



Approved
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1. BACKGROUND INFORMATION

1.1. Partner country

Republic of Moldova

1.2. Contracting authority

City Hall of Chisinau Municipality

1.3. Country background

Republic of Moldova is a landlocked country in Eastern Europe, bordered by Romania to the west and Ukraine to the north, east, and south. The capital city is Chisinau. Moldova is a parliamentary republic with a president as head of state and a prime minister as head of government. It is a member state of the United Nations, the Council of Europe, the World Trade Organization (WTO), the Organization for Security and Cooperation in Europe (OSCE), the Commonwealth of Independent States (CIS) and the Organization of the Black Sea Economic Cooperation (BSEC) and aspires to join the European Union.

1.4. Current situation in the sector

Providing qualitative, efficient and effective public transport is one of the biggest challenges for public authorities in all countries and Chisinau is no exception in this respect.

The existing legal framework at national level is insufficiently clear with regard to the options of organizing and managing the public transport system. The regulatory framework is affected by a lack of specific provisions on the operation of urban transport and enforcement mechanisms, as well as a lack of policies for the sustainable development of public transport.

The Chisinau street network was formed on the radial scheme, according to which the centre connects to the periphery by several thoroughfares, and the link between the neighbouring areas remained undeveloped. As a result of the considerable increase in the number of vehicles circulating in the municipality, the burden on the road network has increased significantly. Thus, the situation of de-congestion of traffic is very acute and requires considerable and concentrated efforts to solve it. Other causes leading to the aggravation of this problem are inefficient use of the existing street network in the route planning process, lack of parking spaces or unauthorized parking.

The General Directorate for Public Transport of Chisinau municipality is the sole supervisor of passenger transport services, exercising the function of traffic safety control, compliance with legal requirements in the sector, ensuring the coordination of operators, maintaining the transport standards and other acts. Efficient management of the transport system is affected by an insufficient institutional capacity and underdeveloped regulatory framework.

In December 2020 Chisinau City Hall initiated a partnership with Lublin City Hall (Poland) called "Move it Like Lublin – a Chisinau Sustainable Development Initiative". The financial support for this project is provided by the European Union.

The Project's activities aim at supporting the local authorities in Chisinau to transform the city's public transport into more inclusive, safer, more resilient and more sustainable transport. It has 3 main objectives:

- 1) improving urban transport policy at municipal level;
- 2) increasing the institutional capacities of Chisinau City Hall, in line with EU practices in the field of urban mobility;
- 3) enhancing the quality of public transport management in Chisinau by implementing innovative solutions and technologies.

This assignment will contribute to attainment of increased clarity and better understanding of public transport legal framework under first objective of the Project.

1.5. Related programmes and other donor activities

None

2. OBJECTIVE, PURPOSE & EXPECTED RESULTS

2.1. Overall objective

The overall objective of the project of which this contract will be a part is as follows:

- Improvement of the public transportation system in Chisinau.

2.2. Purpose

The purpose of this contract is as follows:

- Review local and national public transport related legislation.

2.3. Results to be achieved by the contractor

- Overview Report of all public transport related legislative provisions at local and national level.

3. ASSUMPTIONS & RISKS

3.1. Assumptions underlying the project

- Next 4 years will be political stability at the level of the Municipal council;
- Project continuity will be ensured until the project finalisation and wrapping-up;
- Government bodies and relevant stakeholders are open to discussion, participation in public hearings, working groups and any other necessary operational meetings regarding project implementation;
- City Hall management, as well as municipal councillors, municipal employees and project staff will have an unimpeded communication and cooperation, with a free exchange of documents, feedback offered in due time and new project documentation elaboration, in order to increase long-term management efficiency at municipal level.

3.2. Risks

- Physical risks – the main physical risks of project actions are related to the COVID-19 pandemic, and possible limitations or movement and travel restrictions.
- Environmental risks – no major environment risks pertaining to the project, except the pandemic risks described above.
- Political risks – The political risk here is not big, as the project assumption is the current administration will be allowed to carry out their 4-year term.
- Economic risks – At this point, we do not foresee major economic risks. The budgeted amounts have been secured.
- Social risks – The major social risks pertaining to project actions can be linked to the negative pandemic effects. From a gender perspective, the project is also elaborated ensuring as much as possible gender equality principles and ensuring a fair representation of people with disabilities when possible.
- Financial sustainability: All equipment acquired during the project will remain within City Hall premises, ensuring continuity of project activities for many years ahead.

- Policy level sustainability: Key project activities pertaining to changing existing provisions and legislation. The best-case scenario is legislation is amended during the project cycle. Worst case scenario, the changes are just initiated during the project cycle, but national legislative authorities not being able to adopt amendments to the legislation according to the policy briefs developed by Public Transport experts within the project, as this domain tends to be overlooked on the national political agenda. Middle scenario is to have just one legislative change during the project implementation, and not 2.

4. SCOPE OF THE WORK

4.1. General

4.1.1. Description of the assignment

The contractor shall perform legal and regulatory review, including review of licensing, permitting, legal and contractual interfaces for public transport operations and enforcement of traffic violations, specifically related to dedicated bus lanes and operations, including governmental, regulatory and commercial participants in the sector.

The study shall take particular consideration of, for public transport, requirements for tariff and revenue collection, operating standards and conditions for transport operations, provisions for integration with other transport modes, and for traffic enforcement, enforcement rights and obligations of city authorities, police and others, use of video imagery for enforcement and for due legal process, including data security and storage obligations.

The contractor shall identify any relevant existing Moldovan laws which could have a negative impact on the structuring of this specific Project, including other transport sector legislation, private contract legislation, public procurement legislation, constitutional provisions, applicable government regulations, company law, laws on finance and security, tax laws, customs regulations and import duties, property legislation, dispute resolution requirements and the efficacy of court proceedings, investment-protection laws and laws governing construction contracts.

In particular, the contractor will comment and suggest necessary changes to the functional and technical specs based on the legal requirements for data bases, in particular, related to ensuring security of personal data. The contractor will also incorporate the existing requirements for ticket requisites to electronic fare technical specifications.

Contractor should also review sector experience in the country and how the identified challenges have been resolved in other transport projects in Moldova and in the region. The contractor will analyse and comment on all other existing or potential legal limitations and risks in relation of the envisaged project, covering restructuring of bus network, fleet purchase and traffic enforcement measures.

4.1.2. Geographical area to be covered

Local and national level

4.1.3. Target groups

- Chisinau City Hall and its relevant subdivisions;
- Project Management Structures;
- Line ministries and other governmental agencies;
- Civil Society;
- Municipal and private transport companies;
- Other interested parties.

4.2. Specific work

- a) Develop a detailed methodology and work plan for the assignment, including recommended data collection instruments and other related documents. A draft will be submitted to the Project Manager for approval;
- b) Perform a desk review of relevant documents and overview public transport regulatory framework;
- c) Study of international commitments of the Republic of Moldova in the field of transport and urban mobility;
- d) Develop an initial report containing the methodology and detailed work plan;
- e) Carry out a complete diagnosis /review of the current transport legislation to determine its relevance with the objectives of the Project;
- f) Involve relevant stakeholders in the analysis process and conduct field visits, when necessary;
- g) Based on the analysis and suggestions of interested parties, formulate proposals to the legislation in force;
- h) Consult proposals to amend legislation with relevant stakeholders;
- i) Develop detailed proposals for meetings with Project structures (PIU, Project Board and Steering Committee) and stakeholders;
- j) Conduct briefing and de-briefing meetings with the Project Implementation Unit, Chisinau City Hall, Municipal General Department of Transport and Roads and other stakeholders as required;
- k) Draft a clear, accessible and usable report, including key findings, lessons learned and recommendations for way forward, and draft the Roadmap for further improving the public transport legislation;
- l) Hold consultations with the Deputy General Mayor of Chisinau, Public Transport Work Group, Project Manager and other stakeholders on the draft report, and integrate their feedback into the final report and Roadmap;
- m) Prepare the final version of the report with all key findings and recommendations (including prioritization of key amendments) and final draft of related Roadmap;
- n) Present and validate the respective reports in a multi-stakeholder technical meeting of the public bodies and civil society in view of gathering participants' feedback and advocating for the implementation of the review recommendations.

4.3. Project management

4.3.1. Responsible body

Chisinau City Hall

4.3.2. Management structure

Project Implementation Unit	Project Board	Steering Committee	Work Group on Public Transport
- plans, prepares and implements every single project action in accordance with the Logical Framework and project calendar	- coordinates the qualitative implementation, in the established terms of the Project actions	- discuss progress, updates and any issues arising during project implementation	- contributes and supports successful implementation of the project actions

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

Meeting facilities at the Chisinau City Hall and the General Directorate of Public Transport and Roads premises.

5. LOGISTICS AND TIMING

5.1. Location

Chisinau City Hall, 83 Stefan cel Mare si Sfant Blvd, MD-2012, Chisinau, Moldova

5.2. Start date & period of implementation of tasks

The Services are expected to start during June 2021 with an implementation period of 4 months.

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

All experts who have a crucial role in implementing the contract are referred to as key experts. The profiles of the key experts for this contract are as follows:

Key expert 1: Team leader

Qualifications and skills

- University degree in Public Administration, Transport or a relevant related discipline, or equivalent relevant professional experience;
- Good knowledge of Moldova's transport legislation (specific examples should be presented with the application);
- Excellent writing, editing and oral communication skills;
- Ability to meet deadlines and set priorities for several tasks;
- Analytical skills;
- A good working knowledge of Romanian, English and Russian languages;
- The candidate should be highly motivated and able to work independently;
- Ability to work in a multidisciplinary environment comprising ministries, departments and government agencies.

General professional experience

- The candidate shall have preferably 10 years' professional experience but a minimum of 5 years is required relevant to the scope of this assignment.

Specific professional experience

- The candidate shall have at least 4 years of proven professional experience in legal acts drafting and law-making;
- Proven experience in assessment and/or evaluation of sectoral strategies implemented nationwide and/or at local level in transport or other related areas;
- Proven experience in international and regional policies and best practices in the areas of transport and mobility is a strong asset;
- Technical evaluation skills to be applied to the assessment e.g., knowledge on evaluation/assessment designs with focused questions; evaluation approaches and methods; and the analytical skills to interpret findings and to formulate conclusions and recommendations.

Key expert 2: Legal Expert

Qualifications and skills

- Advanced university degree in Law;
- Excellent writing, editing and oral communication skills;
- Ability to meet deadlines;
- A good working knowledge of the Romanian language is required for this assignment; English is an asset;
- The candidate should be highly motivated and able to work in team;
- Experience and ability to work with ministries and government agencies.

General professional experience

- The candidate shall have preferably 7 years' professional experience but a minimum of 4 years is required.

Specific professional experience

- The candidate shall have at least 3 years of proven professional experience in developing or implementation of policies, formulation of sector regulations (specific examples should be presented with the application);
- Proven experience in assessment of relevant legislation implemented nationwide and/or at local level in transport or other related areas;
- Proven experience in international and regional policies and best practices in the areas of transport and mobility is a strong asset;
- Analytical skills to interpret findings and to formulate conclusions and recommendations.

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

6.1.2. Other experts, support staff & backstopping

CVs for experts other than the 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 shall select and hire other experts as required according to the needs. The selection procedures used by the contractor to select these other experts shall be transparent, and shall be based on pre-defined criteria, including professional qualifications, language skills and work experience.

The costs for backstopping and support staff, as needed, are considered to be included in the tenderer's financial offer.

6.2. Office accommodation

Office accommodation for each expert working on the contract is to be provided by the contractor.

6.3. Facilities to be provided by the contractor

The contractor shall 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 which is to be acquired by the partner country must be purchased by means of a separate supply tender procedure.

7. REPORTS

7.1. Reporting requirements

The contractor will submit the following reports in Romanian and English language in two originals:

- **Inception Report** of maximum 12 pages to be produced after one week from the start of implementation. In the report the contractor shall describe e.g., initial findings, progress in collecting data, any difficulties encountered or expected in addition to the work programme and staff travel. The contractor should proceed with his/her work unless the contracting authority sends comments on the inception report.
- **Interim Report** of maximum 30 pages to be produced after one month from the start of implementation. In the report the contractor shall describe e.g., key findings, desk review results, data collected, main constraints identified for public transport development and outline of the Final Report. The contractor should proceed with his/her work unless the contracting authority sends comments on the Interim Report.
- **Draft final report** of maximum 50 pages (main text, excluding annexes) in .doc format and according to the outline described in the interim report. This report shall be submitted no later than one month before the end of the period of implementation of tasks.
- **Final report** with the same specifications as the draft final report, incorporating any comments received from the parties on the draft report. The deadline for sending the final report is 7 days after receipt of comments on the draft final report. The report shall contain a sufficiently detailed description of the different options to support an informed decision on transport legislation amendments. The detailed roadmap including the recommendations will be presented in annexes to the main report. The final report must be provided along with the corresponding invoice.

7.2. Submission and approval of reports

The report referred to above must be submitted to the Project Manager identified in the contract. The Project Manager is responsible for approving the reports.

8. MONITORING AND EVALUATION

8.1. Definition of indicators

- Reports submitted and approved by Project Manager.

8.2. Special requirements

None