

# Terms of reference (ToR) for the procurement of services below the EU threshold

CONFIDENTIAL

<b>Analysis and communication of Strategic Environmental Assessments as an instrument for supporting green recovery in Ukraine</b>	<b>Project number/ cost centre: G-010101-001  Tender number 10033590</b>
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## **0. List of abbreviations**

AG	Commissioning party
AN	Contractor
AVB	General Terms and Conditions of Contract for supplying services and work
DNSH	Do No Significant Harm
FK	Expert
FKT	Expert days
KZFK	Short-term expert
SEA	Strategic Environmental Assessment
ToRs	Terms of reference

## 1. Context

The BMUKNV IKI project DIAPOL-CE (Policy Dialogue and Knowledge Management on Climate Protection Strategies helps governments to apply internationally proven approaches in developing resilient, climate-friendly, and eco-friendly economies. The project's measures support policy makers and responsible institutions to systematically design and successfully implement integrated and ambitious climate and biodiversity policies in the form of emission reduction, adaptation, and natural resource management strategies. The project contributes to the planning and implementation of ambitious adaptation and nature-based mitigation approaches in the partner countries and supports them in integrating the measures into their respective NDC targets. In the long term, this supports the transformation to climate friendly and resilient economies.

The project is supporting Ukrainian partners in mainstreaming climate and environmental issues in their policies and regulations, especially with regards to the green recovery. In the water and wastewater sector a tight collaboration with the IKI FELICITYII program on mobilising low carbon infrastructure investments has been taking place.

## 2. Tasks to be performed by the contractor

“Green Recovery” is the priority goal of the Ukrainian government, the EU and civil society organizations in Ukraine. It aims at facilitating a science-based, systematic, and coordinated approach to rebuilding Ukraine in a sustainable and environmentally responsible manner. At a DIAPOL-CE funded **workshop ‘Green Criteria for Public Investment Management in Ukraine’ at 08.12.2025**, the present state and future possibilities for developing and applying **Green Criteria to public investments for the green recovery of Ukraine were discussed with Ukrainian experts**. It was agreed that future projects should be selected inter alia on basis of requirements of safety, environment and climate mitigation and resilience. In principle, this should be based on the EU-Environmental-Acquis, including the six environmental goals for the EU-Taxonomy, the Do No Significant Harm (DNSH)-principle, as well as the New European Bauhaus. Further, OECD DAC Rio Markers which are reflected in the EUs budgetary planning and monitoring should be considered.

As the workshop highlighted, the **development and application of Green Criteria is facing many challenges: Green Criteria should**

- **be pragmatically implementable**, specifically in times of war.
- help to **identify development paths for a green transition** and help to avoid lock-ins in fossil or otherwise dangerous and harmful approaches of recovery
- **support the identification of high-risk projects at early stages** of project preparation as regards climate, environment and biodiversity impacts.
- **enable a prioritisation of project proposals** according to their expected environmental impacts.

Currently, **various approaches** for the development of pragmatic methods, tools and procedures are under discussion. Amongst them are **Strategic Environmental Assessments (SEA) and Economic Impact Assessment (EIA)** as well as criteria based on the **DNSH** principle. On this background, questions arise on the **eligibility of such instruments** respectively the need for exploiting their capacities **for the purpose of supporting the green recovery process** in Ukraine.

In this context, it was helpful to **assess the capacities of SEA**. With support from the DIAPOL-CE project, the present state of SEA implementation in terms of law, guidance for its application in Ukraine and the implementation for the Ekostoky programme for wastewater treatment were analysed in the year 2025 (see attached documents in the "Annex GIZ documents for SEA tender" zip folder, which will be sent to bidders after registration). Based on the results and recommendations, it is envisaged to **present the capacities and limitations of SEA** as an instrument for supporting the green recovery process in Ukraine in a **knowledge product**.

Furthermore, to broaden the perspective and inform ongoing discussion, e.g. in relation to the proceedings of the upcoming Ukraine Recovery Conference and the work of the Ukraine Green Recovery Platform, partly funded by BMUKN an overview on other methods and tools which might be useful for (pragmatically) guiding the process of green recovery (especially public investment management) shall be presented. The publication shall summarize options and inspire the ongoing discussion on the methods and procedures for enabling a green recovery process in Ukraine. To enhance the impact of the knowledge product, its presentation at key follow up events and advisory services for follow-up steps are intended.

The contractor is responsible for providing the following services:

- Elaboration of a knowledge product and provision of follow-up advisory services capacities and limitations of SEA and potential derivate instruments for providing environmentally and climatically safe investments in green recovery processes in Ukraine (at the example of the existing information on the water and wastewater sector).
- The overall objective of the assignment is to build on existing analytical results (from a 2025 DIAPOL-CE analysis; see Annex GIZ documents for SEA tender), further assess the SEA framework and its practical application in Ukraine, explore complementary instruments for integrating green criteria into investment decision-making, and provide actionable recommendations in form of a knowledge product as well as support to ongoing policy dialogue processes.
- A publication (knowledge product) shall synthesise key outcomes of the previous DIAPOL-CE funded analysis and present them in a structured and accessible format, including an executive summary and a concise technical report (between 10-20 pages, to be agreed in a kick-off meeting). It will also provide an overview chapter on complementary tools and methods relevant for environmentally sustainable planning and public investment decision-making. The knowledge product shall serve as a basis for further policy dialogue, capacity development, and alignment with EU environmental acquis. A major part of the publication shall focus on the SEA experience in Ukraine (as assessed during the previous DIAPOL-CE funded exercise). Based on the numerous available outcome documents from the study on 'Improving SEA procedures in Ukraine (see attachment)', the consultant shall prepare a summary of key findings and conclusions. This shall be at first hand done in the strict sense of SEA, considering the regulatory requirements and procedures.
- Secondly, SEA principles in a more open sense can be understood as a toolbox which can help to safeguard environmental safeguard quality of plans and programmes in the context of a green recovery. For example, SEA can comprise various tools for assessing political measures in an early stage such as cause-and-effect matrix, indicator- and

criteria-based impact assessment, trend-analysis, comparison of alternative development paths or project designs.

- Respectively, the consultant shall provide a brief overview of additional methods and tools with a high potential for safeguarding green recovery plans and funding schemes. Those can cover DNSH-assessments (which will play a crucial role in the next Multiannual-Financial-Framework of the EU), technical standards as for example codified in BREF (Best Available Techniques Reference Document), exclusion criteria and multi-criteria assessment, etc.
- The guiding question for the choice of such methods and tools is: Which methods are effective and suitable for assessing ex ante the environmental effects of plans and programmes as well as individual projects? And are they helpful to develop practical proposals for minimising negative environmental impacts and increasing positive environmental impacts (e.g. through the implementation of (minimum) standards, exclusion of harmful technologies, deployment of best available technologies)?
- The publication should consist of an executive summary (1-2 pages) and a technical report (10-20 pages, actual volume and format will be discussed in kick-off).

### **Tasks:**

#### **Task 1: Consolidation of existing results and development of SEA knowledge base (knowledge product development) – up to 10 days**

- The Contractor shall build on existing analytical results related to Strategic Environmental Assessment (SEA) in Ukraine and consolidate them into a structured knowledge product, which will serve as broadly useable status quo communication document for the Green reconstruction discourse in Ukraine.
- This shall include the review and synthesis of available reports, background studies, and materials developed under previous project activities.
- The Contractor shall structure and refine these findings in a way that allows their integration into a coherent publication, presenting SEA both as a regulatory instrument and as a practical analytical tool supporting environmentally sound decision-making.

#### **Task 2: Analysis of complementary instruments for green recovery and investment decision-making (Analysis and toolbox development) – up to 10 days**

- Building on the SEA baseline, the Contractor shall conduct additional targeted analytical work on complementary instruments and approaches that support the integration of green criteria into public investment planning and decision-making.
- This shall include the assessment of approaches such as the DNSH principle, multi-criteria analysis, and other relevant tools derived from the EU environmental acquis and international best practices. Where relevant, linkages to ongoing initiatives, including the Green Recovery Platform and civil society-driven action, shall be considered.
- The objective of this stage is to provide a broader toolbox of instruments that can support environmentally sustainable and climate-resilient recovery and to identify practical combinations of tools applicable in the Ukrainian context. A short reference to this toolbox shall be included in the knowledge product under Stage 2.

#### **Task 3: Stakeholder engagement, synthesis, and follow-up support (follow-up and policy dialogue)- up to 15 days**

- In a flexible and demand driven way, steered by DIAPOL-CE/GIZ Ukraine, the contractor shall engage with key Ukrainian stakeholders, including representatives of public authorities, sector experts, and civil society organisations, in order to validate analytical findings, collect practical insights, and identify implementation challenges and capacity gaps.

Flexible follow-up tasks can among other include activities like:

- Development of a gap analysis and practical recommendations for improving SEA procedures and integrating complementary instruments into planning and decision-making processes.
- Designing and delivering an online capacity development workshop to present key findings, strengthen institutional understanding, and facilitate exchange between stakeholders.
- Providing flexible analytical and advisory support to the client, as reasonably required, including support to follow-up discussions, preparation of briefing materials, and contributions to policy dialogue processes in Ukraine. This support shall ensure responsiveness to evolving priorities and enhance the uptake and practical relevance of the assignment results.

Certain milestones, as laid out in the table below, are to be achieved during the contract term:

<b>Milestones / process steps</b>	<b>Deadline / place</b>
<b>Task 1: Consolidation of existing results and development of SEA knowledge base</b>  / Kick-off meeting conducted, scope and approach agreed in line with latest developments in the partner system. Existing analytical materials reviewed and consolidated; SEA legal and methodological framework assessed; structured baseline for further work prepared; outline of the knowledge product	1 month after start / virtual
<b>Task 2: Analysis of complementary instruments for green recovery</b>  / Analysis of complementary instruments (e.g. DNSH, multi-criteria approaches) completed; linkages to green recovery context identified. Stakeholders are consulted and results are embedded in current UA policy framework; Findings are summarized and integrated in the knowledge product	2 months after start / virtual
<b>Task 3: Stakeholder engagement and follow-up support; including capacity development support</b>  / Knowledge product presented at adequate political/technical event. Structured synthesis and gap analysis completed; practical recommendations provided  Additional analytical inputs, briefings, and support to follow-up discussions provided as required by Client (partner system); Demand oriented capacity development workshop conducted	3 months after start + should be finished by mid of November / virtual

**Period of assignment:** GIZ shall hire the contractor for the anticipated contract term, from August 2026 to 15.12.2026.

### 3. Concept

In the tender, the tenderer is required to show *how* the objectives defined in Chapter 2 (Tasks to be performed) are to be achieved, if applicable under consideration of further method-related requirements (technical-methodological concept). In addition, the tenderer must describe the project management system for service provision.

Note: The numbers in parentheses correspond to the lines of the technical assessment grid.

#### Technical-methodological concept

**Strategy (1.1):** The tenderer is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1 Context) (1.1.1). Following this, the tenderer presents and justifies the explicit strategy with which it intends to provide the services for which it is responsible (see Chapter 2 Tasks to be performed) (1.1.2).

The tenderer is required to present the actors relevant for the services for which it is responsible and describe the **cooperation (1.2)** with them.

The tenderer is required to present and explain its approach to **steering** the measures with the project partners (1.3.1).

The tenderer is required to describe the key **processes** for the services for which it is responsible and create an **operational plan** or schedule (1.4.1) that describes how the services according to Chapter 2 (Tasks to be performed by the contractor) are to be provided. In particular, the tenderer is required to describe the necessary work steps and, if applicable, take account of the milestones and **contributions** of other actors (partner contributions) in accordance with Chapter 2 (Tasks to be performed) (1.4.2).

The tenderer is required to describe its contribution to knowledge management for the partner (1.5.1) and GIZ and to promote scaling-up effects (1.5.2) under **learning and innovation**.

**Further requirements (1.7):** *The tenderer is required to describe how the services provided will build on the existing knowledge of the partner system on SEA and other environmental policy instruments and its relevance for green recovery in Ukraine.*

### 4. Personnel concept

The tenderer is required to provide personnel who are suited to filling the positions described, on the basis of their CVs (see Chapter 7), the range of tasks involved and the required qualifications.

The below specified qualifications represent the requirements to reach the maximum number of points in the technical assessment.

#### Tasks of the key expert

- Overall responsibility for the advisory packages of the contractor (quality and deadlines)
- Coordinating and ensuring communication with GIZ, partners and others involved in the project
- Implementation of tasks
- Regular reporting in accordance with deadlines

### Qualifications of the key expert

- Education/training (2.2.1): university degree (German 'Diplom'/Master) in environmental economics, political sciences, natural resource management, law or public administration
- Language (2.2.2): C1-level language proficiency in English and C1-level German
- General professional experience (2.2.3): 15 years of professional experience in environmental assessment, policy analysis, and evaluation of public programmes and projects, including extensive international experience in development cooperation.
- Specific professional experience (2.2.4): 15 years of professional experience in Strategic Environmental Assessment (SEA), Environmental Impact Assessment (EIA), and Do-No-Significant-Harm (DNSH) assessments, including application in EU-funded programmes and policy frameworks; cooperation experience on adaptation measures from systemic climate risk assessments
- Leadership/management experience (2.2.5): 15 years of experience in leading and managing complex analytical assignments, including coordination with stakeholders and facilitation of policy dialogue processes
- Regional experience (2.2.6): 3 years of experience in projects in Ukraine and relevant cooperation with international organisations in the fields of energy transition, climate policy, and environmental assessment (region),
- Development cooperation (DC) experience (2.2.7): 15 years of experience in DC projects
- Other (2.2.8): 3 years of experience in linking SEA and EIA with relevant policy processes, institutional frameworks in Ukraine



## 5. Costing requirements

Specification of inputs below. The work should be implemented remotely, no travel foreseen.

Fee days	Number of experts	Number of days per expert	Total	Comments
Designation of key expert	1	35	35	
Other costs	Number	Price	Total	Comments
Flexible remuneration	1	EUR 1000	EUR 1000	A budget of EUR 1000 is foreseen for flexible remuneration. Please incorporate this budget into the price schedule.  Use of the flexible remuneration item requires prior written approval from GIZ.

## 6. Inputs of GIZ or other actors

GIZ and/or other actors are expected to make the following available:

- Relevant documents and linkages to policy processes as required for the tasks.

## 7. Requirements on the format of the tender

The structure of the tender must correspond to the structure of the ToR. In particular, the detailed structure of the concept (Chapter 3) should be organised in accordance with the positively weighted criteria in the assessment grid (not with zero). The tender must be legible (font size 11 or larger) and clearly formulated. It must be drawn up in English (language).

The complete tender must not exceed 7 pages (excluding CVs). If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment. External content (e.g. links to websites) will also be considered. Please identify the external content with its date of creation.

The CVs of the personnel proposed in accordance with Chapter 4 of the ToRs must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages each. They must clearly show the position and job the proposed person held in the reference project and for how long. The CVs can also be submitted in German or English.

Please calculate your financial tender based exactly on the parameters specified in Chapter 5 Quantitative requirements. The contractor is not contractually entitled to use up the days, trips, workshops or budgets in full. The number of days, trips and workshops and the budgets will be contractually agreed as maximum limits. The specifications for pricing are defined in the price schedule.

## **8. Annexes**

- Minutes of the National Workshop “Green Criteria for Public Investment Management in Ukraine” [696a1d2bf7550b257c8c3fd1](#)
- Compilation of existing GIZ works on review of SEA for Ukraine (1 zip folder --> 8 documents)