

Yours sincerely,

Name: _____

Passport /ID card No: _____

Date: _____

Signatory: _____

FORM-6: WORK SCHEDULE

	<i>[1st, 2nd, etc. are days from the start of assignment.]</i>						
	1st	2nd	3rd	4th	5th	6th	...
Activity (Work)							

ANNEX 2: EVALUATION OF PROPOSALS

<p>Criteria for Preliminary Examination of Proposals</p>	<p><u>Document pre check</u></p> <ol style="list-style-type: none"> 1. Proposal is received on or before the date and time specified 2. Proposal is properly sealed / un-tampered 3. Proposal bears the (i) name of the submitting entity and (ii) title of the Contract outside the envelope 4. Completed Form-1: Proposal Submission is included in the proposal 5. Completed Form-2: Financial Breakdown is included in the proposal 6. Completed Form-3: Description of Approach, Methodology and Work Plan for Performing the Assignment is included in the proposal 7. Completed Form-4: Team Composition and Task Assignment is included in the proposal 8. Completed Form-5: Letter of commitment for all the experts as described in section 8 of the TOR is included in the proposal 9. Completed Form-6: Work Schedule is included in the proposal 10. Signed CVs of the key staff is included in the proposal 11. Minimum 60 days' proposal validity provided 12. All the standard forms are included (i.e. no standard contents deleted, no reservations added) 13. Proponent's Profile (not more than 15 pages) including the profile of the proposed experts 14. Copy of SME registration 15. Copy of Company/Institution Registration 16. Copy of GST Registration certificate issued from Maldives Inland Revenue Authority 17. Tax Clearance Report issued from Maldives Inland Revenue Authority 18. Documents to assess financial capability as per Annex 3 <p><u>Financial Capability</u></p> <ol style="list-style-type: none"> 1. Does the proponent's has the financial capacity to undertake the works required in the TOR. <p><u>Technical pre check</u></p> <ol style="list-style-type: none"> 1. Is the proponent's understanding of the objective of the assignment explained? 2. Is the proponent's understanding of the objective consistent with the objective of the assignment? 3. Does the proposed team members' qualification and experience meet the minimum requirements? 4. Proposal is strictly for the full scope of requirements (i.e. partial offer is not allowed) 5. There are no exceptional conditions stated that are unacceptable to ME
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Criteria for Essential Eligibility/Qualification of key personnel	Refer to Section 8 of this TOR
<p>Note:</p> <p>1. If proponents do not meet any of the above listed criteria, their proposal may not be considered for further evaluation.</p> <p>2. Proponents meeting above listed criteria are required to submit evidences (details / documents) in support – otherwise proposal may be disqualified.</p>	

Summary of Technical Proposal Evaluation Forms		Score Weight	Points Obtainable
1.	Proposed Methodology, Approach and Work Plan	50%	400
2.	Personnel	50%	600
Total			1000
Technical Proposal Evaluation Form 1			Points Obtainable
Proposed Methodology, Approach and Work Plan			
1.1	To what degree does the proponent understand the task mentioned in this TOR?		100
1.2	Did the proposal address in sufficient detail the important aspects of tasks listed?		100
1.3	Are the different components of this TOR planned to be implemented in a cohesive manner?		100
1.4	Is the responsibilities of the key personnel addressed clearly in line with the methodology described		100
Total			400

Technical Proposal Evaluation Form 2			Points Obtainable
Personnel			
2.1	Energy Efficiency Expert		150
	- Academic qualification	50	
	- Professional Experience	100	
2.2	National Expert		150
	- Academic qualification	50	
	- Professional Experience	100	
2.3	Legal Expert 1		150
	- Academic qualification	50	
	- Professional Experience	100	
2.4	Legal Expert 2		150
	- Academic qualification	50	
	- Professional Experience	100	
	Total		600

ANNEX 3 – ASSESSMENT OF FINANCIAL CAPABILITY OF BIDDER

Evaluation criteria

- a. To be eligible the financial statements of the bidding party must show, minimum annual turnover of **MVR 200,000.00**, for the year 2020 – **Submit Form FIN - 1: Annual Turnover**

(OR)

- b. To be eligible the financial statements of the bidding party must show, Minimum value of **MVR 200,000.00**, for liquid asset, for the year 2020 – Submit **Form FIN - 2: Financial**

Situation

(OR)

- c. Business entities that have not completed one year (from the date of business registration to date of bid announcement), to be eligible the business's bank statement must show a credit balance of minimum **MVR 200,000.00**

(OR)

- d. If bidding party is unable to meet any of the above requirement they shall submit "Line of Credit Letter" as per the template in fin form 3. (credit limit shall be no less than **MVR 200,000.00** – **Submit Form FIN – 3: Line of Credit Letter**

FORM – FIN – 1: Annual Turnover

Each Bidder must fill in this form

Annual Turnover Data		
Year	Amount Currency	MVR Equivalent
2020		

The information supplied should be the Annual Turnover of the Bidder in terms of the amounts billed to clients for each year for contracts in progress or completed at the end of the period reported.

FORM – FIN – 2: Financial Situation

Each Bidder must fill in this form

Financial Data for Previous Years [MVR Equivalent]	
	Year 2020

Information from Balance Sheet

Total Assets	
Total Liabilities	
Net Worth	
Current Assets	
Current Liabilities	
Working Capital	

Information from Income Statement

Total Revenues	
Profits Before Taxes	
Profits After Taxes	
<input type="checkbox"/> Attached are copies of financial statement (balance sheets including all related notes, and income statements), as indicated above, complying with the following conditions. <ul style="list-style-type: none"> • All such documents reflect the financial situation of the Bidder. • Historic financial statement must be complete, including all notes to the financial statements. 	
<ul style="list-style-type: none"> • Historic financial statements must correspond to accounting periods 	

FORM – FIN – 3: Line of Credit Letter

[letterhead of the Bank/Financing Institution/Supplier]

[date]

To:*[Name and address of the Contractor]*

Dear,

You have requested { name of the bank/financing institution/supplier issuing the letter) to establish a line of credit for the purpose of executing {insert Name and identification of Project}.

We hereby undertake to establish a line of credit for the aforementioned purpose, in the amount of {insert amount}, effective upon receipt of evidence that you have been selected as successful bidder.

This line of credit will be valid through the duration of the contract awarded to you.

Authorized Signature: _____

Name and Title of Signatory: _____

Name of Agency: _____