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# **ROUNDTABLE ON SUSTAINABLE BIOMATERIALS TERMS OF REFERENCE (TOR)**

**Project Title**

Regulatory benchmark and gap analysis of the RSB Principles & Criteria against Brazilian regulations and voluntary programs

**Application Deadline**

September 17<sup>th</sup> 2021

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## 1. ABOUT RSB

The Roundtable on Sustainable Biomaterials (RSB) is a global, multi stakeholder and independent organisation that drives the development of a healthy bioeconomy through certification, innovation, advocacy, and collaborative partnerships. RSB offers workable and practical solutions to ensure the implementation of environmental and social sustainability on the ground and is the world most trusted, peer reviewed global certification system for sustainable biomass production and conversion.

### RSB Recognition

RSB is aligned with the United Nations' Sustainable Development Goals (SDGs). RSB certification is recognised by WWF, IUCN, and the Natural Resources Defence Council as the strongest and the most trusted of its kind. It has been endorsed by SAFUG (Sustainable Aviation Fuel Users Group) for its high level of sustainability assurance and it is increasingly being requested by airlines as an essential part of their biofuel procurement.

Moreover, RSB has also been approved by the European Commission for showing compliance with the sustainability requirements of the Renewable Energy Directive (EU RED), recognised by ICAO as one of the sustainability certification systems to certify sustainable aviation fuel under CORSIA programme and also accepted by the Japanese regulation as a certification system for biomass used in the power plants in Japan, under the FIT system.

RSB enjoys the endorsement of the international NGO community, UN organisations and key stakeholders in the biofuel, biochemical and bioplastic industries. For more information visit [www.rsb.org](http://www.rsb.org).

## 2. CONTEXT AND OBJECTIVE

The RSB Principles & Criteria (RSB P&C) are designed to be globally relevant to a diverse range of feedstocks and energy and non-energy products pathways. For that reason, the global requirements are by nature practices-oriented, and fairly high-level in their description of the requirements. In addition, the RSB P&C are comprehensive in nature, covering many aspects of social and environmental performance relevant throughout the world. During the course of the roll-out of the RSB standard in Brazil, it has become evident that many of the areas addressed in the P&C are also embedded in national regulations and environmental programs.

Stakeholders have commented that it is important that the RSB recognizes and builds upon the existing regulations and programs in place in Brazil to develop an auditor guidance and checklists that are more appropriately targeted towards operators in Brazil. An important aspect in surveying such national indicators is the assessment of the extent to which these criteria are satisfactorily enforced by local authorities.

To support the development of this analysis, RSB is looking for a consultancy service for the **development of National Indicators for the Brazilian context**. The entity providing consulting services must be competent to carry out the activities described below and a commitment to deliver the products according to the schedule.

## 3. SCOPE AND WORK OF THE CONSULTANT

The RSB National Indicators aim to identify which RSB compliance criteria are already covered by national or state law, and to what extent these criteria are satisfactorily enforced by local authorities.

### **Task 1: Identification of Relevant Laws / Regulations**

The consultant will review the current legislative / regulatory framework in Brazil in the context of industry sectors that produce or process biomass and/or biomaterials and which could achieve certification to the RSB Standard.

### **Task 2: Benchmark between the applicable regulatory framework and the RSB Principles and Criteria**

Undertake an evaluation of compliance to determine the extent to which the regulatory framework (Identified in Task 1) can support compliance to the RSB Principles and Criteria Standard.

During this work, the consultant shall identify laws and regulations that overlap or complement the RSB Principles & Criteria (P&C). Using an Excel template based on the RSB P&C, the consultant shall map the RSB indicators to the regulations and laws identified, and indicate the extent to which the existing regulation/law overlaps along the following categories:

1. Full overlap or Exceeds
2. Partial overlap
3. No overlap

The template shall also include a descriptive section for each indicator, in which the consultant will describe the nature of overlap in a one-paragraph narrative. The result of this work shall be a comprehensive review of the federal regulations and laws (environmental and social), and specific environmental regulations for the following States: São Paulo, Mato Grosso, Minas Gerais, Pará, Maranhão, Tocantins, Piauí e Bahia.

The consultant shall also include in the template the specification of applicable evidence that auditors have to consider for the audit for full and partial overlap and specific guidance for those requirements with a partial overlap.

*Please note: if overlaps are found, e.g., that water regulations cover some of the RSB criteria for water use, the auditor would still need to consider evidence of compliance with that law ( e.g. an water permit). In the case of partial overlap, the consultant should put together specific guidance that describes to the auditor which document should be assessed and which gaps have to be verified.*

### **Task 3: Support the Stakeholder Consultation**

Based on the stakeholder list prepared by RSB (including key organisations relevant to the scope of RSB P&C, as such industry, scientific and government and non-government organisations), the consultant will perform a stakeholder consultation, which may include telephone calls, on-line surveys, and virtual interviews. It is estimated to interview 10 stakeholders at this stage.

The stakeholders will be invited to comment on the document produced under Task 2 above, and specifically on some thematic areas that need attention in the Brazilian context (e.g., deforestation, labour rights, health & safety, water conservation etc). Also, the level of law enforcement shall be discussed with the stakeholders.

The consultant will prepare a report which contains the full notes of all stakeholder consultations, a summary of stakeholder comments, conclusions, comments and suggestions received during the stakeholder consultation.

### **Task 4: Build Checklist and Final Report**

The consultant will integrate all information into a written report which summarises the process and findings from the review of information produced in Tasks 1, 2 and 3 . The overall objective of the report will be to provide a roadmap of RSB P&C compliance to certification, in the context of Brazil. The indicators aim to identify which criteria are already covered by the Brazilian laws, thus making the access to certification quicker and easier for farmers, industries, and auditors alike.

In addition to the summary report, the consultant will prepare the final version of task 2 in the format of a checklist in Excel (using RSB P&C general structure provided by RSB team).The checklist will include a “guidance” column to help operators and auditors to interpret the requirement and to identify the types of evidence that can be used for demonstration of compliance.

## 4.1. Deliverables\*

1. List of identified applicable laws and regulations.
2. Draft Excel template filled out including a descriptive section for each RSB indicator, indicating the overlap classification (full, partial or no overlap), specification of proposed audit evidence and audit guidance.
3. Report describing the stakeholder consultation process and comments received.
4. Final National Indicators document, in the format of an “ Auditor checklist” (In Excel) with guidance to auditors and operators.

**\* Please note that the deliverables should be provided in Portuguese. A summary of the findings must be provided in English.**

## 5. SCHEDULE

A detailed schedule must be provided along with the proposal, considering **starting no later than September 2021 and final deliverable within 5 months (no later than February 2022)**. Please note, it is recommended that Task 3 be implemented by December 2021. Payments will be made upon deliveries (after deliverables 1 and 2 and after deliverables 3 and 4). The final schedule must be mutually agreed between the Parties.

## 6. REQUIREMENTS

The consultant requirements include:

- Strong knowledge of the Brazilian legal framework applicable to biomass and biofuels sectors,
- Knowledge of RSB Standard or other sustainability standards with similar approach,
- Demonstrated experience in projects in the country, working on the technical areas of the assignment: agriculture supply chains, bioenergy, biofuels, management of residues, environmental and social impact assessments,
- Based in Brazil, be a Portuguese speaker and with at least intermediary level of English.

## 7. APPLICATION

**Deadline:** September 17<sup>th</sup> 2021.

**Documents required:**

- 1) detailed proposal defining the quote for each outcome.
- 2) at least three references and CVs of the researcher(s) and consultant(s).

**Consultants must send the quote in Brazilian currency (real).**

The documents must be sent to [simone.souza@rsb.org](mailto:simone.souza@rsb.org) and [carolina.grassi@rsb.org](mailto:carolina.grassi@rsb.org).

## 8. EVALUATION CRITERIA

Applications will be evaluated based on fulfilment of the above criteria (consultant requirements, timeline, and documents required) and budget.

## 9. QUESTIONS/DOUBTS REGARDING THIS TOR

Any question or doubt regarding this TOR must be sent to our team at least 3 working days in advance of the application deadline. Please, note that is under Consulting company' responsibility to provide a clear proposal, in accordance with this TOR. In the event of a lack of clarity in the proposal, RSB will not contact the consulting company to request additional information.

## 10. ADDITIONAL REQUIREMENTS

The progress of the project shall be discussed with the RSB's team by joint video or telephone conference. This will typically be on a **bi-weekly basis**, depending on the progress of the study. Note that communication with the RSB's team might happen in both English and Portuguese.

## 11. PAYMENT

Payments will be made upon deliveries. The Consultant shall submit an invoice to the RSB by the 20th day of the calendar month following the completion of a deliverable and the RSB shall make the payment by the 30th of that calendar month.

Payment	Upon delivery of	Payment date*
50% of the quote	Deliverables 1 and 2	30 <sup>th</sup> day of the deadline month
50% of the quote	Deliverables 3 and 4	30 <sup>th</sup> day of the deadline month