



Funded by
the European Union

EU4Environment
Water and Data in Eastern Partner Countries

EU4Environment – Water Resources and Environmental Data

TERMS OF REFERENCE FOR LOCAL CONTRACTOR

SUPPORT FOR DEVELOPMENT OF THE NITRATE DIRECTIVE ACTION PROGRAMME

IN THE REPUBLIC OF MOLDOVA

1. Financing

European Union (ENI/2021/424-550)

Co-financing by Austria (Austrian Development Agency) and France (Artois Picardie Water Agency)

2. Procedure

Single tender procedure according to EU PRAG

3. Contracting Authority

International Office for Water (OiEau)-France

4. Nature of contract

Service contract

5. Time period of implementation

4 months after the signature of the contract. Indicative timeframe 1 March 2024 - 30 June 2024

6. Contract amount

Max. amount: 15 000 EUR

7. Background and Objectives

The Programme “EU4Environment – Water Resources and Environmental Data” (hereinafter - the Programme) aims to operationalise several key mechanisms to preserve natural resources, enabling countries’ green growth in line with the European Green Deal and a post-COVID-19 green recovery. This will contribute towards longer-term environmental, climatic, and socio-economic resilience, and improved human health and wellbeing, as well as the achievement of the Sustainable Development Goals (SDGs).

The Programme’s specific objectives are:

- Specific Objective 1 “Water resources management”: Water policies and practices support more sustainable use of freshwater resources and help reduce the adverse impacts of human activities on water quality and ecosystems.
- Specific Objective 2 “Environmental statistics and open data”: The use of sound environmental statistics by the partner countries is extended and improved, and better availability of policy-relevant data to decision-makers and citizens is ensured.

The Programme, primarily financed by the European Union and co-financed by Austria and France, is implemented by three Member State agencies: Umweltbundesamt GmbH (also called “UBA” or “Environment Agency Austria”), Austrian Development Agency (ADA) and International Office for Water (OiEau, France) as well as two international organisations (OECD and UNECE). These 5 organisations are the Implementing Partners.

Under the previous European regional program i.e. EUWI+ project, the Danube Prut and Black Sea RBMP for the EU planning period 2023-2027, was officially approved on 29 June 2022. This plan, as the new draft plan on Dniester district, gives clear orientations about the crucial importance to reduce the impact of agriculture. Agriculture is one of the major branches of the economy in Moldova, where farmland represents a very high proportion (about 74%) of the total area of the country. The application of fertilizers (especially nitrate, an essential nutrient for plant growth) in excessive amounts and without necessary precautions leads to pollution of surface and groundwater and the development of eutrophication in rivers, lakes and up to the Black Sea.

As a consequence, the Moldovan partners have selected to prioritise the implementation of the Nitrate directive to foster this process and improve in the same time their convergence with the EU acquis in the frame of their candidacy to the European Union.

A key step toward Nitrate Directive transposition has been reached with EUWI+ support through the development and further adoption of the Moldovan Code of Good Agriculture Practices (COGAP). At that time the Ministry of Agriculture, Regional Development and Environment (MARDE) of the Republic of Moldova approved by Order no. 160 of 27 July 2020 the new Code.

8. Scope of work and deliverables

8.1 Scope of work

This assignment will contribute to the implementation of the Result 1, activity 1.1. “The first cycle of river basin management planning (RBMP) is extended” of the EU4Env water and data project. In the case of Moldova, the objective of this activity is to support the implementation of the second cycle of RBMP already adopted for the Danube Prut and Black Sea district. The main action selected for this activity in Moldova, is to boost the implementation of domestic pollution reduction, through follow up actions allowing the further implementation of the master plan for WSS in the Nirnova sub-basin. The master plan was developed based on EUWI+ support. As this action is in good way and resource permitting, the Moldovan partners from the Integrated Water Resources Management of the Ministry of Environment have asked OiEau team to propose in addition another follow up action in the agriculture sector. In the same continuity spirit, this new intervention action targets the further implementation of the nitrate directive after the development and adoption of the COGAP under EUWI+East. It will consist in the drafting of a work plan for the implementation of the directive in Moldova, as discussed during a national workshop organised on 14 December 2023 in Chisinau.

The scope of this service contract is thus to draw up a initial proposal for Action Programme under the Nitrates Directive for the country, and assess its cost effectiveness when apply to the 2 main hydrographic districts, themselves breakdown in various sub-basins as defined in the law.

The first draft of nitrate directive Action Programme should include for the whole country precise prescriptions on:

- Limits on the quantities of nitrogen that can be spread
- Periods when spreading is prohibited
- Storage of livestock effluent
- Spreading conditions
- Grazing management
- Soil cover and appropriate land management
- Good management of nitrogen fertilisation

http://ec.europa.eu/environment/water/water-nitrates/index_en.html

This draft action programme must complement the code of good agricultural practice.

The consultant will propose methods in line with the European guidance like “*Recommendations for establishing Action Programmes under Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources*”.

One two-fold document will therefore be required to accompany the draft Action Programme:

- The first part will provide information on the justification for the effectiveness and relevance of the various measures in the Action Programme in relation to the Moldovan context.
- The second part will provide information on the estimated costs of implementing this Action Programme throughout the country. To this end, the contractor will provide statistics on the gap between current farming practices and the changes that the implementation of an action plan would entail for the farmers of the country.

This analysis will be carried out for the country's various agricultural sectors using available agricultural data, existing reports and literature, meetings with stakeholders, data formatting and exploitation, brainstorming, expert appraisals.

The deliverables and main outputs will include for the whole country, based on the most appropriated geographic breakdown:

- Initial draft of the Action Programme
- Implementation assessment document relating to Effectiveness and relevance of the various measures in the Action Programme for Moldova on one side and the Economic analysis of the implementation of this action programme on the other side
- Workshop material to present and discuss these drafts and restitution report
- Final draft of the nitrate directive action programme ready for stakeholders' consultation
- Executive summary

8.2 Deliverables & format

The characteristics of the above-mentioned deliverables are presented below. It gives idea of the minimum information required for each of them which remain subject to data and information availability.

1) Outline and first draft of the Nitrate directive action programme for Moldova

Action programme outline and first draft to comply with the Nitrates Directive

2) Implementation assessment document on

a. Effectiveness and relevance of the various measures in the Action Programme for Moldova

- Current agricultural practices: assessment of the current agricultural practices in Moldova, including the use of fertilizers, manure management, and crop rotation.

- Detailed analysis of each measure proposed in the action programme. This would involve assessing their potential cost-effectiveness in reducing nitrate pollution, preserving water quality and achieving the objectives set by the directive. This assessment could be based on scientific data, case studies or simulation models, in order to determine the expected impact of each measure.
- Environmental impact: An evaluation of the environmental impact of agricultural practices, including water quality, soil fertility, and biodiversity.

b. Economic analysis of the implementation of this action programme

- An analysis of the costs associated with complying with the Nitrates Directive, including a rough approximation of the cost of implementing new practices, monitoring, and reporting.
- Economic impact: An assessment of the economic impact of the Nitrates Directive on farmers, including changes in production costs, yields, and revenues.
- Policy options: An evaluation of policy options to promote compliance with the Nitrates Directive, including financial incentives, technical assistance, and regulatory enforcement in order to guide further decision making by the government.

3) Workshop and restitution report

The aim of the workshop is to present the draft action programme and the two-fold accompanying documents. The workshop will be open to environmental, health and agricultural stakeholders. Following the workshop, a new version of the action programme will be proposed by the contractor.

The workshop will be organised by EU4Env project in the Capital Chisinau.

For the workshop, technical synthesis and oral presentations will be produced by the contractor in Romanian and English languages.

Feedback received during these meetings will be considered to prepare the workshop report, and records of contributions will be annexed to the produced deliverables.

A report of the workshop to be prepared by the consultant will include the result of the main discussions of the participants and conclusions.

4) Final initial draft of the nitrate directive action programme for Moldova with executive summary

A new draft of the action programme will be proposed following the workshop discussions. It will include an executive summary and easily readable information adapted to future further stakeholder information and/or consultation by the government.

This document should summarise:

- Methodological note explaining the main choices made
- Concise presentation of plan and its consequences for Moldovan farmers
- Proposed option for Nitrate Directive further implementation
- List of the consulted partners and their expected future role

All the documents consulted, data and information collected, and interview records will be transmitted in their original forms (paper, files) and their valorised forms (GIS layers, data base, Excel, etc.). GIS layers will be provided in Esri format (.shp) and at the closest possible of scale 1:50,000.

Maps will be produced and delivered in QGIS format and as TIF file (300 dpi), based on a template provided to the contractor by the Project Team. They will constitute an atlas at A4 format.

Maps will include only layers and dataset described into the metadata catalogue and having raw data available on FTP.

Reports will be transmitted in a digital form that can be corrected (MS Office 2007 or more recent). Priority will be focused on illustrations and a straightforward style.

The methodology adopted for the development of this support has to be participatory. The working group will be organised to provide further information to the contractor and discuss the different orientations of the study.

For each working session, technical synthesis and oral presentations will be produced by the contractor in Romanian and English languages. The contractor's participation at these meetings will be cost-inclusive (compulsory and on their own cost).

Copies of all expected deliverables will be provided electronically (by email) in English and Romanian.

9. Implementation modalities

9.1 Meetings & trainings

Coaching will be provided by OiEau expert and one on site workshop organised in order to share the draft of the nitrate directive action programme with the main interested parties.

9.2 Previous products of interest

See in particular the COGAP on EUWI+East website:

<https://www.euwipluseast.eu/en/component/k2/item/1329-moldova-code-of-good-agricultural-practices-eng?fromsearch=1>

9.3 Schedule

Duration of the assessment will be up to 4 months and is expected to start from March 2024.

The assignment is divided into phases and the finalisation respective to the schedule shown in the table below.

Successive reports have to be prepared according with a schedule presented below and delivered to the project team in due time.

It is anticipated however that the draft deliverables will be first reviewed by the project team and the beneficiaries i.e. the Integrated Water Resources Management Policies Department of the Ministry of Environment and, if necessary, will be returned to the implementing institution for finalisation and re-submission. Therefore, draft reports and deliverables will be submitted to the Project Team at least 15 days prior to the established deadline, and reviewed reports and deliverables at least half month prior to the established deadline.

Payment for the deliverables shall be considered only when the work is approved by the Project Team and the Thematic Leader on behalf of the country beneficiaries.

Summary of the work deliverables and schedule

Deliverables	Approx. number of pages without annexes	Languages of deliverables	Due date for the draft report (M0 = signing of the contract)	Finalisation
First outline and initial draft of the Nitrate directive action programme	10	Romanian /English	M+2 (to be presented during the workshop)	M+2
Effectiveness and relevance of the various measures in the Action Programme for Moldova	40	Romanian /English	M+2 (to be presented during the workshop)	M+3
Economic analysis of the implementation of this action programme	20	Romanian /English	M+2 (to be presented during the workshop)	M+3
Workshop with restitution report	5	Romanian /English	M+4	M+4
Final draft of the nitrate directive action programme with executive summary	10	Romanian /English	M+4	M+4

In the bid, the prices will contain a detailed breakdown of the cost for all services being provided, starting from the daily rate per expert, number of days per expert until the lot price. Individual figures shall be provided for each deliverable, if any.

9.4 Attributes required

Works shall be implemented by a pool of experts, independent local company or NGO, university, research institution, etc. that are not the project beneficiaries. The study will be closely coordinated, assisted and monitored by the project team, consisting mainly of the thematic experts (RBMP, surface and groundwater monitoring, data management, stakeholders' involvement), the project representative in the country and their twin national thematic focal points for RBMP, surface and groundwater monitoring, data management and stakeholders' involvement. Close relationships will be formed and maintained with the beneficiary who will own the product and take ownership of the RBMP.

The contractor will have to designate competent specialist(s) for each part of the assignment as well as a coordinator who will be responsible for managing these specialists, harmonising the document, and regularly informing the project team.

10. Contact details

The responsible persons at national level:

Ms Victoria Gratii, Head of Integrated Water Management Policies Directorate, MoE, victoria.gratii@mediu.gov.md, and Ms Anna Casuta, Nitrate Directive manager at the IWMP Directorate, MoE, anna.casuta@mediu.gov.md

The EU4Env project representative for Moldova: Andrei Ursache, andrei.ursache@ada.gv.at

The EU4Env thematic leader for RBMP development in Moldova:

Mr Pierre Henry de Villeneuve
International Office for Water
p.henry-de-villeneuve@oieau.fr

The EU4Env Nitrate Directive expert

Simon Barreau
International Office for Water
s.barreau@oieau.fr

11. Governance, EU visibility and communication

11.1 Role of the Implementing Partners

The International Office for Water (OiEau, France) is the Contracting Authority and will manage administratively and technically the current Contract. OiEau is the main contact for the Contractor for any issues. Experts from OiEau will support the Contractor all along the assignment. OiEau will transmit all valuable data incl. recommendations for EU communication and visibility.

Umweltbundesamt GmbH (UBA, Austria) will give a technical support thanks to its high-skilled experts, especially in monitoring, ecological status classification systems, groundwater, etc.

The Programme Representative for Moldova represents “EU4Environment – Water Resources and Environmental Data” in the country. This high-skilled person will facilitate the work process of the Contractor.

11.2 Role of Beneficiaries

The Beneficiaries (MoE, AAM) have designated representatives to follow the assignment. They will be involved into and informed about the progress of work and results, difficulties, etc. during the work. Involvement of the MoA and affiliated entities will be sought to insure a maximum appropriation of the results by the agriculture sector.

11.3 EU communication and visibility

All deliverables, including in draft form, and all events and communication products must comply with EU visibility rules. The official guidelines can be accessed here:

https://international-partnerships.ec.europa.eu/system/files/2022-07/Communicating%20and%20raising%20EU%20visibility%20-%20Guidance%20for%20external%20actions%20-%20July%202022_0.pdf

12. Participation to the tender

Interested parties (individual and legal persons) are invited to inquire the full tender dossier containing instructions and further information about the tender procedure from Ms Ilke CICEKOGLU (email address: i.cicekoglu@oieau.fr), Project Assistant, International Office for Water (OiEau) and Mr Pierre Henry de Villeneuve (email address: p.henry-de-villeneuve@oieau.fr), Thematic Leader, International Office for Water (OiEau).

Deadline for submission of the technical and financial offer is **14 February, 18:00 CET.**