

REQUEST FOR PROPOSAL (RfP)

Legal and Regulatory Assessment of the Enactment of the Clean Air Management Act

27 May 2025

1. Background

Breathe Cities: Breathe Cities is a first-of-its-kind initiative from Clean Air Fund, C40 Cities, and Bloomberg Philanthropies to clean our air, cut carbon emissions, and enhance public health in cities around the world. Launched in June 2023 by Michael R. Bloomberg, the UN Secretary-General's Special Envoy on Climate Ambition and Solutions and founder of Bloomberg Philanthropies, and London Mayor and C40 Cities Co-Chair Sadiq Khan, it aims to break down barriers to action and ensure communities around the world have access to clean air.

Breathe Cities brings together air quality data, communities, and city leaders to reduce air pollution and planet-warming emissions by 30% across participating cities by 2030 compared to 2019 levels, which would prevent 55,000 premature deaths and around 111,000 new cases of asthma in children, save \$147 billion in avoided hospitalizations and deaths and avoid 394 megatonnes of CO₂e emissions.

Breathe Bangkok: The Bangkok Metropolitan Administration (BMA) has joined the Breathe Cities Programme as one of the pilot cities in April 2024. The Breathe Cities' support in Bangkok (later referred to as "Breathe Bangkok") will address air pollution in the city and connect it with a broader network of cities that promote global clean air actions. The Breathe Bangkok program, spanning from 2024 to 2026, focuses on two Policy Objectives, including (1) adoption of a strategic and long-term clean air management plan and inclusive and participatory air quality governance, and (2) formulation and adoption of innovative, inclusive and sustainable transport measures to reduce air pollution.

Project: Clean Air Fund is currently accepting proposals to provide a legal and regulatory assessment of the enactment of the Clean Air Management Act as the law may give BMA additional mandates and authorities on air quality policies which can be incorporated into both the annual ad hoc plan and the development of the long-term Clean Air Management Plan (CAMP)

The project will also monitor the legislative process of the Clean Air Management Act as the bill is still subjected to change once it passes the committee into the 2nd reading in the lower house and in the senate.

2. Proposal Guidelines

This Request for Proposal represents the requirements for an open and competitive process. Proposals will be accepted until *5pm GMT+7/ Bangkok Time, 30 May, 2025*. Any proposals received after this date and time will not be accepted. All proposals should include clear timetables, a description of how you will work with Breathe Cities, clear costs, and details on your experience in this area.

The proposal should give the Breathe Cities team evaluators all the information they need to assess your bid. Proposals should be limited to 8 pages (front and back), not including a cover page / letter and attachments. All applications must be submitted in PDF and Microsoft Word formats with at least one inch margins. The text type must be 11 points or larger. **The proposal needs to be submitted in Thai and English.**

Your proposal must include adequate information about how it responds to the evaluation criteria, assumptions about the project, risks you have identified, and appropriate mitigation measures. In addition, your proposal also needs to show that the costs were calculated to enable evaluation of cost reasonableness. Your proposal should be organised accordingly and should include (but is not limited to) the information below:

1. Organisational Profile and Key Staff
 - a. Resumes of proposed key personnel
 - b. Proposed Work Plan and Timeline
2. Management Plan
 - a. Explanation of how the service provider proposes to work with and involve the Bangkok Metropolitan Administration and Breathe Bangkok team - key roles and responsibilities, reporting, change requests, escalation of issues, sign-off of work stages and acceptance criteria.
3. Risk Management Approach
 - a. Description of any risks and assumptions made in planning the project, along with appropriate management and mitigation strategies. Details on how a risk assessment would be completed and what it would include.
4. Budget
 - a. Detailed breakdown of costs in USD and THB for each project task. You must include adequate information about how your costs were calculated to enable evaluation of cost reasonableness. Prospective service provider(s) may apply for either one or both work packages, with a justified budget that aligns with the scope of work package(s) they are applying for.
5. References
 - a. At least two recent references with phone numbers and e-mail contact details.

2.2 Supplier Diversity

Breathe Cities is committed to supplier diversity and inclusive procurement by promoting equity, diversity, and inclusivity in our supplier base. We believe that procuring a diverse range of suppliers gives us a wider range of experiences and thoughts from suppliers and thus best enables us to deliver to the whole range of our diverse cities and the contexts that they operate within.

We strongly encourage suppliers (individuals and corporations) that are diverse in terms of size, age, nationality, gender identity, sexual orientation, majority ownership and control by a minority group, physical or mental ability, ethnicity, and perspective to put forward a proposal to work with us.

2.3

Subcontracting

If the organisation submitting a proposal needs to subcontract any work to meet the proposal's requirements, this must be clearly stated. All costs included in proposals must be all-inclusive of any outsourced or contracted work. Any proposals that call for outsourcing or contracting work must include a name and description of the organisations being contracted.

3. Project Purpose & Scope

The project aims to conduct legal and regulatory assessment of the Clean Air Management Act, including analysis of current framework, legal harmonization, and implementation requirements. The assessment will support BMA in incorporating new mandates and authorities into its annual Ad Hoc

plan and long-term CAMP. The project will also monitor legislative changes during the bill's 2nd reading in both the Lower House and Senate to ensure BMA's readiness for implementation.

The scope of work is anticipated to include the following stages. Responses may propose reasonable alternative approaches, provided all deliverables are met.

Activity 1 Monitoring the Legislative Process of the Clean Air Management Act:

The service provider will closely follow the developments of the Thailand Clean Air Management Act as changes and updates can still be made in the 2nd reading in the Lower House and Senate before the enactment of the law.

Activity 2 Legal and Regulatory Analysis:

The service provider will conduct an in-depth review and analysis of:

- a. Current Legal Framework Assessment:
 - Review of BMA's existing legal authorities and mandates on air quality management
 - Analysis of gaps and limitations in current legal framework
 - Assessment of overlapping authorities between BMA and other government agencies
- b. Clean Air Management Act Analysis:
 - Analysis of changes to legal and regulatory landscape on air quality, by polluting sector (e.g., transport, industry, energy) or policy (e.g., low emission zone)
 - Assessment of BMA's new legal authorities and mandates change under this law
 - Evaluation of enforcement mechanisms and requirements
- c. Applying the new mandates and authorities from the forthcoming Clean Air Management Act on BMA's low emissions zone initiative:
 - Assess national and city-level legal frameworks related to LEZ implementation, focusing on BMA's current and future authority under the new Act
 - Recommend adjustments to the BMA's truck-restriction policy (hours, zones, vehicle types and enforcement) and define permissible vehicle limits (fuel type, age, emissions) for both temporary (e.g., during pollution episodes) and permanent measures
 - Identify legal and institutional gaps by comparing current regulations with LEZ objectives, and propose legal enhancements based on international LEZ best practices tailored to Bangkok
 - Analyse enforcement barriers, assess capacity needs and provide targeted training for BMA and national agencies on legal implementation, compliance, monitoring and public communication
 - Support LEZ policy development through consultative stakeholder workshops and technical input for drafting subordinate regulations under the Act
- d. Legal Harmonization Analysis: Assessment of consistency and potential conflicts with relevant laws, including, but not limited to, Urban Planning Act, Land Transport Act, Public Health Act and other sectoral regulations.
- e. Implementation Framework Analysis:
 - Review of regulatory, legal and administrative instruments that would need to be developed at BMA/provincial level
 - Assessment of institutional arrangements and coordination mechanisms required
 - Identification of potential implementation challenges and solutions

Activity 3 Additional Ad Hoc Support for BMA:

The service provider will provide technical and legal support for BMA through:

- a. Support for Regulatory changes through:
 - Research and develop academic paper on legal/technical aspects
 - Prepare initial draft regulations
 - Organize focus group discussion with key stakeholders

- Revise draft based on stakeholder feedback
 - Submit final draft regulations with technical recommendations
- b. Implementation Support: Provide recommendations and legal opinions on the implementation of the Clean Air Management Act.

Activity 4 Working with Breathe Bangkok's Experts to Incorporate New Legal Mandates:

The service provider will coordinate with other Breathe Bangkok's experts to enhance the annual ad hoc plan and the long-term CAMP by incorporating new mandates and authorities from the Clean Air Management Act into the plans.

4. Budget

The total contract amount for this project will be no more than USD 55,000 including applicable taxes.

5. RfP & Project Timeline

RfP Timeline

Step	Date
Request for Proposals sent out	27 May 2025
Deadline for receiving proposals	3 June 2025
Evaluation of written proposals	4-5 June 2025
Presentation on Proposal	6 June 2025
Selection decision made	9 June 2025
All bidders notified of outcome	10 June 2025

Project Deliverables and Timeline

Description	Duration (suggestive)
Monthly records of legislative process monitoring (Thai/English)	Monthly
Legal and regulatory assessment report with recommendations for BMA's plans (Thai with English executive summary)	Month 5
Final draft regulations with recommendations (Thai)	Month 5
1 training for BMA staff on new mandates and authorities (delivery in Thai with bilingual materials)	Month 6
2 progress meetings and presentations to BMA and stakeholders (Thai)	Month 3 and Month 6

6. Proposal Evaluation Criteria

Proposals will be evaluated by a panel of staff from C40, Clean Air Fund against the following criteria:

Evaluation Criteria	Weighting
Workplan: <i>Work plan demonstrates understanding of project requirements and risks; Robustness of the project delivery and suitability of methodology; ability to meet the requirements listed</i>	10%
Expertise and Experiences <i>Capability, experience, and availability of the proposed team. A doctorate degree in administrative/ environmental law, and experiences working in the legislative process of the Clean Air Management Act in Thailand are required.</i>	50%
Reference	10%
Equity and Ethical Alignment	10%
Value for Money <ul style="list-style-type: none"> • <i>Economy: minimising the cost of resources used / spending less</i> • <i>Efficiency: the relationship between the output from goods / services and the resources to produce them</i> • <i>Effectiveness: the relationship between the intended and actual results</i> • <i>Equity: the extent to which services reach the intended recipients fairly</i> 	20%

7. Submissions

Proposals will be accepted until 5pm GMT+7/ Bangkok Time, 30 May 2025. Any proposals received after this date and time will not be accepted. Please submit proposals via email to:

Miranda Jakubek
Manager, Breathe Cities Coordination and Engagement
mjakubek@c40.org

and

Pongsatorn Greigarn
City Advisor, Breathe Cities, Bangkok
pgreigarn@c40.org

and

Nuttawut Teachatanawat
Breathe Cities Lead - Thailand
nteachatanawat@cleanairfund.org

One-on-one conversations with potential suppliers can expose staff to allegations of collusion. Proposals should be submitted to a member of staff from CAF (i.e. City Lead or Portfolio Manager) and C40 (City Advisor) to protect the integrity of the competitive process.

Disclaimer

Clean Air Fund will not accept liability or responsibility for potential suppliers' costs incurred in preparing a response for this RFP. Neither the issue of the RFP, nor any of the information presented in it, should be regarded as a commitment or representation on the part of the Clean Air Fund to enter into a contractual arrangement. Nothing in this RFP should be interpreted as a commitment by Clean Air Fund or C40 to award a contract to a Potential Supplier as a result of this procurement, nor to accept the lowest price or any tender.