



TENDER DOCUMENTS

EVALUATION OF THE IMPLEMENTATION OF THE ROADMAP FOR A COMPREHENSIVE COHERENT NETWORK OF WELL-MANAGED MARINE PROTECTED AREAS TO ACHIEVE AICHI TARGET 11 IN THE MEDITERRANEAN

Call for tenders N°06/2018_SPA/RAC

TECHNICAL SPECIFICATIONS

1. INTRODUCTION AND BACKGROUND

The SPA/RAC

The Specially Protected Areas Regional Activity Centre (SPA/RAC) was established by the Contracting Parties to the Barcelona Convention in order to assist the Mediterranean countries in implementing the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean (SPA/BD Protocol). Tunisia has been hosting the Centre since its establishment in 1985. The Centre works under the auspices of the UN Environment/Mediterranean Action Plan (UNEP/MAP) - Barcelona Convention Secretariat, based in Athens, Greece.

SPA/RAC's main objective is to contribute to the protection, preservation and sustainable management of marine and coastal areas of particular natural and cultural value and threatened and endangered species of flora and fauna in the Mediterranean.

For more information, please consult: www.spa-rac.org.

The Regional working programme and Roadmap for marine and coastal protected areas in the Mediterranean developed in the framework of the Barcelona Convention

The Contracting Parties to the Barcelona Convention adopted at their 16th ordinary meeting (Marrakesh, Morocco, November 2009) the "Regional working programme for the coastal and marine protected areas in the Mediterranean including the High Sea" (hereinafter referred to as "[MPA RWP](#)¹"). This Regional programme aims at helping the Mediterranean countries to achieve the Convention on Biological Diversity (CBD) 2012 targets (CBD's Programme of Work on Protected Areas, 2004) by establishing a representative network of marine protected areas (MPAs) in the Mediterranean. The MPA RWP was elaborated by SPA/RAC in consultation with its regional partners: the Agreement on the Conservation of Cetaceans in the Black Sea Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), the International Union for Conservation of Nature Centre for Mediterranean Cooperation (IUCN-Med), the Network of Marine Protected Area Managers in the Mediterranean (MedPAN) and the World Wild Fund for Nature Mediterranean Programme Office (WWF-MedPO).

During their 19th ordinary meeting (Athens, Greece, February 2016), the Contracting Parties to the Barcelona Convention adopted the "Roadmap for a Comprehensive Coherent Network of Well-Managed MPAs to Achieve Aichi Target 11 in the Mediterranean" (hereinafter referred to as "[MPA Roadmap](#)²") as guidance to update and implement the MPA RWP ([Decision IG.22/13](#)³). The MPA Roadmap drafting process was made in consultation with relevant regional partners: ACCOBAMS, IUCN-Med, MedPAN, WWF-MedPO, as well as the General Fisheries Commission for the Mediterranean (GFCM).

¹ http://www.rac-spa.org/sites/default/files/doc_pwmcpa/pwmcpa_en.pdf

² http://www.rac-spa.org/sites/default/files/action_plans/fdr_en.pdf

³ http://www.rac-spa.org/sites/default/files/doc_cop/decision_22.13_en.pdf

The MPA Roadmap was elaborated to guide the Contracting Parties to the Barcelona Convention and harmonize their efforts to achieve the globally agreed Aichi Target 11. The activities proposed in the roadmap were oriented towards achieving the following four objectives:

- Objective 1: Strengthen networks of protected areas at national and Mediterranean levels, including in the high seas and in Areas Beyond National Jurisdiction (ABNJ), as a contribution to the relevant globally agreed goals and targets;
- Objective 2: Improve the network of Mediterranean MPAs through effective and equitable management;
- Objective 3: Promote the sharing of environmental and socio-economic benefits of Mediterranean MPAs, and the MPAs integration into the broader context of sustainable use of the marine environment and the implementation of the ecosystem and marine spatial planning approaches; and
- Objective 4: Ensure the stability of the network of Mediterranean MPAs by enhancing their financial sustainability.

By its Decision IG.22/13, the 19th ordinary meeting of the Contracting Parties to the Barcelona Convention requested SPA/RAC to undertake an evaluation of the implementation of the MPA RWP supported by the MPA Roadmap, and report the results to 20th ordinary meeting of the Contracting Parties (Tirana, Albania, December 2017).

Such report has been prepared with the active contribution of SPA/RAC Focal Points and presented as an information document to the 20th ordinary meeting of the Contracting Parties: [UNEP\(DEPI\)/MED IG.23/Inf.7⁴](https://wedocs.unep.org/bitstream/handle/20.500.11822/21896/17ig23_inf07_engonly.pdf?sequence=1&isAllowed=y). It provided an evaluation of the progress made during the 2010-2016 period, including the state of knowledge country by country, and orientations for further improvement.

Furthermore, according to the MPA Roadmap timeframe, by the end of year 2019, an evaluation should be made at regional level to assess the progress made (including success and possible failure) by the Mediterranean countries towards achieving the Aichi Target 11.

To that end, and during the 2018-2019 biennial period, SPA/RAC is entrusted with the mission of assessing the progress made in implementing the MPA Roadmap by the Contracting Parties.

2. OBJECTIVE

The objective of this consultancy is to conduct the assessment of the progress made (including success and possible failure) in implementing the MPA Roadmap by the Contracting Parties to the Barcelona Convention.

This evaluation should be made under the lead of SPA/RAC and in consultation with the Contracting Parties, the MAP and other Components (Regional Activity Centres and Programmes), ACCOBAMS, GFCM, IUCN, MedPAN, WWF and any other relevant stakeholder or partner.

It should (i) deliver a comprehensive evaluation report on the progress made (success and possible failure) by the Mediterranean countries towards achieving the Aichi Target 11, and (ii) set post-2020 targets for the Mediterranean region.

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https://wedocs.unep.org/bitstream/handle/20.500.11822/21896/17ig23_inf07_engonly.pdf?sequence=1&isAllowed=y

3. SCOPE OF THE WORK, TASKS, OUTPUTS AND DELIVERABLES

The scope of the work will include, but is not strictly limited to, the following:

Phase 1: Collect the available information and data

During this first phase, the consulting firm/consultants should:

- Gather, compile, review and analyze existing knowledge, information and data from various sources (previous similar assessment reports made at regional, sub-regional or national levels; databases, including the Marine Protected Areas in the Mediterranean Database ([MAPAMED](#)⁵) and the Barcelona Convention reporting system; other relevant papers, reports and studies).
- Evaluate the gaps in knowledge to be further assessed based on questionnaires and interviews.
- Propose a set of criteria to assess the progress made in achieving the four objectives and related actions of the MPA Roadmap, at regional, sub-regional (when relevant) and national levels. When needed and relevant, these criteria will be reflected in the questionnaire.

Expected deliverables:

- 1.1) A report that includes the list of bibliography and sources of information consulted along with a narrative analysis of the main findings of the reviewed bibliography (and including the actual reports, papers, studies, etc. available for download, or presented as an annex).
- 1.2) A gap analysis of the gaps in knowledge to be addressed in the following phase of the study.
- 1.3) A set of criteria to assess the progress made in achieving the MPA Roadmap, at regional, sub-regional (when relevant) and national levels.

Phase 2: Prepare questionnaires and run interviews

Based on the available data and identified gaps related to the implementation of the MPA Roadmap, prepare tailored questionnaires to fill those gaps. These questionnaires are intended to the Mediterranean countries/Contracting Parties governments (represented by SPA/RAC Focal Points) as well as to the relevant regional and international organizations, including ACCOBAMS, GFCM, IUCN, MedPAN, WWF, the MAP and its Components and any other relevant stakeholder or partner (to be identified).

For practical reasons, the questionnaires should be set on an online and user-friendly platform of the choice of the consulting firm/consultants (e.g. Survey Monkey, Typeform, Google Forms, etc.).

The questionnaires should be prepared in English and French, both being the working languages of SPA/RAC and communication languages with its Focal Points.

Complementary direct or phone interviews with a sample of SPA/RAC Focal Points and partner organizations (to be set in consultation with SPA/RAC) should take place to better understand the situation of MPAs at national and regional levels and further identify possible weaknesses and challenges that hinder the timely and full implementation of the actions proposed within the MPA Roadmap.

⁵ <http://www.rac-spa.org/mapamed>

The consulting firm/consultants should perform this direct data collection assignment to the utmost of their abilities, in order to gather the maximum amount of reliable answers and information from the various stakeholders (including through direct communication and interviews), allowing them to produce a consistent analysis of the situation.

Expected deliverables:

- 2.1) Questionnaire to the SPA/RAC Focal Points in English and French;
- 2.2) Questionnaire to the regional and international organizations and partners in English;
- 2.3) A report that includes the answers to the questionnaires (based on the online survey and interviews) and a preliminary analysis of these answers.
- 2.4) A draft table of content of the MPA Roadmap implementation evaluation report.

Phase 3: Analyze the data gathered and draft the evaluation report

Based on all the data and information gathered from the different stakeholders through the desktop study, questionnaires and interviews, make the needed analyses to provide a full and comprehensive overview on the progress made (including success and possible failure) by the Mediterranean countries towards implementing the MPA Roadmap and achieving the Aichi Target 11.

The study at this third phase should deliver a comprehensive evaluation report on the progress made at national and Mediterranean levels towards achieving the Aichi Target 11, and based on the latter, propose a set of post-2020 targets for the region.

The evaluation of the MPA Roadmap implementation should be based on the following main elements:

- Where do we stand?
- What actions have been implemented and what achievements (outcomes, impacts) have been made since 2016, per country and at regional and sub-regional levels?
- What are the gaps and urgent efforts needed to reach the target by 2020?
What are the challenges and steps to tackle beyond 2020?

The study report should be reader-friendly, well-structured and duly backed by meaningful and high-quality illustrations: maps, graphs, infographics, tables, figures, percentages, and other relevant illustrations. The source files and original high-quality illustrations should be provided to SPA/RAC, for the sake of translating and editing the final report and other related material (brochures, presentations, papers, websites, etc.).

The report should include, among other sections, a table of content, an executive summary, a bibliography, results and data analysis, conclusions and recommendations for 2020 and beyond.

An intermediate draft of the report should be submitted to SPA/RAC, on the basis of which the final draft will be produced.

This resulting final draft will be presented as a working document to the 14th meeting of SPA/RAC Focal Points (18-21 June 2019). The comments and feedback made during this meeting should be integrated in the report by the consulting firm/consultants, as needed. The ensuing report will be presented to the MAP Focal Points meeting (September 2019) and subsequently to the 21st ordinary meeting of the Contracting Parties to the Barcelona Convention (December 2019).

The consulting firm/consultants should also provide a 10-minute PowerPoint presentation summarizing in an illustrated and professional manner the context, methodology, findings/results and conclusions/recommendations of the study. This presentation will be made by the SPA/RAC Secretariat during the 14th meeting of the SPA/RAC Focal Points (June 2019).

Expected deliverables:

- 3.1) Intermediate draft of the MPA Roadmap implementation evaluation report;
- 3.2) Final draft(s) of the MPA Roadmap implementation evaluation report, including a comprehensive executive summary of the report (one draft before and the other after the SPA/RAC Focal Points meeting);
- 3.3) A 10-minute PowerPoint presentation on the evaluation report.

4. WORKING LANGUAGES

The working languages of SPA/RAC are English and French. They are also the languages of communication of SPA/RAC with its Focal Points.

The consulting firm/consultants should be aware that the work should be conducted in both English and French languages (readings, consultation, survey, interviews, meetings, etc.).

The expected deliverables and draft evaluation report could be presented in either one of these languages (and preferably in English).

The translation to the other language will be made by SPA/RAC.

5. DURATION, DEADLINES AND SCHEDULE FOR THE IMPLEMENTATION

Knowing that the expected starting date for the assignment will be during the first week of October 2018, the work and its related deliverables should be completed within the following deadlines:

Phase	Deliverable	Deadline
Phase 1: Collect the available information and data	1.1) Report with a narrative analysis and the list of bibliography and sources of information consulted and reviewed	5 November 2018
	1.2) Gap analysis of the gaps in knowledge to be addressed	9 November 2018
	1.3) Set of criteria to assess the progress made in achieving the MPA Roadmap	9 November 2018
Phase 2: Prepare questionnaires and run interviews	2.1) and 2.2) Questionnaires to the SPA/RAC Focal Points and relevant organizations	15 November 2018
	2.3) Report that includes answers to the questionnaires (based on the online survey and interviews) and a preliminary analysis of these answers	28 December 2018
	2.4) Draft table of content of the MPA Roadmap implementation evaluation report	28 December 2018
Phase 3: Analyze the data gathered and draft the evaluation report	3.1) Intermediate draft of the MPA Roadmap implementation evaluation report	15 February 2019

	3.2) Final draft of the MPA Roadmap evaluation report, including a comprehensive executive summary of the report (to be submitted to the SPA/RAC Focal Points meeting)	29 March 2019
	3.3) PowerPoint presentation on the evaluation report	12 April 2019
	Possible participation to the 14 th meeting of SPA/RAC Focal Points	18-21 June 2019
	3.2) Final version of the MPA Roadmap implementation evaluation report (including the comments and feedback of the SPA/RAC Focal Points meeting)	5 July 2019

6. MONITORING, CONTROL AND VALIDATION OF THE WORK

The consulting firm/consultants will work under the supervision of SPA/RAC Director, and in close collaboration with SPA/RAC Programme Officer in charge of Specially Protected Areas (SPAs), in order to discuss, validate and finalize the various steps, tasks and deliverables.

SPA/RAC will facilitate the dissemination of the questionnaires and the contacts with the concerned stakeholders: Focal Points, partner regional and international organizations and other relevant stakeholders.

The consulting firm/consultants will be expected to make imaginative use of online networking, questionnaires, surveys, etc. to obtain the required information, conduct consultations and draw up conclusions and recommendations.

The work is mainly a desk-based assignment. No travel is envisaged.

The participation of the consulting firm/consultants (one expert) to the 14th meeting of SPA/RAC Focal Points will be decided as necessary. The possible participation to this meeting will be paid by SPA/RAC.

7. REQUIRED EXPERTISE, QUALIFICATIONS AND EXPERIENCE

This consultancy is open to consulting firms and/or individual consultants having an experience in the main following areas of expertise:

- Proven experience in coastal and marine protected areas, biodiversity and environmental issues.
- Proven experience in running broad scale evaluations and assessments of marine conservations strategies and programmes.
- Proven experience in running surveys and handling and analysing data.
- Proven experience in reporting, writing and producing reader-friendly illustrated reports and publications.
- Demonstrated ability to work with diverse stakeholders and at international/multi-national level.
- Knowledge and experience with international conventions and agreements.
- Familiarity with the Mediterranean region is an advantage.

The bidder has to provide a team of experts, led by one of them. The team of experts should be composed at least of the following experts:

- Expert 1/Team Leader: A marine biodiversity specialist with extensive knowledge and understanding of coastal and marine protected areas, biodiversity and environmental issues, notably in the Mediterranean region; and with a good experience in running broad scale analysis, evaluations and assessments of marine conservation strategies and programmes. The Team Leader will be responsible of the overall quality of the work and deliverables and the writing and production of the evaluation report. He/she will be in charge of the exchanges and communication between the contractors' team and SPA/RAC. Expert 1 should prove having excellent writing skills in English, and good reading, understanding and speaking skills in French, or vice versa (i.e. excellent writing skills in French, and good reading and speaking skills in English).
- Expert 2: A marine biodiversity specialist in charge of supporting Expert 1 and teamworking with him/her. Expert 2 should have an experience in running evaluations and assessments of marine conservations strategies and programmes, and in running surveys and handling and analysing data. Expert 2 should prove having excellent writing skills in English, and good reading, understanding and speaking skills in French, or vice versa (i.e. Excellent writing skills in French, and good reading and speaking skills in English). Mastering Arabic and other Mediterranean languages would be an advantage.
- Expert 3: A GIS and/or computer science expert in charge of elaborating high-quality geo-referenced maps, graphs, infographics, tables and other relevant illustrations needed for the assessment report.

The bidder could propose more than one expert per position. In this case, and for the bid technical evaluation, the score attributed to this position will be the lowest of the scores calculated for each of the experts proposed for the same position.

On the other hand, one expert cannot be proposed for more than two positions.

ADMINISTRATIVE SPECIFICATIONS

8. CONDITIONS FOR PARTICIPATION IN THE BIDDING

Participants to this tender could be either consulting firms or individual consultants.

Offers may be made by specialized consulting firms, or jointly between consulting firms or between individual consultants or between consulting firm(s) and individual consultant(s), on condition that the leader is clearly identified. The leader being the legal responsible of the mission implementation vis-à-vis SPA/RAC.

9. COMPOSITION AND PRESENTATION OF OFFERS

The submitted offer must include a technical bid and a financial bid.

9-1 Technical bid

It must contain:

- The consulting firm references regarding similar studies. Certificates or any other documentary evidence delivered by the study sponsors, must be provided as proof.
- The CV of the expert(s) (signed/initialed by the expert on every page of the CV) to be in charge to carry out the study with their qualifications, experience and references regarding similar studies (including copies of their university diploma(s));
- A methodological note including: the context of the study, understanding of the terms of reference, objectives of the assignment, detailed methodology, composition of the team of experts and responsibilities of its members. The methodological section should describe the sequence and steps/tasks of the mission, with for each task the necessary means, methodology to be used and expected results/deliverables; and
- A detailed time schedule the consulting firm/consultants intend(s) to apply to implement this mission.

9-2 Financial bid

The financial bid must be expressed in both tax-free and tax-included prices. It should include all the costs connected to the provision of the service. The financial bid should also include the following administrative documents:

- A tax certificate, valid on the bid submission date, proving that the consulting firm/consultants has no outstanding tax obligations.
- A statement delivered by the social security body to which the provider is affiliated stating that all dues have been paid and which is valid on the date of submission.
- A sworn statement of non-bankruptcy.
- A sworn statement that the consulting firm/consultants is in no situation that could in any way be incompatible with the mission or compromise independence in carrying out the mission.
- A sworn statement from each of the members of the team of experts, who are not staff members, confirming that they are willing to participate in the work team to carry out this mission.

Should any administrative documents be missing, the consulting firm/consultants will be contacted to complete the bidding documents. If after a period of 10 days, the documents are still not complete the bid will be eliminated.

10. SUBMISSION OF BIDS

Proposals must be received electronically at the following e-mail address:

car-asp@spa-rac.org, before **2nd October 2018, 23:59 CET**.

E-mails should have the following subject:

"Call for tenders N°06/2018_SPA/RAC - Name of the consulting firm/consultants"

Proposals received after this deadline will not be considered.

11. DEFINITION, CONSISTENCY AND VARIATION OF PRICES

The services provided as part of this assignment consist of an overall fixed and non-revisable cost.

12. TERMS OF PAYMENT

Payment for the mission will be made as follows:

- 30 % after validation of phase 1 and submission of its final deliverables;
- 40 % after validation of phase 2 and submission of its final deliverables;
- the balance after validation of phase 3 and submission of its final deliverables.

Miscellaneous costs: Any expenditure that the consulting firm/consultants deem necessary for the completion of the work (online platform fees, equipment, tools, documents, travel and accommodation, etc.) will be borne by the consulting firm/consultants except for the participation to the SPA/RAC Focal Points meeting if deemed necessary by SPA/RAC.

13. BID EVALUATION PROCEDURE

13-1 Evaluation of technical bids

The technical bids will be first examined, while the financial bids remain sealed.

The following criteria will be evaluated:

1- Consulting firm's general experience and technical references (20 points) (if a consulting firm is involved in the study)

2- Experts / Individual consultants capacity and expertise (45 points) (or 65 points if no consulting firm is involved in the study)

3- Methodology, organization and schedule (35 points)

Criteria			Scoring if a consulting firm is involved in the study	Scoring if no consulting firm is involved in the study
1- Consulting firm's general experience and technical references <i>(References presented by the consulting firm will be assessed according to their nature, number and date of completion. Working experience in the Mediterranean is an asset)</i>	a- Nature and number of similar studies <i>(Documentary evidence delivered by the study sponsors, must be provided as proof)</i>	References concerning the execution of similar studies	15 points maximum <i>(4 points / reference + 1 additional point / reference in the Mediterranean)</i>	N/A
		No references	0 points <i>(in this case the bid is eliminated)</i>	N/A
	b- Date of completion of the three most recent similar studies	Less or equal to 5 years	5 points maximum <i>(2 points / study)</i>	N/A
		Between 5 and 10 years	3 points <i>(1 point / study)</i>	N/A
		Over 10 years	0 points	N/A
	2- Experts / Individual consultants capacity and expertise <i>(Assessment will be based on the number of similar studies the experts have contributed to and the nature of their qualifications)</i>	a- Expert 1 / Team Leader ^(*) , ^(**) <i>(Copies of university diploma(s) should be provided)</i>	Similar studies	15 points maximum <i>(4 points / study + 1 point / study in the Mediterranean)</i>
No study			0 points	0 points <i>(in this case the bid is eliminated)</i>
At least a 4-year university degree in marine biodiversity or related subjects			5 points maximum	5 points maximum
Less than a 4-year university degree; Or a degree in a field far from marine biodiversity or related subjects			0 points	0 points
b- Expert 2 ^(*) , ^(**) <i>(Copies of university diploma(s) should be provided)</i>		Similar studies	10 points maximum <i>(4 points / study)</i>	15 points maximum <i>(4 points / study)</i>
		No study	0 points	0 points
		At least a 4-year university degree in marine biodiversity or related subjects	5 points maximum	5 points maximum
		Less than a 4-year university degree; Or a degree in a field far from marine biodiversity or related subjects	0 points	0 points
c- Expert 3 ^(*)		Similar studies	5 points	10 points

	<i>(Copies of university diploma(s) should be provided)</i>		maximum (2 points / study)	maximum (2 points / study)
		No study	0 points	0 points
		At least a 4-year university degree in GIS and/or computer science	5 points maximum	5 points maximum
		Less than a 4-year university degree; Or a degree in a field far from GIS and/or computer science	0 points	0 points
<p>(*) In case the bidder proposes more than one expert per position, the score attributed to this position will be the lowest of the scores calculated for each of the experts proposed for the same position.</p> <p>(**) One expert cannot be proposed for more than two positions.</p>				
3- Methodology, organization and schedule	a- The methodological note for the study will be evaluated according to the following scale:	Methodology clearly structured and presented, and meets the study terms of reference and objectives	25 points maximum	25 points maximum
		Methodology fairly well presented but still meets the study terms of reference and objectives	15 points	15 points
		Methodology fairly presented and partially meets the study terms of reference and objectives	10 points	10 points
		Methodology not clearly presented and does not meet the study terms of reference and objectives; Or no methodological note presented	0 points	0 points
	b- Organization and schedule	A clear and detailed organization of the work and a realistic planning that respects the deadlines	10 points maximum	10 points maximum
		A clear enough organization of the work and a planning that respects the deadlines	5 points	5 points
		A poor organization of the work or a planning that does not respect the deadlines; Or no schedule presented	0 points	0 points

If the content of a bid is markedly incomplete or differs substantially from more than one technical criterion specified in this tender document, the bid will be eliminated without being rated.

Once the technical evaluation completed, a final technical score will be attributed to each bid; the final overall score will be equal to the arithmetical average of the final individual scores given by the evaluators.

Any bid that has not attained the minimum score of 80 points will be eliminated. In the event no bid obtains 80 points or more, the bidding process will be canceled.

13-2 Evaluation of the financial bids

Once the technical evaluation has been completed, the envelopes containing the financial bids that have not been eliminated during the technical evaluation will be opened.

The evaluation committee will check that the financial bids do not contain any obvious arithmetical errors. Any possible obvious arithmetical errors will be corrected, and the corrected figures will be taken into consideration.

The evaluation committee will then proceed to a financial comparison. The lowest financial bid will receive 100 points. The other bids will be attributed a score based on the following equation:

$$\text{Financial score} = (\text{amount of the lowest bid} / \text{amount of the bid in question}) \times 100$$

The choice of the best bid is achieved by weighting the technical and financial scores using a distribution key on a 80/20 basis. To this end:

- The technical score will be multiplied by a coefficient of 0,80.
- The financial score will be multiplied by a coefficient of 0,20.

The weighted technical - financial scores thus calculated will be added to ascertain the bid with the best technical and financial score.

If two bids obtain the same technical-financial scores, preference will be given to the consulting firm/consultants in the following order:

- having obtained the best technical score.
- having obtained the best total score for experience and qualifications of experts.
- having obtained the best score for methodology.

14. GENERAL CONDITIONS

14-1 Penalty

In the absence of completion by the tenderer of the services at his charge within the contractual deadlines envisaged in Section 5, it will be applied as of right and without notice, a penalty of one hundred-thirtieths (1/300) of the total amount of the contract (All Taxes Included - ATI) for each calendar day of delay.

The amount of the late penalties will be deducted from the accounts. The amount of the penalties is capped at 10% of the total amount of the contract in (ATI) When this ceiling is reached, SPA/RAC reserves the right to terminate the contract at the holder's fault, in accordance with Point 14-6 below, without that the holder cannot raise disputes or claim any compensation.

14-2 Copyright, ownership of documents

All materials produced, including maps and photos, within the scope of this contract are intended for free distribution and will be the property of the sponsor and the names and logos of UN Environment/MAP-SPA/RAC will appear as appropriate; mention will be made of the financial support provided by the European Union.

14-3 Arbitrage, dispute settlement

Every dispute arising from or in connection with this contract shall be solved by way of amicable negotiations by the parties. If not possible, the dispute will be submitted to an independent arbitrator to be jointly designated by both parties. This agreement is deemed to have been made in Tunisia and to be subject to Tunisian law. In case of dispute, the Court of Tunis is competent.

14-4 Liability and insurance

The SPA/RAC does not accept any liability for acts of third parties, accidents, sickness, losses of any kind, however caused arising during the implementation of the specific actions and the production of the relative outputs expected. The tenderer confirms that their selves or any involved staff will be covered by appropriate insurance.

14-5 Force majeure

The tenderer may suspend implementation of all or part of the operation if circumstances (chiefly force majeure) make it too difficult or dangerous to continue. The tenderer must inform the SPA/RAC and provide all the necessary details.

14-6 Cancellation conditions

SPA/RAC could cancel this contract in case of the no respect of the deadline of the execution (Section 5. Duration, deadlines and schedule for the implementation) or of the non-conformity to the content of the service listed in the technical specification of the present tender documents. In case of cancellation, the payment will be done in proportion to the tasks already carried out.