

# **Terms of Reference**

## **Strategic Environmental Assessment of the Russian Programme Area**

**for**

**Kolarctic 2021-2027 Programme**



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## 1. Call for Tender

The Managing Authority for Kolarctic CBC 2014-2020 Programme in Rovaniemi, Finland, invites interested parties to submit a written proposal for performing the Strategic Environmental Assessment of the Kolarctic Russian Programme area in the 2021-2027 programming period.<sup>1</sup>

This Terms of Reference (ToR) aims to set the framework for the Strategic Environmental Assessment (SEA) in the Kolarctic Russian Programme area, in accordance with the Regulatory Framework (see below the Section

3. Regulatory Framework, Additional Guidance and **Information**).

**The reports and other official outputs of the work shall do only in English.**

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<sup>1</sup> SEA is made separately for the other countries in the programme area.

## 2. Background

**Kolarctic CBC Programme 2014-2020** is the northernmost of the three Programmes implemented at the border regions between the EU and Russia. In addition to Finland and Russia, Sweden and Norway also participate in the implementation of the Programme. Eligible Programme area consists of Lapland Region in Finland, Murmansk Region, Arkhangelsk Region and Nenets Autonomous Okrug in Russia, Norbotten County in Sweden, and Troms&Finnmark and Nordland Counties in Norway. City of St.Petersburg as a major social, economic and cultural centre also belongs to the Programme area. Adjoining areas are Oulu Region in Finland, Västerbotten County in Sweden, and Karelia and Komi Republics in Russia.

The Regional Council of Lapland is the region's statutory joint municipal authority and thus a public organisation. Its main functions, laid down by law, are regional development and regional land use planning. Regional Council of Lapland acts as the Managing Authority of Kolarctic CBC 2014-2020 Programme, and the role will continue in the upcoming Programme period 2021-2027. The Programme operates in the Russian Federation in the framework of Federal Law N 285-FZ "On Ratification of the Agreement on Financing and Implementation of Kolarctic CBC 2014-2020 Programme".

## 3. Regulatory Framework, Additional Guidance and Information

The strategic environmental assessment of the Kolarctic Russian Programme area: Murmansk region, Arkhangelsk region and Nenets Autonomous Okrug, is to be done in parallel with defining the Programme content. It should be an interactive process to give the programming teams an external view, guidance and recommendations.

The goals of the Strategic Environmental Assessment (as defined in the SEA directive of European Commission) are, among others, to

- Evaluate if the Programme strategy is compliant with regional and national policy of Russian Federation as it comes to environmental impact and environmental legislation;
- Evaluate strategically how the Programme would impact the environment in Russian side of Programme areas;
- In dialogue with the programming team and service provider evaluate whether the Programme strategy, priorities and goals are relevant from an environmental perspective;
- Evaluate the planned management for implementing, monitoring and controlling the environmental impact;
- Ensure negotiations with relevant authorities in the Kolarctic Russian Programme area;

- Allow the general public in the Kolarctic Russian Programme area to express their opinions on the planned Programme;
- Improve the quality of the Programme content.

The Strategic Environmental Assessment should comply with the **following legal framework and documents:**

- Relevant national regulations of Russian Federation, e.g. Ecological Doctrine of the Russian Federation as of 31.08.2002, № 1225, Basics of the state environmental policy until 2030, Russian energy industry development until 2024, The Basic Principles of the State Policy in the Arctic until 2035;
- The available relevant regional strategies, e.g. Strategy of Socio-Economic Development of the North-West Federal District until 2020, Strategy of socio-economic development of St. Petersburg until 2035, Strategy of socio-economic development of the Leningrad Region until 2030, Strategy for socio-economic development of the Murmansk region until 2025, Strategy for socio-economic development of the Arkhangelsk region until 2035, Strategy for socio-economic development of the Nenets Autonomous District until 2030;
- International regulation in Russia, such as: Convention on Biological Diversity, the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances Depleting the Ozone Layer, the Convention on the Control of 81 Transboundary Movements of Hazardous Wastes and Their Disposal, the Convention on the Transboundary Effects of Industrial Accidents and the Kyoto Protocol;

**The following documents should also be taken into account:**

- Draft Common Provision Regulation (CPR);
- Draft ETC regulation;
- Draft ERDF Regulation;
- Commission's Guidance on the implementation of Directive 2001/42/EC (SEA) on the assessment of the effects of certain plans and Programmes on the environment.

#### **4. Objectives and Scope of the Strategic Environmental Assessment (SEA)<sup>2</sup>**

The SEA report should consist of

- A non-technical summary of the information provided in the environmental report, as foreseen by Annex I(j) of the Directive;
- The description of the measures decided concerning monitoring foreseen in Article 9 (1)(c) and 10 (monitoring) of the Directive;

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<sup>2</sup> Information about the SEA of the current Programme can be found on the webpage of Kolarctic CBC 2014-2020 Programme.

- Information on the consultations with the public and the environmental authorities concerned (Article 6 of the Directive)

## 5. Main Methods or Techniques

The service provider should propose the methodology considered as the most appropriate for the assessment. The service provider is responsible for organization and management of the SEA process as well as ensuring the good communication between the byer (Programme authority) and the service provider. For online communication must be used Microsoft Teams or Zoom applications.

## 6. Time Schedule and Reporting

The indicative timing of the Programme and the deliverable is as follows:

<b>Milestones</b>	<b>Completion Date</b>
Dead line for the offers	March 12
Assessment -> Procurement decision -> Appealing time of 2 weeks	
Contracting of the service provider	2 <sup>nd</sup> half of April
Kick off meeting (online)	Late April – early May
Programme draft content available	May
Programme final content available	June
Draft SEA report available	July
Public consultation	July - August
Final SEA report available	September

The ex-ante service provider is obliged to work in close cooperation with the Managing Authority. The timetable could be adjusted to the needs of the Managing Authority as follows the changes of the programming process.

### Reporting

The result of the SEA will be the final report in English. This final report should:

- Outline results of SEA
- Include an Executive Summary
- The relevant supporting documents in the Annexes
- Recommendations to the Programme

The final report and the related documents shall be delivered to the Managing Authority of Kolarctic CBC Programme. The Managing Authority will forward the mentioned documents to the Russian National Authority for approval on behalf of the Russian Federation.

## **7. Budget**

### **Volume of the contract**

The budget reserved for the SEA in Russia in total is 8 000-11 000 euro (VAT excluded and shown separately). The sum shall include all costs relating to the work and traveling (note that online meetings are primarily foreseen). The payment should be able to pay to service provider's euro bank account.

If the offer exceeds the ceiling, the offer will be rejected. Please note that even a finalized SEA may need minor modifications; therefore some budget should also be calculated to this.

The indicative budget should be broken down into the following categories:

- a.) Estimation of working time in days per expert and daily charge per expert (incl. travel costs if relevant)
- b.) Total cost per full work and total cost per Programme

The names of the experts and the responsible person of the work should outline clearly in the proposal and CV(s) should be included.

## **8. Required Qualifications**

The SEA service provider has to meet the following requirements:

- Have an understanding and expertise of the Kolarctic Russian Programme area: Murmansk region, Arkhangelsk region and Nenets Autonomous Okrug, including knowledge and experience in the geographical area and thematic fields of intervention of the Programme;
- Have relevant expertise in environmental and social assessments;
- Experience in the development of Environmental Impact Assessment in comply with the Russian legislation (RUS: "OBOC") is beneficial;
- Knowledge of the EU SEA Directive is beneficial;
- Experience in the development of the SEA is beneficial.

## 9. Structure of the Proposal, Submission Rules and Assessment Criteria

### 9.1. Structure of the Proposal

The service provider must be able to carry out the SEA in the Programme territory in the Kolarctic Russian Programme area. In case the offer is handed in by a consortium, the name and address of different service providers and division of tasks must be clearly stated.

**The Programme's official language is English. Therefore, all tender documents as well as the evaluation reports and presentations must be only in English.**

### 9.2. Submission rules

The proposal has to be submitted by e-mail to: [kolarctic@lapinliitto.fi](mailto:kolarctic@lapinliitto.fi) on March 12, 2021 at the latest, marked with the reference "SEA-Russia". Tenders received after the deadline will not be considered. The sender takes the responsibility of the delivery time before due date.

In the case of non-performance or improper performance of obligations under the Contract the Parties bear responsibility due to this Contract and the applicable legislation of Finland. All disputes and disagreements that may arise between the Parties on issues which can't be found in the text of this Contract shall be resolved through negotiations.

### 9.3. Selection & Award Criteria

The assessment of information provided will be made against the following criteria:

Selection criteria		Points max.
Experience related to a SEA process	Experience related to a SEA process, Environmental Impact Assessment/(RUS: OBOC), expressed in number of years, listing references incl. SEA/EIA experience for international projects/programmes  Experience in and knowledge of Murmansk region, Arkhangelsk	50

	region and Nenets Autonomous Okrug	
Experience in the EU Programmes	ENI Programme (expressed in number of years, listing references)	10
Total price	Best price = 60	40
<b>TOTAL</b>		<b>100</b>

The selection will be done according to total criteria points showing overall economic efficiency and cost-effectiveness of each offer.

#### 9.4. Contracting

The Managing Authority will assess the received proposals together with the representatives of the Ministry of Economic Development of Russia, and the Ministry of Economic Affairs and Employment of Finland. After approval of the proposal, a contract will be signed between the Managing Authority and the service provider respectively, in which the specific conditions for the evaluation procedure are set according to the selected offer.

In case of a consortium or subcontracting, the contract must include the division of tasks and related responsibilities of each involved party.

The information provided by the Managing Authority has to be treated confidentially. A breach of confidentiality will be a reason to terminate the contract without compensation.

#### 9.5. Terms of Payment

Payments will be done by the Programme upon delivery of the final SEA and the approval of the Programming Committee of it.

The service provider shall send an invoice to the Managing Authority. The invoice should be presented in euro currency and payment will be done to service provider's euro bank account.

Programme funds received by Programme participants in the Russian Federation shall not be considered as foreign financing as defined in the national legislation of the Russian Federation (p.4.4. of the General Conditions of the Agreement on Financing and Implementation of Cross Border Cooperation Programme "Kolarctic" 2014-2020).



## **9.6. Copyright**

The copyright of the approved report will transfer completely to the Managing Authority of the Programme. The Programme can publish the report on the Programme's website as well as make available to Programme stakeholders and to the wider public.

## Annex 1

### Proposal Template (fill in in English)

Service provider (name, organisation)	
Registration Number	
VAT registry Number	
Account information (euro bank account)	
Contact details of the service provider organisation: (postal, email, telephone, website)	
If consortium/ sub-service providers: name, organisation, address	
CVs of personnel assigned for SEA	
List of working experience: <ul style="list-style-type: none"><li>• relevant information on former SEA work</li><li>• knowledge of the national and regional situation, meaning knowledge, expertise and experience in Murmansk region, Arkhangelsk region and Nenets Autonomous Okrug</li><li>• ENI Programme experience</li></ul>	
List of relevant publications	
Detailed work plan (including time schedule, tasks, management capacity)	

Description of the methodology and information sources	
Additional information	
Price without VAT	
VAT	
Total Price	