

BOSNIA AND HERZEGOVINA
FEDERATION OF BOSNIA AND HERZEGOVINA
ADDITIONAL FINANCING FOR ENERGY EFFICIENCY PROJECT–ID P165405

TERMS OF REFERENCES

for the Consultant

for provision of services related to drafting the amendments and additions to the Regulation on conducting energy audits and issuing energy certificates and to the Rulebook on minimum requirements for the energy characteristics of buildings

Ref. No. BEEPAF-P165405-CQ-43-CS-23-FBIH

1. Background

The Government of Bosnia and Herzegovina (BH) has recognized the importance of energy efficiency (EE) to support sustainable economic growth and move towards EU accession and has received financing for the Additional Financing for the Bosnia and Herzegovina Energy Efficiency Project (BEEP) from the International Bank for Reconstruction and Development (IBRD) credit funds. The project development objective is to demonstrate the benefits of energy efficiency improvements in public sector buildings and support the development of scalable energy efficiency financing models. The AF BEEP became effective March 2020.

The project is supported by a US\$32 million IBRD credit for BH, which is made available to the two entities, with US\$ 19.23 million allocated to the Federation of Bosnia and Herzegovina (FBH). The project consists of three components implemented separately in each entity:

Component 1: Energy efficiency investments in public facilities

Component 2: Support for the development of scalable financing mechanisms and capacity building

Component 3: Project Management

The project implementation unit (PIU) established within the Federal Ministry of Physical Planning (FMPP) is responsible for the preparation, coordination, management and procurement, contracting, and payments of all goods, works and services related to the project.

This Terms of Reference (ToR) defines the nature and detailed scope of assignment for drafting the amendments and additions to the Regulation on conducting energy audits and issuing energy certificates, including Annexes ("Official Gazette of the Federation of BiH No. 87/18) and to the Rulebook on minimum requirements for the energy characteristics of buildings, including Annexes ("Official Gazette of the Federation of BiH No. 81/19 & No. 85/19) in order to fully transpose following Directives: (i) the Directive on the energy performance of buildings 2010/31/EU EPBD; (ii) the Directive on energy efficiency EED2012/ 27/EU; (iii) Directive (EU) 2018/844/EU on the amendment of Directive 2010/31/EU on the energy performance of buildings and (iv) Directive 2012/27/EU on energy efficiency, in order to fulfill the obligations under the Agreement on the Energy Community.

The Consultant will coordinate activities with, report to and work under the direction of the PIU Project Manager/Coordinator and PIU Technical Experts.

Scope of Work for the Consultant

The main purpose of the assignment is drafting the amendments and additions to the Regulation on conducting energy audits and issuing energy certificates, including Annexes ("Official Gazette of the Federation of BiH No. 87/18) and to the Rulebook on minimum requirements for the energy characteristics of buildings, including Annexes ("Official Gazette of the Federation of BiH No. 81/19 & No. 85/19) in order to fully transpose following Directives: (i) the Directive on the energy performance of buildings 2010/31/EU EPBD; (ii) the Directive on energy efficiency EED2012/ 27/EU; (iii) Directive (EU) 2018/844/EU on the amendment of Directive 2010/31/EU on the energy performance of buildings and (iv) Directive 2012/27/EU on energy efficiency, in order to fulfill the obligations under the Agreement on the Energy Community.

In terms of the Regulation on conducting energy audits and issuing energy certificates, the assignment refers primarily to modification of the Methodology for conducting energy audits, i.e. the algorithm and procedures. In the Rulebook on minimum requirements for the energy characteristics of buildings, it is required to revise and update the algorithm for calculating the energy characteristics of buildings, which refers to the definition of the reference value of primary and final energy consumption.

The scope of the services of the Consultant will include but not be **limited** to the following

- a) Under this assignment the Consultant has the responsibility to design the Work Plan and submit it to the PIU Program Manager / Coordinator for approval.
- b) Perform an analysis of the currently valid Regulation on conducting energy audits and

issuing energy certificates and the Rulebook on minimum requirements for the energy characteristics of buildings

- c) Perform an analysis of the currently valid Cost-optimal Analysis
- d) Perform an analysis of the relevant following Directives: Energy Efficiency Directive EED2012/27/EU and Directive (EU) 2018/844/EU amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency.
- e) Perform an analysis of the new standard for thermal energy calculation in buildings BAS EN ISOISO 52000-1, 52003-1, 52010-1, 52016-1 and 52018-1
- f) Perform an analysis of macro and micro economic indicators in the context of introducing certain requirement for the reference value of primary/final energy consumption in residential/non-residential buildings
- g) Define primary and final energy consumption limit values for non-residential buildings
- h) Define primary and final energy consumption limit values for residential buildings
- i) Define energy efficiency measures for the extensive renovation of existing buildings in order to reach the reference primary/final energy consumption
- j) Define the content and layout of the energy certificate of residential/non-residential/other buildings that consume energy for heating.
- k) Define the nearly zero energy building as the procedure for standardizing the mandatory application of the nearly zero energy building standard for new buildings, with the proposed the deadline for starting the obligatory implementation).
- l) Up-to-date standardized methodologies of energy savings calculation for different building types
- m) Definition of options for EE calculation, according to International Performance Measurement and Verification Protocol (IPMVP) (A, B, C, D), for different building types and EE measures
- n) Prepare and submit first draft of the amendments and additions to the Regulation on conducting energy audits and issuing energy certificates and to the Rulebook on minimum requirements for the energy characteristics of buildings to the PIU Program Manager / Coordinator for approval.
- o) Revise and submit the final versions of the amendments and additions to the Regulation on conducting energy audits and issuing energy certificates and to the Rulebook on minimum requirements for the energy characteristics of buildings to the PIU Program Manager / Coordinator for approval.

Deliverables

- a) Work Plan
- b) All analysis required by the TOR
- c) Up-to-date standardized methodologies of energy savings calculation for different building types

- d) Definition of options for EE calculation, according to International Performance Measurement and Verification Protocol (IPMVP) (A, B, C, D), for different building types and EE measures
- e) Primary and final energy consumption limit values for non-residential and residential buildings
- f) Energy efficiency measures for the extensive renovation of existing buildings in order to reach the reference primary/final energy consumption
- g) Content and layout of the energy certificate of residential/non-residential/other buildings that consume energy for heating.
- h) Nearly zero energy building as the procedure for standardizing the mandatory application of the nearly zero energy building standard for new buildings, with the proposed the deadline for starting the obligatory implementation).
- i) Amendments and additions to the Regulation on conducting energy audits and issuing energy certificates and to the Rulebook on minimum requirements for the energy characteristics of buildings

Duration of Contract

Expected duration of the contract is 6 months during the period from June 2023 to December 2023.

Schedule of Payments

The assignment will be compensated on the basis of the Lump-Sum contract provisions.

The schedule of payments will be as follow:

- 20% of the contract value will be paid upon submission of the Work plan (as described in Terms of References), acceptable to the Client
- 40% of the contract value will be paid upon submission of the final versions of the amendments and additions to the Regulation on conducting energy audits and issuing energy certificates (as described in the Terms of References), acceptable to the Client
- 40% of the contract value will be paid upon submission of the final versions of the amendments and additions to the Rulebook on minimum requirements for the energy characteristics of buildings (as described in Terms of References), acceptable to the Client

Selected Consultant for the assignment performance at the proposal stage will propose timeline for each of the above stated three phases within the methodology of the technical proposal.

Qualification requirements and basis for evaluation

The Consultant should be a qualified firm or joint venture of firms (up to 3 companies for a joint venture) that have demonstrated experience in providing services in area of preparation of regulations and extensive experience in field of energy efficiency. The firm must propose a team capable of successfully carrying out all aspects of the ToR with in-depth experience in the related fields.—The Consultant shall demonstrate their capability to mobilize enough skilled staff for carrying out the project activities within the allocated timeframe as part of the proposal by including in the technical proposal, the Curriculum Vitae of the proposed key staff, including educational background, relevant working experience in similar projects, and by confirming their availability during the period of the contract.

Interested consultants must provide information indicating that they are qualified to perform the services by fulfilling following requirements:

Interested consultants must provide information indicating that they are qualified to perform the services by fulfilling following requirements:

- Company information: name, registration, address, telephone number, year of establishment, contact person for the project, fields of expertise;
- Minimum of 10 years of successful provision of services in the similar assignments in the area of energy efficiency
- Confirmation on no obligations relating to the payment of direct and indirect taxes in accordance with the relevant laws of Bosnia and Herzegovina (may not be older than three (3) months) or with the relevant law of the country from the EOI submitter;
- Hold a license from Ministry of Spatial Planning of the Federation of BiH for performing energy audit and certification of buildings for complex building systems in FBH or of not available will be obtained within 30 days as condition to sign the contract. The Consultant shall provide a confirmation along with the EOI that he will secure the license in case he is selected to submit technical/financial proposals.
- Details of experience in minimum two (2) similar assignments undertaken in last five (5) years, including value of consulting services, location, name of the Client, type of service provided, contract period of execution
- Curricula Vitae (short version, specifying experience in similar assignments, six (6) CVs of key personnel who will be working on the assignment(s) with minimum:
 - Team Leader, responsible for managing/overseeing the entire consultancy contract implementation; University degree (Master's equivalent) in economy, law or financial management; a minimum of ten (10) years of experience in relevant field
 - At least one (1) expert of legal profession, with at least ten (10) years of work experience in relevant field, possibly in regulations drafting related to energy efficiency;
 - At least two (2) graduate architect and/or civil engineers with the competence exam passed and at least five (5) years of work experience in relevant field;
 - At least one (1) mechanical engineer with the competence exam passed and at least five (5) years of work experience in relevant field;
 - One (1) administrative assistant with experience in relevant field

