**TERMS OF REFERENCE**

**Consultancy Services for supporting the National Phytosanitary Authority to purchase mobile inspection centers for plant protection products field-application equipment**

**Technical Specialist (Individual Consultant)**

1. Background

The Government of Romania has received a loan from the International Bank for Reconstruction and Development (IBRD) to support the implementation of the Rural Pollution Prevention and Reduction Project (RAPID Project).

RAPID Project is an initiative aimed at addressing environmental challenges in the rural areas of Romania. Focused on mitigating pollution and promoting sustainable practices, the project seeks to safeguard the country's rural landscapes, preserve natural resources, and enhance the overall well-being of local communities.

The Loan 9505-RO for the Project was ratified by Romania by the Law no. 332/2023 on November 7th 2023 and it became effective on December 13th, 2023. The Project closing date is June 30th, 2028.

The objectives of the project are to strengthen the institutional capacity of selected public entities, monitor pollution in agriculture, and transfer knowledge on agricultural pollution reduction to participating farmers. The project consists of three components:

1. **Modernization of Public Institutions:** Enhance the institutional capacity of the Ministry of Environment, Waters, and Forests (MEWF) to monitor, evaluate, and report investments, including those related to environmental aspects of the National Recovery and Resilience Plan (NRRP). This involves increasing the national capacity for monitoring, prevention, and reduction of pollution from agricultural sources in rural areas, including the National Administration "Romanian Waters" (NARW), the National Phytosanitary Authority (NFA), and the Directorate for Land Consolidation and Land Fund (DÎFFF) within the Ministry of Agriculture and Rural Development (MARD).
2. **Knowledge Exchange and Awareness:** Facilitate knowledge exchange, awareness, and information/innovation transfer to participating farmers. This includes establishing model farms to promote best agricultural practices for pollution prevention and reduction. The project also involves creating national knowledge transfer networks and conducting information and awareness campaigns for the public regarding project activities, including other environmentally-focused interventions funded under the NRRP.
3. **Project Management:** Ensure effective project management to oversee and coordinate the various components and activities outlined in the project.

The project aims to create a comprehensive framework for addressing agricultural pollution in Romania, involving institutional capacity building, knowledge dissemination, and active participation of farmers in adopting sustainable practices.

As part of the efforts for modernization of public institutions, under the Component 1 of the RAPID Project, it is foreseen that the Project will support the National Phytosanitary Authority (NFA) with mobile laboratories for inspection and calibration of plant protection products field-application equipment (mobile inspection centers). This type of equipment is essential for Romania to comply with the EU legislation on plant protection products and, once in use, it is expected to support farmers in proper use of plants protection products, avoiding inappropriate application, reducing use and losses. Romania currently has 6 mobile inspection centers for plant protection product application equipment. With the help of these mobile centers, 2,688 application equipment out of a total of 22,000 were inspected over the course of 3 years (2021, 2022, 2023). It is absolutely necessary to supplement the number of mobile centers for carrying out technical inspections of the 22,000 inventoried application equipment. Moreover, the validity of an inspection is 3 years, so the number of inspected plant protection product application equipment is added to the number of non-inspected ones. Considering the previously mentioned and taking into account the number of phytosanitary offices, we consider it necessary to use a mobile center by two neighboring phytosanitary offices, this leading to a total of 20 mobile centers (6 existing and 14 required to be purchased). All of the above are reinforced by the legislative framework that requires technical inspections of application equipment to be carried out at least once, until 2016, namely **Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides.**

The Ministry of Environment, Waters and Forests, as implementing institution, through the Project Management Unit for the "Prevention and Reduction of Pollution in Rural Areas Project" (PMU "RAPID") (named hereafter **The Client**) intends to use a part of the "RAPID" Project’s funds for purchasing consultancy services (Individual Consultant) forpreparing the technical specifications of the mobile inspection centers (including conducting a market analysis of their market costs and potential suppliers), to offer technical support during bidding and evaluation (e.g., clarifications for the technical specifications and for the members of the evaluation committee during the evaluation of the offers), support in reception of mobile centers and on the job training for the use of laboratories – as needed and requested by the NFA.

Under the present assignment, The Ministry of Environment, Waters and Forests (MWF), through the Project Management Unit (PMU) responsible for the RAPID Project, seeks contracting specialized consultancy services of an Individual Consultant – Technical Specialist to contribute to and facilitate the procurement of mobile inspection centers for the tasks mentioned above.

**Definitions of terms:**

The Project – represents the Rural Pollution Prevention and Reduction Project, referred to as the "RAPID" Project

MEWF – Ministry of Environment, Waters and Forests

PMU – Project Management Unit – represents the unit established within the Ministry of Environment, Waters and Forests, that manages the implementation of the Rural Pollution Prevention and Reduction Project

NFA - National Phytosanitary **Authority.**

The Contract – represents the contract to be signed with the awarded Individual Consultant

The Client – is the Ministry of Environment, Waters and Forests through the PMU for RAPID.

The Beneficiary – is the final beneficiary - National Phytosanitary **Authority.**

The Technical Specialist – the Individual Consultant that will be selected, based on the present Terms of Reference, for the scope of services and tasks as required herein.

1. Objectives of the assignment

The overall objective of the consultancy services is to:

support the National Phytosanitary Authority (NFA) to comply with the EU legislation on plant protection products and to achieve sustainable use of pesticides.

The specific objectives of the consultancy services are to:

* Elaborate technical specifications of the mobile inspection laboratories based on a market analysis which will include prices / costs and potential suppliers at national and international level);
* offer technical support to the NFA and RAPID PMU during the procurement and delivery of the mobile inspection laboratories

1. Scope of the Services:

The Technical Specialist will closely coordinate his/her activity with the representatives of the NFA.

The Technical Specialist will carry out the following tasks and activities:

* + 1. elaborate technical specifications of the mobile inspection centers (including data gathering, yield management, software testing, hardware testing and troubleshooting, as well conducting a market analysis with costs and potential suppliers at national and international level);
    2. offer technical support during bidding and evaluation (e.g., clarifications on the bidding documents and/or on technical specifications if requested by the potential bidders and support to the members of the evaluation committee during the evaluation of the bids);
    3. support the reception team(s) during the reception and acceptance of the mobile centers;
    4. provide on-the-job training for the use of the mobile inspection centers.

The Technical Specialist will deliver:

1. Technical specifications for the mobile inspection centers;
2. A market analysis with costs and potential suppliers for the mobile inspection centers;
3. Monthly reports that will include all the deliverables submitted and description of the rest of the activities, accompanied by time-sheets with the daily time spent and the associated deliverables.

All documents delivered will be submitted for the technical approval of the Beneficiary (NFA).

Any deviation/alternative solution from/for the requirements presented in section 3 may be accepted by the Client based on arguments clearly presented in the progress reports by the Consultant, with the prior approval / request by the Beneficiary.

The Technical Specialist will closely coordinate his/her activity with the staff members of the NFA nominated for the related activities under the Project, throughout entire duration of the implementation of the assignment.

The RAPID PMU will ensure contract coordination.

1. Consultant’s Profile:

In order to be able to charge the Client for the activities performed under these terms of reference, the expert must be either a person authorized under the Law **no. 300/2004 regarding the authorization of individual persons and family associations to carry out independent activities or act under a limited liability company or another form of organization that enables him/her to issue invoices for the services provided. In any of the cases, the Consultant should be aware that the services will be provided only by the selected Individual Consultant and n**o substitution of any individual who was initially selected will be permitted**.**

**Services may also be provided by the selected individual consultant through a limited liability company (SRL), as well.**

**The qualifications and experience required:**

* general experience in accredited field inspections of agricultural sprayers;
* At least 5 years of relevant working experience;
* At least 3 years of practical experience in precise agriculture field, for one or more of these activities:
* Agriculture research field, regulatory body in agriculture sector, technical field inspections of agricultural sprayers;
* General knowledge in farming is an advantage,

having the following qualifications:

* + - Bachelor degree/Master degree in a technical field (mechanical engineer - agricultural machinery - plant protection product field-application equipment, environment protection technician – ecological technician, agricultural engineer or in any other technical relevant field) or Bachelor's degree/Master's degree in other fields along with more than five years' proven professional and practical experience in any of the above-mentioned technical fields;
    - Experience in environmental protection is an advantage;
    - Solid knowledge regarding boom sprayers, orchard sprayers, general phytosanitary application devices, control application systems of sprayers, latest technologies in phytosanitary control (especially on sprayers);
    - Good communication skills.

Experience in elaboration of technical specifications in fields similar to the NFA’s specific activities (the implementation of projects – configuration of mobile inspection centers for plant protection product field-applicationequipment) shall be considered an advantage.

In the case that the Contract for this assignment shall be awarded to a company that provides an individual for this assignment, only the qualification and experience of the individual shall be evaluated, not the company’s experience. All the services/activities provided/delivered under this Assignment shall be delivered exclusively by the individual proposed by the company.

1. Duration of the work

The services in this Contract shall be provided until the end of April 2025 or any other date agreed by the parties.

The total input under the assignment is estimated at 90 working days (at an average of 8 hours per day), during a duration of the assignment estimated at 12 months.

This initial total input will be agreed during contract negotiations subject to Consultant’s availability and the date of the commencement of services.

The contract will include a probationary period of 30 days, after which it may be terminated through a notification issued by the Client.

The Consultant’s weekly input will be of about 40 working-hours. The input duration/working day may range between 0 – 12 working-hours, including during weekends, as agreed between the Consultant and the Client, and depending Client’s necessary workload dictated by the projects’ activities. Thus, the weekly work-schedule will be established in agreement with the Client, depending on the Client’s priorities regarding the project and the Consultant’s availability. The Work-schedule may include time periods with full-time input (8 hours/working-day) and time periods with higher or lower than the 8 hours/working day time-input.

The consultant is expected to commence performance of the services within maximum 10 working days after contract signing.

1. Reporting

During this Assignment, the Individual Consultant shall deliver the following Reports, both in editable version and one hard copy, each containing a description of the work carried-out and with annexes, as follows:

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| Report | Delivery date |
| Report no. 1: includes the first draft of technical specifications of mobile inspection centers for plant protection product field-application equipment. | 50 working days since the commencement of services |
| Report no. 2: includes the final version of the technical specifications of mobile inspection centers for plant protection product field-application equipment, which will also include beneficiary’s and Client’s comments incorporated | 15 working days since the acceptance of the Report no. 1 |
| Monthly time-sheets and reports (for the activities as mentioned at ii, iii and iv at Chapter 3 – Scope of services) | Within the first 5 working days of the following month |

All the Reports shall be transmitted to both ANF and RAPID PMU in 2 copies (one copy to each), in Romanian language, signed by the Individual Consultant, together with the electronic versions (by electronic mail). The technical specifications shall be in English (for an easy incorporation in the Request for Quotations for mobile inspection centers).

All the Reports that need approval shall be submitted to the authorized representative of the Client, for analysis and approval by the Acceptance Committee named by the Client.

The Individual Consultant shall modify or complete the Reports as requested by the ANF/Client / Acceptance Committee, in maximum 2 working days from receiving such requests or for a longer period as agreed by the Consultant and the Client’s authorized representative, if the situation requires.

The Acceptance Committee shall decide upon the acceptance of the reports and deliverables submitted under the present assignment.

Based on the acceptance documents of the Report no. 2 and on the following monthly reports, issued by the Acceptance Committee, the Individual Consultant shall issue the invoices and the Client shall pay, according to the Contract provisions.

1. Institutional arrangements, Data, Local Services, Personnel and Facilities to be provided by the Client

The Client and the beneficiary will provide access to all relevant information, documents and stakeholders’ contact points to facilitate the implementation of the activities under this assignment.

The Technical Specialist:

* Will liaise with RAPID PMU for guidance on contract implementation;
* Will work under the direct supervision of the NFA (overall management), guided by General Director and/or the NFA nominated staff;
* Will cooperate closely with Control, Marketing and Sustainable Use of plant protection products Department;
* Will report to the General Director and/or the NFA’s nominated staff and to the PMU for RAPID in aspects related to contract execution;

The Consultant will not at any time communicate to any person or entity any confidential information acquired in the course of the assignment.

All documentation prepared by the Consultant in the course of the assignment will remain the absolute property of the Client. The Consultant will, not later than upon termination or expiration of the contract for the current assignment, deliver all such documentation to the Client.

* The Client will not pay or reimburse the Consultant for any other costs outside of the fees agreed for in the contract.

The final Beneficiary (NFA) and the Client shall provide to the Individual Consultant all the information necessary, concerning the purpose of this Assignment and that will be reasonably requested by the Individual Consultant in order to complete this Assignment.

The Client will provide access to all relevant information, documents and stakeholders’ contact points to facilitate the implementation of the activities under this assignment, and if needed, equipment and working capital to carry out the tasks included in these Terms of Reference, including access to the NFA’s network resources.

For the occasional situations in which the Consultant will carry out activities at the Client's premises, the Client will provide a furnished and equipped office space at NFA’s premises, including access to the Internet and to NFA’s network resources.