

## ANNEX II: TERMS OF REFERENCE

<b>1.</b>	<b>BACKGROUND INFORMATION .....</b>	<b>2</b>
1.1.	Partner country .....	2
1.2.	Contracting authority .....	2
1.3.	Country background.....	2
1.4.	Current situation in the sector .....	2
1.5.	Related programmes and other donor activities.....	4
<b>2.</b>	<b>OBJECTIVE, PURPOSE &amp; EXPECTED RESULTS.....</b>	<b>5</b>
2.1.	Overall objective .....	5
2.2.	Purpose.....	5
2.3.	Results to be achieved by the contractor.....	5
<b>3.</b>	<b>ASSUMPTIONS &amp; RISKS .....</b>	<b>6</b>
3.1.	Assumptions underlying the project.....	6
3.2.	Risks.....	6
<b>4.</b>	<b>SCOPE OF THE WORK.....</b>	<b>6</b>
4.1.	General.....	6
4.2.	Specific work .....	7
4.3.	Project management.....	8
<b>5.</b>	<b>LOGISTICS AND TIMING .....</b>	<b>9</b>
5.1.	Location .....	9
5.2.	Start date & period of implementation.....	9
<b>6.</b>	<b>REQUIREMENTS.....</b>	<b>9</b>
6.1.	Staff.....	9
6.2.	Office accommodation.....	12
6.3.	Facilities to be provided by the contractor.....	13
6.4.	Equipment .....	13
6.5.	Incidental expenditure.....	13
6.6.	Lump sums .....	14
6.7.	Expenditure verification.....	14
<b>7.</b>	<b>REPORTS.....</b>	<b>14</b>
7.1.	Reporting requirements.....	14
7.2.	Submission & approval of reports.....	16
<b>8.</b>	<b>MONITORING AND EVALUATION .....</b>	<b>16</b>
8.1.	Definition of indicators .....	16
8.2.	Special requirements .....	16

## BACKGROUND INFORMATION

### 1.1. Partner country

Viet Nam

### 1.2. Contracting authority

European Commission

### 1.3. Country background

Viet Nam continues to experience high economic growth compared to regional and global economies. Average gross domestic product (GDP) growth rate reached approximately 7.0 % during 2001-2010, dropped to around 5.8 % during 2011-2015 and gradually recovered to 6.8 % from 2016 to present. This economic growth, in combination with urbanisation and rapid population growth, has boosted demand for energy in general and electricity in particular. In 2015, total primary energy (PE) supply in Viet Nam was 70,588 kiloton of Oil Equivalent (KTOE). According to the final draft National Power Development Plan (PDP 8) for the period 2021-2030, vision 2045, which has been submitted to the Prime Minister for approval, Viet Nam's power demand is forecasted to increase on average by 9.1% and 7.9% annually for the period 2021-2025 and 2026-2030, respectively. Accordingly, domestic power supply capacity would need to increase almost twofold, from 69,258 MW in 2020 to 137,662 MW in 2030. This growth rate is considered high compared to the region and the rest of the world.

Viet Nam has substantial hard coal reserves. However, the demand in industry and for power generation is so high that the country became a net importer of coal since 2015. Oil and gas reserves are also substantial and mainly located offshore. Exploration is ongoing and is expected to increase proven reserves further. Viet Nam is a net exporter of crude oil, but a net importer of refined oil and is planning the extension of national refining capacity. All of the country's gas production is consumed nationally, with import of Liquefied Natural Gas (LNG) planned. The proportion of thermal gas power is estimated to increase from 7 GW in 2020 to 13.5 GW in 2025 and 28-33 GW in 2030. More than 10 LNG power projects and terminals are foreseen under the Gas Master Plan for the period up to 2025, vision 2035. The first LNG terminal (Thi Vai) in Vung Tau is expected to start test runs and commence operation in 2021. Viet Nam has increasing interest in taking part in a future regional gas market and exchange of best practices within ASEAN is increasing. This trend increases Viet Nam's exposure to energy market volatility and therefore affects its energy security.

The Government of Viet Nam is well aware that it needs to balance the need for increasing energy supply for socio-economic growth with ensuring energy security and environmental protection. This implies working simultaneously on two strategic dimensions: (i) enhancing energy efficiency to allow for savings and improving energy performance to reduce losses; and (ii) shifting the energy mix towards reducing fossil fuel, promoting efficient exploitation and increasing the portion of renewable energy in energy production and consumption, and reducing greenhouse gas emissions from the energy sector.

### 1.4. Current situation in the sector

Viet Nam's Socio-Economic Development Strategy (SEDS) 2011-2020 lays the foundation for Viet Nam to become a modern, industrialized society, well integrated into the international economy and defines three breakthrough areas: (i) promoting human resources development, (ii) improving market institutions, and (iii) infrastructure development. The new SEDS 2021-2030 and Socio-Economic Development Plan (SEDP) 2021-2025 have been adopted in 2021. Objective of the new SEDS is for Viet Nam to become a developing country with modern industry and upper middle-income level by 2030. The three breakthrough areas can be summarised as (1) improvement of market economy and government institutions, (2) development of human resources, technology

and innovation, and (3) development of infrastructure and connectivity. Energy policy is a key element of the Government's development policy. In particular, it is viewed as a way to promote poverty reduction, social equality and economic development.

Overall energy policy in Viet Nam is guided by the National Energy Development Strategy to 2020, vision to 2050 (NEDS), adopted in 2007. An evaluation of the NEDS is on-going and a new NEDS to 2030, vision to 2050, is expected to be adopted in 2021. The policy focus over the last 5 years has been on the Electricity Law, adopted in 2004 and amended in 2012, and on the seventh National Master Plan for Power Development for 2011-2020, vision to 2030 (PDP7) adopted in July 2011 and revised in March 2016. This reflects the priority to increase electricity supply.

In February 2020, the Politburo adopted the Resolution 55 on Orientations for National Energy Development Strategy to 2030, vision 2045. It paves the way for the development of the new National Energy Development Strategy and the eighth National Master Plan for Power Development (PDP 8) for the period 2021–2030. The Resolution aims at (i) fast and sustainable energy development; (ii) creating favourable conditions for all economic sectors, particularly the private sector, to participate in sustainable energy development; and (iii) eliminating subsidies, monopolies, opaqueness and unfair competition in the energy sector, etc.

In October 2020, the Government adopted the Resolution no. 140 promulgating the Government's Action Programme for implementing the Politburo's Resolution No. 55. The Action Programme identifies a set of tasks, including the revision of the Electricity Law and development of the Renewable Energy Law, assigned to different line ministries,

In the United Nations Framework Convention on Climate Change (UNFCCC) Paris Agreement in 2015, Viet Nam committed to 8% greenhouse gas (GHG) emissions reduction by 2030 compared to the business as usual (BAU) scenario in its Nationally Determined Contribution (NDC) and with international support GHG reduction could increase up to 25 %. The Government updated the NDC in July 2020. The GHG emissions reduction by 2030 has recently been increased by 1% (from 8% to 9%) compared to BAU scenario and by 2% (from 25% to 27%) with international support. The updated NDC also added the Industrial Process in the GHG inventory in calculations for the BAU scenarios and GHG reduction, and included several mitigation measures in different sectors.

Within the Government, energy is under the overall responsibility of the Ministry of Industry and Trade (MOIT). Three main departments are in charge of energy:

- Electricity and Renewable Energy Agency (EREA);
- Department of Energy Efficiency and Sustainable Development (DEESD); and
- Oil, Gas and Coal Department.

Beside these 3 departments, the Electricity Regulatory Authority of Viet Nam (ERAV), also under MOIT, acts as the regulator and plays a key role in market-oriented sector reform, including electricity pricing, monitoring supply and demand balance to ensure secure and quality power supply, licensing & dispute settlement.

A Viet Nam Energy Information System (VEIS) is being established under the management of EREA. The list of MOIT agencies and enterprises in provision of and reporting on energy data to EREA for the operation of the VEIS are as follows:

- MOIT's agencies and enterprises: ERAV, DEESD, Oil and Gas Department, Institute of Energy, provincial Departments of Industry and Trade, Petro Viet Nam (PVN), Electricity of Viet Nam (EVN), the Viet Nam National Coal - Mineral Industries Holding Corporation Limited (VINACOMIN), Viet Nam National Petroleum Group (Petrolimex), etc.;
- Other ministries and agencies at ministerial level, other government agencies, non-MOIT enterprises involved in energy production/conversion/consumption: Ministry of Planning and Investment (MPI), Ministry of Transport, Ministry of Natural Resources and Environment (MONRE), Ministry of Agriculture and Rural Development; steel, cement, oil refinement,

bio-material production and distribution, compressed natural gas production and distribution companies, etc.

EREA ensures coordination within the sector. Moreover, the close involvement of the Vice Minister of MOIT in charge of energy contributes to an effective coordination of activities. The establishment of DEESD at the end of 2017 is a positive development, which marks a clear shift in the involvement of MOIT in important horizontal topics such as the implementation of the NDC or the National Green Growth Strategy.

Other key players are MONRE, which leads the Climate Change Action Plan, and MPI, which leads the Green Growth Action Plan, and have therefore a stake in national energy policy.

The Ministries of Transport, Construction, Agriculture and Rural Development, Science and Technology, Training and Education, Finance, and Planning and Investment are key stakeholders of the Viet Nam Energy Efficiency Programme Phase 3 for the period 2019–2030, vision 2050 (VNEEP3). In order to ensure proper coordination of the VNEEP3, the Deputy Prime Minister in charge of industry and trade chairs its steering committee.

EVN, a state-owned enterprise (SOE), and its various operational subsidiaries play a key role in the implementation of the Renewable Energy Development Strategy (REDS) as, for the time being, sole buyer of renewable energy generated. It will also have a key role in the implementation of the VNEEP3, and in the potential development of a Super-ESCO model.

Local and international civil society organisations (CSOs) active in the energy sector coordinate their activities under the umbrella of the Viet Nam Sustainable Energy Alliance, established in 2012.

The private sector has become extremely active in the development of renewable energy projects. With the forthcoming implementation of VNEEP3, it is anticipated that the current limited involvement of the private sector in the energy efficiency business will pick up.

## 1.5. Related programmes and other donor activities

### EU activities

Sustainable energy is one of the two focal sectors of EU - Viet Nam development cooperation for the period 2014–2020. The EU committed to provide a grant of up to EUR 250 million to support a more sustainable energy development in Viet Nam, particularly in the areas of energy access, energy efficiency and renewable energy, under two programmes:

#### *a) Energy Sector Policy Support Programme (ESPSP) of EUR 108 million*

The ESPSP, which started in 2017, aimed at enhancing access to sustainable energy in rural areas of Viet Nam. The ESPSP consisted of a budget support component of EUR 100 million supporting the implementation of the targeted programme on electrification to rural, mountainous and island areas of Viet Nam, and a complementary support measure to the budget support component, the EU - Viet Nam Energy Facility (EVEF) of EUR 8.745 million co-financed by the EU (EUR 7.5 million) and Germany (EUR 1.245 million) and implemented by GIZ through a Delegation Agreement.

The budget support component was completed in 2020, while the EVEF will end on 30 November 2021. The EVEF is a technical assistance facility providing (i) demand driven technical assistance to MOIT and non-MOIT stakeholders; (ii) support to the operation of the Viet Nam Energy Partnership Group (VEPG); (iii) support on monitoring of the ESPSP budget support component; and (iv) implementation of communication and visibility of the ESPSP. See more information about the EVEF at [www.energyfacility.vn](http://www.energyfacility.vn) and its latest progress report for 2020 in attachment 1.

*b) The EU - Viet Nam Sustainable Energy Transition Programme (SETP) of EUR 142 million*

The SETP aims at a sustainable energy transition in Viet Nam through the following objectives: (i) improved energy efficiency; (ii) a larger share of renewable energy in the energy mix; and (iii) improved performance of the Viet Nam Energy Information System (VEIS).

Additional to the above EU bilateral development cooperation in the energy sector, related EU technical assistance has been deployed under the EU Technical Assistance Facility for Sustainable Energy for All Initiative and the EU Global Technical Assistance Facility for Sustainable Energy.

**Other Development Partners activities**

Many other Development Partners (DPs) active in Viet Nam, such as WB, ADB, USAID, UNIDO, GGGI, UK, France through AFD, Germany through KfW and GIZ, Denmark and Italy provide capacity building support in the areas of power sector reform, market development, transmission and distribution enhancement, demand side management/ response, smart grid, energy efficiency and renewable energy promotion and integration in power system, etc.

A mapping of current donors and international support in the energy sector is available at <https://vepg.vn/resources/vepg-documents/>, and updated on a regular basis.

## **2. OBJECTIVE, PURPOSE & EXPECTED RESULTS**

### **2.1. Overall objective**

The overall objective of the EU - Viet Nam Sustainable Energy Transition Facility is to provide complementary support to the EU - Viet Nam Sustainable Energy Transition Programme (SETP) and to the EU support to the energy sector in Viet Nam.

The EU - Viet Nam Sustainable Energy Transition Facility (the Facility) will contribute to the SETP objectives of (i) improved energy efficiency; (ii) a larger share of renewable energy in the energy mix; and (iii) improved performance of the Viet Nam Energy Information System.

### **2.2. Purpose**

The purposes of the Facility are as follows:

- Purpose 1: provide high level demand-driven technical assistance and capacity development in areas of, but not limited to, technology and knowledge transfer through cooperation on areas like research, higher education and R&D for renewable energy and energy efficiency, renewable energy and energy efficiency policy, legal and regulatory frameworks, norms and technical standards, power market analysis, energy governance, energy information systems, energy budgeting and planning.
- Purpose 2: provide support to the operation of the VEPG.
- Purpose 3: support monitoring and implementation of the budget support component of the SETP.
- Purpose 4: support communication and visibility of the whole EU - Viet Nam Sustainable Energy Transition Programme and Team Europe support to the energy sector in Viet Nam.

### **2.3. Results to be achieved by the contractor**

Below is an indicative list of results to be achieved by the contractor. The list will be further reviewed and updated in line with the overall objective and purposes above during the inception period and in the annual work plans of activities based on consultation with relevant stakeholders, and agreed upon by the EU Delegation:

- Enhanced institutional capacities and legal and technical framework for sustainable energy transition;
- Strengthened energy sector policy dialogue through the full operation of the VEPG;
- Evidence-based monitoring and verification methodology/services for assessment of agreed performance indicators (PI) serving disbursement of EU budget support; and
- A communication and visibility plan for Team Europe support, including the SETP, to the energy sector in Viet Nam for Vietnamese and European audience is developed and implemented.

### **3. ASSUMPTIONS & RISKS**

#### **3.1. Assumptions underlying the project**

- The Government remains highly committed to implement its Resolution 140 on implementation of the Politburo Resolution 55 on orientation for energy development strategy and sets ambitious renewable energy targets for the period 2021–2030, vision 2045 (PDP8);
- The objectives set in the VNEEP3 are pursued by the Government;
- MOIT roadmap for development of the VEIS is implemented;
- MOIT remains committed and continues to lead the VEPG, and gradually takes full ownership of the VEPG.

#### **3.2. Risks**

- Government fails to turn its commitment to reform into concrete actions;
- Related stakeholders are unable to define suitable and relevant technical assistance needs for the purpose of the programme or to integrate the TA results in their work;
- Government/MOIT does not allocate sufficient resources for the operation of the VEPG by the end of the Facility.

### **4. SCOPE OF THE WORK**

#### **4.1. General**

##### **4.1.1. Project description**

A Financing Agreement is to be signed by the deadline of 31 December 2021 between the Government of Viet Nam and the EU for the implementation of the SETP, which consists of the following two components:

- A Sector Reform Performance Contract (SPRC) or budget support of EUR 121 million: The budget support component provides direct untargeted budget to the national treasury based on the achievement of 1) a set of agreed general conditions concerning implementation progress of the REDS, PDP8 and VNEEP3, macro-economic stability, public finance management reform, and budget transparency; and 2) agreed performance indicators for disbursement in the area of renewable energy, energy efficiency and energy information system; and
- Complementary support of EUR 21 million for enhancing institutional capacities and the legal and technical framework, support the development of the private sector and increase overall awareness on the benefits of energy efficiency and renewable energy solutions.

The Facility procured under these ToRs is one of the four complementary support measures. They are as follows:

- i. The Facility of up to EUR 8 million will provide, on a demand-driven basis, expertise and capacity development in areas such as technology and knowledge transfer through cooperation on areas like research, higher education and R&D for renewable energy and energy efficiency, renewable energy and energy efficiency policy, legal and regulatory frameworks, norms and technical standards, power market analyses, energy governance, energy information systems, energy budgeting and planning. It would contribute to the achievement of objectives (i), (ii) and (iii) above.

The Facility will also provide support to the operation of the VEPG, which was established in 2017 with EU support and has been fully operational since. Support to the operation of the VEPG is being deployed by GIZ under the EVEF until the end of November 2021. Germany has committed to continue financing GIZ to support VEPG operation from the end of the EVEF until June 2022. The VEPG Terms of Reference is under revision based on the VEPG Stakeholder survey conducted at the end of 2020. The VEPG Steering Committee at its meeting in March 2021 tasked the Secretariat to support the VEPG, working with the Steering Committee and other key stakeholders, in revising VEPG's Terms of Reference for its adoption at the VEPG High Level Meeting tentatively planned in August 2021. See further info about VEPG at [www.vepg.vn](http://www.vepg.vn). The related supporting documents concerning VEPG ToRs are in attachment 2.

MOIT has demonstrated its strong commitment to the VEPG through its allocation of senior staff representatives in the different VEPG structures (MOIT Minister or Vice Minister in the high level policy dialogue meeting, MOIT Vice Minister chairs the VEPG Steering Committee, Directors General or Deputy Directors General of MOIT departments chair the 5 VEPG Technical Working Groups) and allocation of office space for the VEPG Secretariat. However, increased ownership and a more proactive role from MOIT side are still needed to reap full benefits.

The Facility will also ensure the communication and visibility of the SETP and Team Europe action in the energy sector in Viet Nam.

The Facility will cooperate closely with the other three complementary support measures to ensure synergies, and to establish a comprehensive approach that will allow for an inclusive policy dialogue with the Government on sustainable energy transition.

- ii. Awareness Raising Action: Increasing public awareness on the benefits of renewable energy and energy efficiency is a priority for the Government. Social and professional organisations are expected to play a key role to ensure the widespread dissemination of the information. In that context, the EU will support public awareness activities carried out under the supervision of the Government. In addition, increasing gender diversity in the energy sector will be a key priority in the energy transition in Viet Nam.
- iii. Indirect management, tentatively with the United Nations Industrial Development Organization (UNIDO): This entails promotion, stimulation of market demand and adoption of energy efficiency by industry and SMEs for their greater energy performance, reduced carbon footprint and enhanced productivity & competitiveness. This would contribute particularly to the achievement of objective (i) above.
- iv. Indirect management, tentatively with the Global Green Growth Institute (GGGI): It would contribute to the achievement of objective (i) above. It will provide support to local start-ups to create marketable innovative energy efficiency solutions. More specifically, it will provide accelerating programmes, which includes engaging with start-up community, providing technical guidance and financial support. It would also aim at enhancing and creating a national network of innovative energy efficiency start-ups. The project will act as a catalyst to get access to existing financial support schemes such as the SME Development Fund.

#### **4.1.2. Geographical area to be covered**

Viet Nam

#### **4.1.3. Target groups**

The main beneficiaries/users of the Facility will be MOIT and its various subsidiary institutions, and other energy stakeholders like the Provincial People's Committees, relevant Committees of the National Assembly, MPI, the Ministry of Finance, the Ministry of Science and Technology as well as relevant social organisations.

#### **4.2. Specific work**

The Facility will provide technical assistance, policy advice and capacity building to enhance institutional capacities and the legal and technical framework facilitating sustainable energy transition in Viet Nam.

The Facility is responsible for undertaking activities based on the agreed work plan and approved ad-hoc requests. The format of the work plans and ad-hoc requests will be defined during the inception phase of the Facility. The Contractor will develop a detailed plan for the implementation of the inception phase, which will last for three months, for the approval of the EU Delegation within two weeks from the start of the contract. The Contractor is expected to conduct a proper consultation with all related stakeholders for the development of an overall work plan, first year annual work plan and the Facility's mode of operation defining detailed implementation modalities and approval mechanisms under supervision of the EU Delegation and in close collaboration with MOIT during the inception phase.

The tasks expected include the following but are not limited to:

- Provision of timely high quality demand driven technical assistance;
- Take a proactive role in recommending and identifying consultancy assignments and draft ToRs in close cooperation with MOIT and other relevant counterparts;
- Drafting and publication of policy-related research and study;
- Exchange of best practices, expertise, know-how and lessons learnt between EU and Viet Nam;
- Organisation of trainings, meetings, workshops, seminars, conferences, study visits, etc;
- Secretariat support to the operation of the VEPPG;
- Propose and facilitate the implementation of the road map for GoV/MOIT full ownership of the VEPPG by the end of the Facility;
- Sector analysis and setting up related baseline data and verification methodology to measure the achievement of Performance Indicators
- Translate from Vietnamese to English the annual disbursement dossier submitted by the GoV to the EU Delegation for the budget support payments;
- Develop and implement the communication and visibility plan on SETP and Team Europe support to the energy sector.

The contractor must also comply with the latest Communication and Visibility Manual for EU External Action (see [https://ec.europa.eu/europeaid/funding/communication-and-visibility-manual-eu-external-actions\\_en](https://ec.europa.eu/europeaid/funding/communication-and-visibility-manual-eu-external-actions_en)). The compliance with this shall be made an output of the contract and the contractor shall include in its reporting what has been accomplished.

The contractor shall ensure the capitalisation and sharing of knowledge related to the implementation of the project. It concerns observations of technical and pedagogical value, which are interesting for other professionals, and which do not infringe with the obligations of Article 14

of the general conditions of the contract. For sharing such information, the contractor shall use the capacity4dev.eu web platform.

### **4.3. Project management**

#### **4.3.1. Responsible body**

The contract will be directly managed by the Delegation of the European Union to Viet Nam.

#### **4.3.2. Management structure**

The EU Delegation and MOIT will hold the overall responsibility for the implementation of the SETP of which this Facility is a part.

EREA, DEESD, ERAV and any other MOIT department appointed by MOIT will cooperate with the Contractor and the EU Delegation to develop implementation plans in a manner satisfactory to MOIT. MOIT will approve all Terms of Reference for MOIT demand driven technical assistance and related results/deliverables produced by the Contractor. The detailed implementation modalities and approval mechanisms will be further defined during the inception phase.

A Steering Committee will supervise the entire SETP. It will be co-chaired by MOIT, EU and tentatively include representatives of EREA, DEESD, ERAV and entrusted entities identified for implementation of the four complementary measures.

#### **4.3.3. Facilities to be provided by the contracting authority and/or other parties**

MOIT provides office space to the VEPG Secretariat at EREA premises.

## **5. LOGISTICS AND TIMING**

### **5.1. Location**

Viet Nam

### **5.2. Start date & period of implementation**

The intended start date is 03 January 2022 and the period of implementation of the contract will be 70 months from this date. Please see Articles 19.1 and 19.2 of the special conditions for the actual start date and period of implementation.

## **6. REQUIREMENTS**

### **6.1. Staff**

Note that civil servants and other staff of the public administration, of the partner country or of international/regional organisations based in the country, shall only be approved to work as experts if well justified. The justification should be submitted with the tender and shall include information on the added value the expert will bring as well as proof that the expert is seconded or on personal leave.

#### **6.1.1. Key experts**

Key experts have a crucial role in implementing the contract. These terms of reference contain the required key experts' profiles. The tenderer shall submit CVs and statements of exclusivity and availability for the following key experts:

**Key expert 1: Facility Team Leader – sustainable energy expert (1,280 working days)**

The Team Leader will be responsible for the overall management, planning, coordination, implementation and reporting of the Facility and ensure delivering timely quality outputs and the achievement of the Facility's expected results.

*Qualifications and skills*

- A Master's Degree in energy economics, energy policy, engineering (electrical or mechanical), energy and environmental Technologies, or a related discipline;
- Strong leadership skills;
- Excellent communication skills in English (reading / speaking / writing).

*General professional experience*

- At least 12 years of relevant professional experience in the field of the assignment (as a practitioner);
- Extensive experience of working in a complex structure of government ministries and dealing at a senior level with governmental, private sector and other institutions;
- Knowledge of and working experience in Asia would be an advantage;
- Excellent competence in one or more project management software (Microsoft project, etc).

*Specific professional experience*

- At least seven years of relevant international experience in sustainable energy projects in developing countries;
- A thorough knowledge of energy sector, energy policies, energy institutional, legal and regulatory framework and regulatory issues, and understanding of the energy challenges in developing countries;
- Proven experience as a team leader on a long term assignment (over two years);
- Experience with EU energy policy and EU funded projects is an advantage;
- Previous working experience in Viet Nam would be an asset.

**Key expert 2: Technical advisor – energy policies and energy sector institutional and regulatory framework (1,280 working days)**

The Technical Advisor will assist the Team Leader in the overall project management and implementation. He/she will be responsible for the operation of the VEPG. He/she will lead the VEPG Secretariat that consists of Key experts 2 and 3, and be responsible for its role and functions as identified in the approved VEPG Terms of Reference.

*Qualifications and skills*

- A Master Degree in energy policy, energy economics, public administration, engineering or equivalent;
- Excellent communication skills in English (reading / speaking / writing).

*General professional experience*

- At least 12 years of relevant professional experience in the field of the assignment;
- A thorough knowledge of energy sector, energy governance and policies and regulatory issues, and understanding of the energy challenges in developing countries;
- Extensive experience of working in a complex structure of government ministries and dealing at a senior level with governmental, private sector and other institutions;
- Knowledge of and working experience in Asia would be an advantage.

#### *Specific professional experience*

- At least seven years of experience related to energy policy, institutional and regulatory framework (for example power market reform, renewable energy and energy efficiency regulation and support mechanisms, energy information system, etc.) in developing countries;
- Experience in networking, facilitation of policy dialogue and partnership;
- Proven ability to develop solid partnership with high level officials;
- Experience in technical assistance team management is an asset;
- Experience with EU energy policy and EU funded projects is an advantage;
- Knowledge of and working experience in Viet Nam is an asset.

#### **Key expert 3: Senior expert on sustainable energy and Facility Coordinator (1,280 working days)**

He/she will be in charge of the overall coordination of the Facility's activities with all relevant Facility's target groups. He/she together with Key expert 2 will form the VEPG Secretariat and be responsible for its role and functions as identified in the approved VEPG Terms of Reference.

#### *Qualifications and skills*

- A Master Degree in economics, energy, public administration, business administration or equivalent;
- Strong inter-personality and good leadership skills;
- Ability to work in multi-disciplinary teams;
- Excellent communication skills in English and Vietnamese (reading / speaking / writing).

#### *General professional experience*

- At least six years of relevant work experience in the energy sector;
- A thorough knowledge of energy sector, energy policies and regulatory issues, and understanding of the energy challenges in developing countries;
- Extensive experience of working in a complex structure of government ministries and dealing at a senior level with governmental, private sector and other institutions;
- Knowledge of and working experience in Asia, and particularly in Viet Nam, would be an advantage.

#### *Specific professional experience*

- A minimum of five years of professional experience in project coordination, preferably working interaction with government, private sector and other stakeholders;
- A thorough knowledge and understanding of Government of Viet Nam's energy sector structure;
- Substantial networking, facilitation of policy dialogue and partnership experience;
- Proven knowledge and experience of EU project management procedures would be an advantage.

All experts must be independent and free from conflicts of interest in the responsibilities they take on.

#### **6.1.2. Non-key experts**

The profiles of non-key experts for this contract are indicatively in the following areas:

- renewable energy: grid codes, distribution codes for best integration of renewable energy into the power system;
- energy efficiency (e.g. labelling of industrial sector appliances, labelling coding, promotion and establishment of energy efficiency and conservation fund, data quality for monitoring, reporting and verification of the VNEEP3 implementation, etc.);
- energy information systems;
- power market reform (e.g. introduction of the retail power market up to 2024, including support for the revision of the pricing system and mechanism, development of legal framework to ensure competition, demand response in the power market, etc.);
- energy policy and regulatory framework, energy planning;
- energy financing including innovative financing for energy efficiency and rural electrification, public private partnership;
- off-grid options for electricity access in remote and island areas.

This list is indicative. Other technical expertise areas related to the programme objectives will be identified during the implementation of the Facility.

CVs for non-key experts should not be submitted in the tender but the tenderer will have to demonstrate in their offer that they have access to experts with the required profiles.

The contractor must select and hire other experts as required according to the profiles identified in the organisation & methodology and these terms of reference. It must clearly indicate the experts' profile so that the applicable daily fee rate in the budget breakdown is clear. All experts must be independent and free from conflicts of interest in the responsibilities they take on.

The selection procedures used by the contractor to select these other experts must be transparent, and must be based on pre-defined criteria, including professional qualifications, language skills and work experience. The findings of the selection panel must be recorded. The selected experts must be subject to approval by the contracting authority before the start of their implementation of tasks.

Category	Indicative number of working days	Expert profile
Senior A	1,000	At least master degree in relevant technical area At least 12 years of experience in relevant technical areas A minimum of five years relevant international experience in developing countries with international cooperation projects or with international development partners Fluent in spoken and written English
Senior B	1,200	At least master degree in relevant technical area At least 12 years of experience in relevant technical areas A minimum of five years working experience with international cooperation projects or with international development partners Fluent in spoken and written English and Vietnamese
Junior	600	At least master degree in relevant technical areas At least 5 years of experience in relevant technical areas A minimum of three years of working experience with international cooperation projects or with international development partners Fluent in spoken and written English and Vietnamese
<b>Total</b>	<b>2,600</b>	

### 6.1.3. Support staff & backstopping

The contractor will provide support facilities to their team of experts (backstopping) during the implementation of the contract.

Backstopping and support staff costs must be included in the fee rates.

### 6.2. Office accommodation

Office accommodation of a reasonable standard and of approximately 10 square metres for each expert working on the contract is to be provided by contractor.

The costs of the office accommodation are to be covered by the fee rates.

Additionally, MOIT also provides office space for the VEPG Secretariat at EREA premises. Experts supporting the VEPG Secretariat functions will sit part-time at this office. This office's running costs (water, electricity, wifi, etc.) are to be covered by the provision for incidental expenditure.

### 6.3. Facilities to be provided by the contractor

The contractor must ensure that experts are adequately supported and equipped. In particular, it must ensure that there is sufficient administrative, secretarial and interpreting provision to enable experts to concentrate on their primary responsibilities. It must also transfer funds as necessary to support their work under the contract and to ensure that its employees are paid regularly and in a timely fashion.

#### 6.4. Equipment

No equipment is to be purchased on behalf of the contracting authority / partner country as part of this service contract or transferred to the contracting authority / partner country at the end of this contract. Any equipment related to this contract that is to be acquired by the partner country must be purchased by means of a separate supply tender procedure.

#### 6.5. Incidental expenditure

The provision for incidental expenditure covers ancillary and exceptional eligible expenditure incurred under this contract. It cannot be used for costs that should be covered by the contractor as part of its fee rates, as defined above. Its use is governed by the provisions in the general conditions and the notes in Annex V to the contract. It covers:

- Travel costs and subsistence allowances for missions for the experts, outside the normal place of posting, undertaken as part of this contract.
- Travel costs and subsistence allowances for participants in training activities, seminar and workshops;
- Logistic costs for trainings, seminars and workshops organised as part of this contract;
- Expenditure related to communication and visibility actions. A full-time Liaison and Communication & Visibility Officer will be recruited under this budget line. The maximum budget for communication and visibility costs is EUR 500 000;
- VEPEG office running costs (water, electricity, wifi, etc.).

The selection procedures used by the Contractor to select a Project Liaison and Communication & Visibility Officer must be transparent, and must be based on at least three CVs and pre-defined criteria, including professional qualifications, language skills and work experience. The findings of the selection panel must be recorded. The selected candidate must be subject to approval by the Contracting Authority.

The provision for incidental expenditure for this contract is EUR 2,600,000, including 500,000 for communication and visibility action. This amount must be included unchanged in the budget breakdown.

Per diem are daily subsistence allowances that may be reimbursed for missions foreseen in these terms of reference or approved by the Contracting Authority, carried out by the contractor's authorised experts outside the expert's normal place of posting. The per diem is a maximum fixed flat-rate covering daily subsistence costs. These include accommodation, meals, tips and local travel, including travel to and from the airport. Taxi fares are therefore covered by the per diem. Per diem are payable on the basis of the number of hours spent on the mission. Per diem may only be paid in full or in half (no other fractions are possible). A full per diem shall be paid for each 24-hour period spent on mission. Half of a per diem shall be paid in case of a period of at least 12 hours but less than 24 hours spent on mission. No per diem should be paid for missions of less than 12 hours. Travelling time is to be regarded as part of the mission. Any subsistence allowances to be paid for missions undertaken as part of this contract must not exceed the per diem rates published on the website - [http://ec.europa.eu/europeaid/funding/about-calls-tender/procedures-and-practical-guide-prag/diems\\_en](http://ec.europa.eu/europeaid/funding/about-calls-tender/procedures-and-practical-guide-prag/diems_en) - in force at the time of contract signature.

Events and activities organised in Viet Nam under the contract, to be covered from incidental expenditures, will follow the rules laid down in the "UN - EU Guidelines for Financing of Local Costs in Development Co-operation with Viet Nam"

The contracting authority reserves the right to reject payment of per diem for time spent travelling if the most direct route and the most economical fare criteria have not been applied.

Specific arrangements for the approval of incidental expenditure by the Contracting Authority will be agreed upon during the inception phase of the contract.

## 6.6. Lump sums

No lump sums are foreseen under this contract.

## 6.7. Expenditure verification

The provision for expenditure verification covers the fees of the auditor in charge of verifying the expenditure of this contract in order for the contracting authority to check that the invoices submitted are due. The provision for expenditure verification for this contract is EUR 60,000. This amount must be included unchanged in the budget breakdown.

This provision cannot be decreased but can be increased during execution of the contract.

# 7. REPORTS

## 7.1. Reporting requirements

Please see Article 26 of the general conditions. Interim reports must be prepared every six months during the period of implementation of the tasks. They must be provided along with the corresponding invoice, the financial report and an expenditure verification report defined in Article 28 of the general conditions. There must be a final report, a final invoice and the financial report accompanied by an expenditure verification report at the end of the period of implementation of the tasks. The draft final report must be submitted at least one month before the end of the period of implementation of the tasks. Note that these interim and final reports are additional to any required in Section 4.2 of these terms of reference.

Each report must consist of a narrative section and a financial section. The financial section must contain details of the time inputs of the experts, incidental expenditure and expenditure verification.

To summarise, in addition to any documents, reports and output specified under the duties and responsibilities of each key expert above, the contractor shall provide the following reports:

Name of report	Content	Time of submission
Work plan for the inception phase	Detailed time schedules for activities in the inception phase and expected outputs	No later than 2 weeks from the start of implementation
Inception report	Analysis of existing situation, work plan and mode of operation for the Facility defining detailed implementation modalities and approval mechanisms	No later than 3 months after the start of implementation
Monthly update	Short description of the work done in the month, problems encountered, proposed measures and upcoming activities/events	No later than one week after the end of each month.
6-monthly progress report	Description of progress (technical and financial) including problems encountered; updated planning	No later than 1 month after the end of each 6-months implementation period.

	<p>of work for the next 6 months accompanied by an invoice and the expenditure verification report.</p> <p>A section reporting on the impact of the project to date will be included in the report.</p>	
Draft final report	<p>Description of achievements including problems encountered and recommendations.</p> <p>A section reporting on the impact of the project will be included in the report.</p> <p>Recommendations on how to sustain results will also be included.</p>	No later than 2 month after the end of the implementation period.
Final report	<p>Description of achievements including problems encountered and recommendations;</p> <p>A section reporting on the impact of the project will be included in the report.</p> <p>Recommendations on how to sustain results will also be included.</p> <p>A final invoice and the financial report accompanied by the expenditure verification report.</p>	Within 1 month of receiving comments on the draft final report from the project manager identified in the contract.

## 7.2. Submission & approval of reports

An electronic version and one copy of the reports referred to above must be submitted to the project manager identified in the contract. The reports must be written in English. The project manager is responsible for approving the reports.

## 8. MONITORING AND EVALUATION

### 8.1. Definition of indicators

The Contractor shall be asked to assist with the formulation of indicators and benchmarks to measure progress under the Facility.

The following specific performance indicators are chosen because they provide valid, useful, practical and comparable measures of the contract performance towards achieving the expected results.

Indicator	Measurement	Category
Availability of experts	Respect deadline	Quantitative

Quality of experts (timeline and quality of deliverables, etc.)	Perception of expert users and EU Delegation	Qualitative
Timeliness of report/deliverables	Respect of deadline	Quantitative
Quality of report/deliverables	Perception of expert users and EU Delegation	Qualitative

## 8.2. Special requirements

Short-term experts might be interviewed online. The Contractor will be informed at least 10 days before the scheduled interview.

**Attachment 1:** EVEF 2020 progress report

**Attachment2:** VEPG TORs revision supporting documents:

- i. Time schedules and next steps for ToRs revision.
- ii. Draft proposed strategic vision and inputs for ToRs revision, and other related documents for the consultation with Development Partners.

\* \* \*