Annex 1: THE SERVICE

Review the Volume-Based Waste Fees (VBWF) Program in Hoi An City to be approved by Quang Nam Province

and

Support for Hoi An City in Developing a Proposal for Financial Assistance in Solid Waste Treatment Facilities

I. BACKGROUND

Hoi An City, which has a population of 100,526 people, is witnessing an increase in waste generation, like other cities in Vietnam, and an overload at Cam Ha Landfill. Recognized as a world cultural heritage by UNESCO, the town’s tourism accounts for 73% of its total production value of economic sectors, with an average of 2.3 million visitors annually. Economic development has led to the increasing use and discharge of single-use plastic products, considered the primary cause of plastic waste pollution in Hoi An.

With the great efforts in waste management over the last decade, Hoi An has been seen as the leading city in Quang Nam province to conduct waste segregation. Quang Nam Province selected Hoi An to participate in the pilot implementation of the VBWF with the IUCN technical support under the financial support of the PRO VN - Plastic Waste Pollution Reduction Strategic Partnership (2020-2024).

According to the lesson learned from the pilot study in Cam Nam, the Volume-Based Waste Fees (VBWF) program in 13 wards communes is proposed by the People Committee of Hoi An City in 2024. With the mechanism of the VBWF system, households and small-sized commercial sectors must purchase specified bags to throw away their garbage. Thus, a waste collection fee is charged in proportion to the amount thrown away. In addition, the database of solid waste characteristics and generation and the process of local behavior change is recorded and used to assess the possibility of the VBWF program at the city level.

The Law on Environmental Protection (LEP) officially takes effect from January 1, 2022. Accordingly, organizations and individuals that produce and import certain products and goods must be responsible for recycling the products, packaging, or financial contributions to support recycling activities. Organizations and individuals that produce or import certain products and goods that contain toxic substances are difficult to recycle and cause difficulties in collection and treatment. They must be responsible for making financial contributions to support waste treatment. Currently, these regulations have been detailed in Decree No. 08/2022/ND-CP, detailing several articles of LEP, and Circular No. 02/2022/TT-BTNMT, detailing the implementation of many articles of the Law on Environmental Protection (officially effective from January 10, 2022).

According to the provisions of Clause 5, Article 85 of Decree 08/2022/ND-CP stipulating that the National EPR Council adopts and submits to MONRE to promulgate Regulations on the management and use of financial contributions to the Vietnam Environmental Protection Fund (VEPF) to support waste treatment from producers and importers. Up to

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1 Decision No. 2625 /QD-UBND issued by the People's Committee of Quang Nam province on the plan to segregate waste at source in the whole province until 2025 on September 39, 2022
now, the draft Circular promulgates the Regulations on the management and use of financial contributions of producers and importers to the VEPF to support the recycling of products, packaging, and waste treatment has been completed and submitted to the MONRE for consideration and promulgation, expected in the third quarter of 2024.

According to the final draft Circular submitted to the MONRE Minister, supported subjects are agencies and organizations authorized or assigned by the People's Committee of the Province, City (hereinafter referred to as the Provincial People's Committee) to be the investor of a waste treatment project for household solid waste /pesticide packaging (hereinafter referred to as the project owner), including:

- Investment projects to build, expand, and upgrade systems of storage, transfer, and treatment of domestic solid waste with a scale from the inter-commune level or higher; system of public works and equipment serving domestic solid waste management with a scale from the inter-commune level or higher;
- Projects on pollution treatment and environmental improvement of domestic solid waste landfills with a scale of inter-commune level or higher;
- Investment projects to purchase vehicles and equipment for collecting and transporting household solid waste with a scale from the inter-commune level or higher;
- Project on household waste segregation at source with a scale of inter-commune level or higher; Projects to collect, transport, and treat household solid waste at storage points, spontaneous household solid waste landfills, and environmentally polluted public areas with scale from inter-commune level upwards (excluding investment and construction of works and waste treatment facilities);
- Projects on collection, transportation, and treatment of pesticide packaging with a scale of inter-commune level or higher (excluding investment, construction of works, and waste treatment facilities).

According to the provisions of Article 85 of Decree No. 08/2022/ND-CP, MONRE promulgates criteria and prioritizes financial support for waste treatment activities based on the National EPR Council proposal. Currently, the draft decision to promulgate criteria and prioritize financial support for waste treatment activities has been approved by the National EPR Council.

Hoi An City needs a consultant who has a legal background and understands LEP 2020, EPR, and VBWF, which will support Hoi An in (1) Reviewing the Draft VBWF program to be approved by the Quang Nam Province for implementation and (2) Support Hoi An in developing a proposal requesting MONRE through VEPF to provide financial support for treating domestic solid waste in Hoi An City.

II. SPECIFIC OBJECTIVES

- Reviewing and providing comments on the Hoi An Draft VBWF program to be approved by the Quang Nam Province for implementation;
- Support Hoi An in developing a proposal requesting MONRE through VEPF to provide financial support for treating domestic solid waste in Hoi An City

III. ACTIVITIES AND REQUIREMENTS

Objective 1:
- Conduct intensive and comprehensive research on the current and upcoming regulations on domestic solid waste management;
• Provide comments and suggestions to regulate and complete the Draft Hoi An VBWF Program to ensure compliance with the current regulations and update amended and supplemented regulations.
• Consult on regulation and mechanism development related to VBWF;
• Liaison with consultant team BUS to provide a detailed review with specific legal comments on the Draft Hoi An VBWF Program.

**Objective 2:**

- Review domestic and foreign legal documents in waste management and EPR to ensure compliance with regulations specifically for projects in Hoi An City.
- Develop a proposal requesting support for domestic solid waste management in Hoi An City: (1) Proposal for financial support for the Project on pollution treatment and environmental improvement of domestic solid waste landfills; (2) Proposal for financial support for the investment Project to purchase vehicles and equipment for collecting and transporting domestic solid waste in Hoi An City;
- Ensure program proposals are consistent with finance, accounting, auditing, and fund management regulations, and ensure legality and constitutionality and are consistent with environmental protection requirements, ensuring legality and constitutionality.
- Review EPR regulations on managing contributions from producers and importers to the VEPF to support recycling and waste treatment activities.
- Review the Draft Decision promulgating criteria and priorities for support for waste treatment activities to develop support request documents, list the order and procedures for requesting support, contract signing procedures, and disbursement requests for financial support.

### IV. EXPECTED OUTPUTS

1) Specific legal comments on Draft Hoi An VBWF Program to be submitted to Quang Nam Province for Approval;
2) Proposal for financial support for the Project on pollution treatment and environmental improvement of domestic solid waste landfills;
3) Proposal for financial support for the investment Project to purchase vehicles and equipment for collecting and transporting domestic solid waste in Hoi An City;
4) Report on procedures for requesting support, contract signing procedures, and requesting financing disbursement.

The consultant will participate, prepare and present the PowerPoint reports at the City and Provincial meetings as needed;

The Draft Programs and reports will be in Word (in Vietnamese and summary in English), and PowerPoint Presentations (PPT), including infographic illustrations (if any) (in Vietnamese and English);

### V. IMPLEMENTATION TIME

The validity period of the contract: from 22 July - 15 Nov 2024

### VI. COMPENSATION

- **Daily Rate**: Rate for expert advice.
- **Travel Costs and Per Diem**: IUCN will cover required travel costs outside of this contract.
VII. QUALIFICATIONS AND EXPERIENCES

The Consultants must have the following qualifications and experiences:

- Master level or higher, priority is given to those with experience in environmental law. Currently working or having experience in an environmental government agency or relevant international development agency, particularly in environmental governance (especially in waste/debris management), is also a requirement;
- At least 05 years of experience in developing, evaluating, or implementing laws, policies, regulations, and guidelines in EPR, VBWF, VEPF, and solid waste segregation at sources;
- Priority is given to consultants with experience working with international organizations and provincial/local authorities.
- Excellent organizational skills with demonstrated ability to work independently, handle a variety of concurrent activities, rank priorities, organize work efficiently, and deliver assignments on time, often under time constraints;
- Strong facilitation skills with demonstrated experience in a multi-partner environment;
- Good presentation skills as well as report writing skills;
- Strong analytical and practical problem-solving skills;
- Strong skills in teamwork and demonstrated ability to work in a devolved team situation;

VIII. APPLICATION SUBMISSION

Interested individuals are invited to submit their application, including a CV and 1-page proposal stating their perception of the project and their approach to the assignment and the consultancy rate, by 14 July 2024 to Ms. Bui Thi Thu Hien at hien.buithithu@iucn.org and copying Ms. Pham Thi Hong Nhung at nhung.phamhong@iucn.org.

IX. EVALUATION CRITERIA

Consultants will be evaluated based on their qualifications, relevant experience, the submitted proposal, and the proposed budget.
Agreed Budget and Deliverables and Payments Schedule

1. BUDGET

The assignment duration from the date of contract signing (tentatively from 22 July 2024 to 15 November 2024) with the maximum of 35 consultancy days.

Travel dates and trips/destinations must be communicated and agreed with IUCN in advance.

2. AGREED DELIVERABLES AND DELIVERY TIMETABLE

The timetable for the delivery of deliverables is as follows:

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<tr>
<th>No</th>
<th>Description</th>
<th>Deadline</th>
<th>Deliverables</th>
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<tbody>
<tr>
<td>1</td>
<td>Specific legal comments on Draft Hoi An VBWF Program to be submitted to Quang Nam Province for Approval;</td>
<td>Sep 2024</td>
<td>Report on the Draft Hoi An’s VBWF Program (legal comments)</td>
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<td>2</td>
<td>Proposal for financial support for the Project on pollution treatment and environmental improvement of domestic solid waste landfills;</td>
<td>Oct 2024</td>
<td>Draft proposal (in consultation meetings with Hoi An City) with a summary report with infographic and ppt (EN&amp;VN)</td>
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<td>3</td>
<td>Proposal for financial support for the investment project to purchase vehicles and equipment for collecting and transporting domestic solid waste in Hoi An City;</td>
<td>Oct 2024</td>
<td>Draft proposal (in consultation meetings with Hoi An City) with a summary report with infographic and ppt (EN&amp;VN)</td>
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<td>4</td>
<td>Report on procedures for requesting support, contract signing procedures, and requesting disbursement of support money.</td>
<td>Nov 2024</td>
<td>Full report (in Vietnamese) and summary report in English</td>
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3. INVOICING AND PAYMENT

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<tr>
<th>SCHEDULE</th>
<th>AGREED PAYMENT</th>
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<tr>
<td>Submission of an invoice after signing of this contract.</td>
<td>The Consultant will be paid a maximum of 30% of the total consultancy fee of this contract.</td>
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<tr>
<td>Submission of an invoice after successful delivery of Deliverable 1, 2 and 3 and IUCN written acceptance of this Deliverable.</td>
<td>The Consultant will be paid a maximum of 40% of the total consultancy fee of this contract.</td>
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<td>Submission of an invoice after successful delivery of all deliverables, and IUCN written acceptance of this Deliverable.</td>
<td>The Consultant will be paid the remaining amount of the total consultancy fee of this contract.</td>
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