



Terms of reference – Invitation procedure

Mandate ‘External Evaluation of Motorable Local Roads Bridges Programme- Exit Phase’ for the period 15.05.2024 to 30.09.2024 in Nepal/Seven Provinces

This procedure is based on the Federal Act of 21 June 2019 on Public Procurement (PPA, SR 172.056.1) and the Ordinance of 12 February 2020 on Public Procurement (PPO, SR 172.056.11).

19.03.2024

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1 Abbreviations

AC	Award criteria
EC	Eligibility criteria
FG	Federal Government
GTC	General Terms and Conditions of Business
LG	Local Government
LRN	Local road network
MLRBP	Motorable Local Roads Bridge Programme
MOPID	Ministry of Physical Infrastructure Development
NH	National Highways
PG	Provincial Government
PPA	Federal Act on Public Procurement
PPO	Federal Ordinance on Public Procurement
PRN	Provincial roads network
SRN	Strategic roads network
VAT	Value added tax

2 Purpose of this document

These specifications describe the objectives that are to be pursued and achieved with this object of procurement. It regulates the procedure and form of the submission of tenders and, together with the General Terms and Conditions of the FDFA, the Federal Act of 21 June 2019 on Public Procurement ([PPA, SR 172.056.1](#)) and the Ordinance of 12 February 2020 on Public Procurement ([PPO, SR 172.056.11](#)) serves as the basis for the present procedure.

In the case of an invitation procedure, at least three bids shall be collected, if possible, and the Terms of Reference must also be placed on the [FDFA mandates platform](#). The contract is awarded to the most advantageous tender.

3 Goal and content of the mandate

3.1 Background

Importance of access

There is a strong correlation between poverty incidence and lack of motorable access. Improving access is one of the most effective ways to improve the livelihood of poor people in remote areas, which was the basic impact hypothesis behind the design of this Programme. Improvement of roads with the provision of bridges on them would provide all-weather motorable access to people. With an aim to improve the living conditions of the local people by facilitating all-weather motorable access thereby improving their mobility, SDC initiated Motorable (Local) Roads Bridge Programme (MLRBP) from 2011. The main objectives of the programme were to facilitate improved access to services and opportunities to the people in the programme areas, and to assist national and local governments in adopting appropriate local roads bridge strategy.

New political context

The context has evolved since then with huge structural changes in the government. Before the end of MLRBP Phase III, in September 2015, the new Constitution of Nepal was promulgated, which, ended among others, a centralized unitary system of governance into a federal democratic one. The constitution defines the relationship between the Federal Government (FG) and 753 Local Governments (LGs) and 7 provincial Governments (PGs). The Constitution of Nepal provides exclusive and concurrent rights to each of the governments (FG, PGs, and LGs).

New Government institutions and respective constitutional mandates

Accordingly, National Highways (NH) fell under FG's jurisdiction, provincial road network under PG's and local roads under LGs'. Since then, the GoN approved the criteria for defining national highways. Most of the previous Strategic Road network (SRN) - all NH and main Feeder Roads (FR) are now re-classified as Federal Highways. The Department of Roads (DoR) under the Ministry of Physical Infrastructure and Transport (MoPIT) administers them.

Most of the other (previous) local road network (LRN) were reclassified as Provincial Roads Network (PRN). The PGs and LGs are still discussing on the demarcation between the provincial and local road network. By the end of MLRBP Phase III, the provincial governments with the assistance of Local Roads Bridge Support Unit (LRBSU), in the preparation of Provincial Roads Network Master Plan (PRNMPs), showed that most of the then 25,728 kilometers (km) of District Road Core Network (DRCN) fell under the provincial roads. The Provincial Ministries of Physical Infrastructure and Development (MoPIDs) are now responsible to manage provincial road networks and bridges on them as per the constitutional provision and as defined by the Report on Unbundling of State Functions, 2018.

New arrangements with the Swiss technical assistance (TA) from political, policy and programme perspectives

After the end of MLRBP Phase III, the Phase IV of MLRBP was launched from January 2021 to support all the seven Provincial MoPIDs to support both the Federal and Provincial GoN with **the political objective** to implement the new constitution through the means of planning and executing motorable bridges on Provincial Road Network (PRN). The TA in Phase IV emphasized in assisting the provincial governments on developing - required Act (Provincial Roads Act), which is the key political and legal framework that guides provinces to develop their provincial long and medium term plans (provincial roads transport master plan and priority investment plans) for roads and bridges. Based on which, each province prepares their specific criteria for selection and prioritization of bridges on provincial roads. The Provincial Roads Acts and PNRMPs are the pre-requisites for the programme implementation of Phase IV. The politically endorsed PNRMP becomes an important tool for provincial planning, budgeting and construction of bridges annually.

On policies, the TA stresses on assisting the provinces on developing their bridge standards and norms that reflect and suit their own the socio-economic contexts of each province. In addition, the programme also advises the Federal Government in providing guidelines and formats for standardizing the designs and policies.

Programmatically, the TA in this phase, has shifted its focus to take a backseat by assisting the provinces to take the lead in planning, designing, implementation, in design verifications and monitoring and supervision of construction works for quality assurance. The TA customized the web-based provincial bridge information management system (PBIMS) to be taken over by the province governments, which is expected to strengthen the monitoring, supervision and contracts management of bridges with real time data. Each provincial government is expected to enter, update and manage the information in the PBIMS. This will likely to improve the performance of provincial government in quality control of bridges both in design and execution resulting also to increase the accountability of provincial governments towards its citizens.

The TA in Phase IV provides all the Technical Assistance (TA) supports to the Infrastructure Development Offices (IDOs) at the provinces through Province Roads Bridge Support Units (PRBSUs), the extended arms of Local Roads Bridges Support Unit (LRBSU). The Transport Infrastructure Directorate (TIDs) within the MoPIDs of each province, monitors and regulates the execution of roads bridges executed by IDOs. The respective provinces anchored PRBSUs at their TIDs.

All PRBSUs provide technical support by accompanying the IDOs, TIDs and MoPIDs in bridge planning, designing, design reviewing, procurements, construction supervision and contracts management in all seven Provinces. The Swiss TA support are provided in four different components:

1. Consolidation of initiatives from the last phases to scaling up bridge construction at provincial levels,
2. Research and development for technology transfer
3. Strengthening government institutions, primarily provincial governments from the viewpoint of implementing constitutional mandates of provincial road network and bridges on them
4. Capacity building of government and the private sector (particularly in the areas of design and construction quality control, procurements and contracts management)

Achievements and challenges of the Phase IV

As of July 2023, with the TA from MLRBP phase I to IV, GoN (PGs) constructed **680** motorable bridges in the country. Construction of these bridges made an additional **9,500** km (approximately) of provincial roads all-weather. The numbers of bridges went up tremendously after the provincial governments took the lead as the provincial roads and bridges became their first development priority in the provinces in order to provide regional connectivity to the people of the provinces, which, boosted their economic activities and productivity.

About **5.5 million people** including DAGs living within zone of influence of these bridges now have better access to resources and opportunities using all-weather motorable access provided by bridges. Both public and private vehicles are easily plying along the roads connected by these 680 bridges. These have significantly reduced the freight, and provided timely transportation services to the people conveniently saving time. The freight costs have reduced by about 14.5%, while freight volumes were increased by 30% in the areas served by the operating roads (source: Outcome Monitoring Survey, 2023). This has eased access to markets for the locals to sell their products leading to expand more economic activities in the area. New business emerged in the areas served by the roads. It has also resulted into greater availability and diversity of goods brought into the villages by motorized transports while increasing exports of local products to the regional markets. In addition to this, school buses and ambulances are plying regularly along the roads. With ambulance services operating along the roads, people have timely access to emergency health services. Health post visits by male and female patients have seen respective increases of 31.4% and 18.8% (source: Outcome Monitoring Survey 2023). The construction of these bridges have generated over **1.5 million person days** of employment giving local people CHF 9.5 million as wages, of which, **women benefited** from 11% of total wages.

Along with these achievements on high number of outputs and outcomes resulting to better access and economic benefits, the SDC has also realized that the implementation of constitution is not as easy as it sounds. There were hurdles in the programme implementation, especially, from the perspectives of the behaviours of the GoN both at political and bureaucratic fronts. There is no political and bureaucratic will in any of the provinces to endorse the PNRMPs, which sets the basis for the provinces to identify, define and demarcate the provincial road network, prioritize, select and implement bridges on them. With the absence of clear demarcation of provincial road networks and endorsed PNRMPs in the provinces, the

annual planning and budgeting for motorable bridges are jeopardized. With ever changing political dynamics from federal governments to provinces and the frequent changes of the Secretaries of the MoPIDs, every year new bridges are selected, 40% of which are political and not verified on which roads (provincial or local) they are supposed to be built. Enormous numbers of bridges are planned every year, with resources distributed to many bridges. As a result, there are huge backlogs of bridges that remained to be completed. There are over 800 bridges contracted out for construction, some are active and most are non-active in the seven provinces. The plan and ambition of provinces completely mismatch with their available human and financial resources.

Both the provincial and federal bureaucracies are least interested to streamline the provincial planning system. The Federal Government - DoLI with its central mind-set, still plans, selects, allocates budgets and executes bridges on provincial and local roads through their provincial offices – Local Infrastructure Development Project Office (LIDPO), although it is not their constitutional mandate to do so. This has resulted into duplication of bridges, draining on the limited resources (financial and human) available.

At the provinces, although the Swiss TA emphasizes on institution building of the provincial institutions - IDOs, TIDs, MoPIDs, lack of political willingness of the provincial Ministries to strengthen their institutions is affecting the programme implementation on this front. On one hand, the TIDs and IDOs lack bridge units, with dedicated human resources to plan, implement and monitor the bridge projects. They rely mostly on outsourced consultants for designs and heavily rely on LRBSU and PRBSU human resources for checking and verifying the consultants' designs, and also for supervision of construction works. On the other hand, selecting, contracting out new bridges becomes their priority than to complete the on-going bridges under construction at various stages in the provinces. The contract management is weak at the provinces, there are virtually no sanctions taken against the poor performing contractors, making bridge construction time too lengthy.

Therefore, much of these issues are clearly not associated with the capacities as such, but are more to do with the political economy, short term gains, intentions, where the SDC and LRBSU/PRBSUs have lesser influence to change.

3.2 The external review

This is the last phase of the programme and in this context, the SDC plans an external review of MLRBP taking into consideration of the smooth exit of TA. The external review will look into the efforts and major achievements of the programme, particularly, on the changes that have been made so far '**politically**' and '**institutionally**' on bridge planning and management on provincial roads by the provincial governments in the federalized context. Apart from this, it will also look into the **tangible economic and financial** benefits brought about by the programme on improving motorable access to different services and opportunities by the people. This review will validate the results of **Outcome Monitoring Summaries** that are produced by the programme annually. It is also to draw up lessons from all of these years of operation in order to document the learning for the Swiss and Nepal governments' other similar projects.

The proposed external review will, therefore, focus on two aspects:

How the institutional systems and capacities that were put in place at various levels of the federal (Department of Local Infrastructure as advisors/policy harmonizer/coordination with the provincial governments) and provincial governments institutions – Ministries (budgeting/planning/legal and steering guidance), Transport Infrastructure Directorates (policy guidance, monitoring and regulation) and Infrastructure Development Offices (implementers/contracts managers/quality assurers), specifically from the viewpoint of federal state building and implementation of constitution respecting the constitutional mandates; and at the private sector (consultants, contractors and engineering institutes as service providers to the federal and provincial governments); that have worked well for delivering quality

motorable bridges. And given the evolving context, it will also identify the key areas that the programme needs to focus in the remaining period of timeframe.

How the built bridges have contributed to overall economic development of the country by assessing its wider socio-economic impacts; particularly looking at how benefited people accessed resources and opportunities and increased productivity using the motorable bridges.

This review shall follow the **core principles of Organization of Economic Cooperation and Development - Development Assistance Committee (OECD-DAC) guidelines on external evaluations of the development programmes**. Accordingly, the review will focus on the **criteria of relevance, effectiveness, efficiency, impact, sustainability and coordination**. The sample bridges for review and methodology will be discussed and agreed upon during the inception stage of this external review once the consultant team is selected and put in place.

3.3 Objectives

The overall purpose of the review is to assess: i) institutionalization of bridge building processes within the provincial government systems from the perspective of programme contribution to Federal State Building; and ii) strengthened capacities of all the stakeholders (Provincial government institutions, private sector and engineering institutes) involved in these processes; and iii) the socio-economic and financial impacts of bridges built on provincial roads with the technical supports from MLRBP, especially with respect to the improved productivity due to improved access to different socio-economic services and opportunities. This review should provide valuable insights to plan for the smoother exit of Swiss TA from the programme.

The specific objectives are:

- To review the institutionalization of motorable bridge building processes within the provincial government systems (Ministry of Physical Infrastructure Development (MOPID) Transport Infrastructure Directorate (TID) and Infrastructure Development Offices (IDOs), especially to see how LRBSU/PRBSUs have helped the provincial governments to implement their constitutional mandates specific to bridge building contributing to the overall federal state building.
- To analyse progression of the capacities of all provincial government institutions (MoPIDS, TIDs and IDOs) and the other private sector stakeholders (Consultants, Contractors and educational institutes) involved in the bridge building process focusing on outcome 1 of the programme.
- To review whether the motorable bridges built or being built are resulting in an equitable socio-economic benefit accrued against the costs invested (including the contribution from the Swiss Government and the Government of Nepal (GoN) – focusing on outcome 2 of the programme.
- To validate the results on outcomes reported in the outcome monitoring summaries produced by the programme on annual basis – focusing on both the outcomes of the log-frame.
- To produce a consolidated report that will serve the programme and the SDC with concrete conclusions and provide recommendations for the remaining period of the programme phase to prioritize and focus on.

3.4 Relevant review questions along the following criteria (but not limited to):

A. Relevance:

- How has the context evolved in relation to the changed political and institutional scenario of the country? How has the project adapted in a changed federal context? What level of flexibility has LRBP maintained in-terms of adapting with the change process? To what extent have these been communicated to the stakeholders involved at all the levels, particularly, Federal and Provincial governments?
- Has the project analysed the mandates and functions of different spheres of government in federalization of the sector as defined by the Constitution and the report on unbundling of rights and functions? Is federalization of motorable bridges moving in the right direction?
- How has programme influenced the different spheres of the government as well as development partners to federalize motorable bridge sector and what is SDC's contribution in doing so?
- Has the (centralistic) mind-set of federal government changed in this context? Do provincial governments understand this and do they have convening power to change the dynamics and influence the decisions that the federal government impose on them?
- Is the functioning of GoN institutions¹ (both at Federal and Provinces) efficient? Were the roles of GoN institutions clear and distinct for each spheres of the GoN for this sub-sector? Are there duplications of roles/responsibilities and mandates?
- The implementation of constitution in rolling out the constitutional mandates by respective government institutions seem to have been delayed with the pending endorsement of the Federal Civil Services Act, which is expected to be instrumental in establishing and strengthening the capacities at the provincial level. In this context, whether the Swiss TA intended at strengthening the provincial capacities is relevant?
- And in the absence of the Civil Services Act and subsequently limited human resources in the provincial governments and frequent changes in the officials of the provincial ministries, directorates and offices, has the programme strengthened the capacities of the provinces adequately? Is the theory of change of the programme still relevant?
- Are the activities, outputs and the four components of the program consistent with the intended results and the effects (on beneficiaries)?

B. Effectiveness:

- To what extent have the outcomes and outputs of the programme achieved or are likely to be achieved by the end of the phase? How many people benefitted from MLRBP interventions? What are the changes in terms of people accessing education, health services, markets and livelihood opportunities? These changes must be measured against the number of people accessing services, frequency of services attained in a year, time saved accessing such services, productive utilization of that saved time, cost saved in transportation (goods and passengers). How has the local economy changed roads after bridges in operation, in terms of increased productivity, flow of goods and services within the local and provincial markets, their prices including freight costs, the availability, volumes of import and exports etc. All of these benefits accrued to the people should possibly be converted into monetary values to derive a cost benefit analysis.

¹ To better understand these from the stakeholder's viewpoint, meet shall be required with MoFAGA, DoLI, National Planning Commission, Department of Roads (DoR), Ministry of Physical Infrastructure and Transport (MoPIT), Ministry of Law and Justice (MoLJ), Office of the Prime Minister and the Cabinet of Ministries (OPMCM), Office of the Chief Minister and Cabinet of Ministries (OCMCM), Provincial MoPIDs at the political levels, TIDs, IDOs.

- What were the major factors influencing the achievement/non-achievement of the outcomes and outputs?
- How effective is the Swiss TA in programme implementation and management in reference to the set-up of Local Roads Bridge Support Unit (LRBSU) at the Federal and at the Provincial levels (PRBSUs) – the approaches, systems, processes, right human resources and their deliveries etc.?
- How effective are the mainstreaming of gender equity and social inclusion aspects in programme institutions and implementation?
- How effectively are environmental considerations been taken up in bridge construction?
- How effectively and to what extent have the results been communicated to the key stakeholders involved at all the levels, particularly, at the Federal and Provincial governments?
- To what extent the programme team has developed a critical self-reflection on what they do and how they implement their activities, particularly focusing on outcome and results that they have to achieve. How effectively do the programme team shows its “adaptive and innovative capacities”?
- How effective were the Programme Steering Committee (PSC) in steering, coordinating and supporting the programme implementation at the provincial levels? How effective was the Advisory and Coordination Committee at the Federal level and is it still relevant in the changed context of DoLI’s existence under the Ministry of Urban Development and not under Ministry of Federal affairs and General Administration (MoFAGA)?
- How effective were the implementation of four components of the programme including that of **research and development (R&D)**?

C. Efficiency:

- To what extent were the activities carried out by LRBSU/PRBSUs cost-efficient? What is the overall cost of interventions (technical assistance by SDC Vs. the physical construction costs of the bridges leveraged through the GoN, including the re-current cost of the GoN)? What are costs and benefits of having these bridges constructed? What will happen if the Swiss TA will exit?
- Are the activities and outputs of the program achieved on time and with quality?
- How efficient is the collaboration of LRBSU and the Government of Nepal (GoN) at Federal and PRBSUs at the provincial levels, and also with the private sector actors (consultants and contractors and Engineering Institutes)?
- What are the major shortcomings and barriers of the TA implementation? In particular, the behaviour of the GoN, the private sector (the bridge construction contractors and bridge design and supervision consultants) in fulfilling their functions, tasks and commitments as per their contracts?

D. Impact and Sustainability:

- What changes has MLRBP already brought in the roads bridge sub-sector in the provincial road network? Have provincial road network been defined and identified in the provinces? Do provinces have their politically approved **Provincial Road Network Master plans and bridge selection and prioritization criteria**? How are bridges selected for annual planning, budgeting and construction? Do they fall under the provincial road network? What percentage of them fall under that?

- Are there **standards of bridge designs and codes** applied by the provincial Government entities? Are they sufficient and adequate also from the perspective of frequently recurring climate induced disaster resiliency?
- Are **new and innovative technologies in bridge** design and construction **successfully transferred** under the component of **research and development (R&D)** from the Switzerland and abroad to Nepal? Can Nepal afford to replicate and scale up such technologies on its own in the future?
- What changes has MLRBP made in terms of influencing the GoN (both at Federal and Provincial Levels) to adhere to the GoN's environmental and social safeguards measures including bridge workers occupational health and safety, and also making motorable bridges more resilient to potential disasters in the future due to climate change?
- What are the factors that make the programme approaches sustainable or otherwise. What additional efforts need to be made or are there any areas the project should focus primarily in the remaining period of the project?

E. Coordination and Others:

- To what extent MLRBP has harmonized the approaches and principles of bridge building to avoid duplication in the execution of provincial roads bridges on provincial road network?
- What is the value addition of Swiss TA in assisting other bridge sectoral programmes of the Development Partners (DPs) and the Department of Roads in Nepal for example – third party monitoring for the GoN and World Bank in implementing the performance for results instrument in Bridge Improvement and Maintenance programme of the WB/GoN?
- How is the coordination between FG and PGs in terms of road bridge selection, implementation and financing (conditional grant)? What role MLRBP has played so far for this?

F. Recommendations for handing over to the Government

- What are the findings and conclusion from the phase?
- What are the recommendations for the GoN in scaling up through established Act, PNRMPs, policies, standards, guidelines, procedures for sustainability and Swiss TA exit?
- Key stakeholders assessment (Government and the private sector), their roles in line with their respective constitutional mandates in the sub-sector, their capacities to fulfil their roles and the areas of improvement and capacity needs/gaps.
- What are the main recommendations for the Government at Federal level and at Provincial Levels to take over and implement the programme after the Swiss TA exits?
- What are the main recommendations for the GoN and the private sector for sustainability of MLRBP approaches and systems after the Swiss TA exits?
- What are the main recommendations for the GoN, the private sector and the DPs in the implementation of constitutional mandates in this sub-sector after the exit of Swiss TA?

3.5 Expected outputs

This external evaluation is expected to produce an independent report (preferably not more than 25 pages, excluding Annexes and an executive summary) with quantitative data and qualitative analysis of the findings. Among others, the report should specifically state whether and how the programme: has helped increase the socio-economic activities due to improved access and connectivity to justify the investments made; has effectively contributed to federal state building through effective institutionalization of bridge building processes on provincial road networks within the provincial government systems including critical assessment of capacities of all the institutions involved including both the government (federal and provincial) and the private sector (consultants and the contractors).

Brief recommendations for the GoN (preferably not more than 4 pages) to continue with the programme by the GoN after the end of Phase IV with the Swiss TA exit.

3.6 Methodology and scope of work

This review will first of all validate the results on the outcomes which are reported on annual basis by MLRBP from the lens of Federal State Building. Institutional capacities of Department of Local Infrastructure (DoLI) at the Federal Level, the Provincial Government entities (MOPIDs, TIDs, IDOs) and the private sector (consultants, contractors and educational institutions) will be assessed through a very highly consultative process – with in-depth interviews and consultative meetings with the key people in the Ministries (Political) and executives/bureaucracy (Secretaries, Directors, Commissioners, Chief of offices etc.).

For the socio-economic impacts, it will adopt an evaluation method that will compare ‘with’ and ‘without’ bridge situations of the people living in the bridge zone of influence. The assessments of these situations will be done, particularly in those selected bridges where the programme has established a baseline data as well as monitored outcomes on annual basis. The changes in the situations will be compared with the national average available from the recent census.

The review consultant team will include a team leader (international) having a background of rural development, transportation planning, economics backed by a good understanding of Nepal’s development context, political economy of transport infrastructure sector development (roads and bridges) in Nepal. S/he will be backed up by a Federal State Building expert to support in the analyses of federalization of the sub-sector and the institutional strengthening of federal and provincial government institutions in institutionalization of bridge building processes in the provinces; and an economist to support on economic analysis of socio-economic benefits of the bridges using an Economic and financial Analysis (EFA) or Cost benefit Analysis (CBA) tool. The national team will visit the programme areas in order to collect necessary primary information for the review. As required, enumerators, statisticians, geographic Information System (GIS) expert (for mapping the level of accessibility and time saving for the beneficiaries while using motorable bridges) etc., shall be hired for the survey and collecting data.

The Team Leader shall submit an inception report for the review along with the elaboration of the review methodology within one week of undertaking the assignment. The programme shall include the preparations required including methodologies - to conduct provincial governments’ institutional assessment, and to conduct impact study – selection of sample bridges and beneficiaries, the proposed field visits schedule with the transport and logistic requirements, the data collection methods and analysis; and reporting time required and the date for submitting the report.

The team shall first make a desk study of the available programme documents and reports and meeting with SDC and the LRBSU team to plan and detail out the methodology which should include detail checklist for collecting the required information (how many bridges, how many respondents in each bridge site, how to select respondents, where and how to verify/triangulate

information, when and how to collect data keeping in mind seasonal variations so that information received are not influenced or biased or skewed).

SDC shall review, comment and then approve the consultant's proposals for the review methodology, within a week of its submission. When these are approved, the team shall commence the review, conduct necessary field works, analyze the received data and information critically from the viewpoints of the principles of relevance, effectiveness, efficiency, impact and sustainability, and coordination. Then a draft report shall be submitted as agreed in the timeline and approved by SDC, after which the report shall be finalized to incorporate any comments, and a final version shall be produced.

In the course of finalization of the report, presentations to respective Governments (federal and province governments), other SDC programme team, Team leaders of other programmes will be needed.

3.7 Time Frame

The review shall take place between **May 2024 to September 2024**. The desk reviews can be done during May 2024, the field data collection for economic/financial evaluations can be done in May/June to come up with the economic analysis by **July 2024**, while the key informants' interviews and consultations can be done during **July 2024**. The expected analysis is to be done by the end of **August 2024**. The draft report shall be submitted, shared and finalized by end of **September 2024**.

3.8 Reporting and deliverables

An inception report within 1 week after the start of the assignment with detail elaboration of methodology for review.

The consultant shall submit a draft report (not more than 25 pages without annexes) to the Embassy/SDC within **September 2024**. This will contain the results of the field work in Annexes, plus the findings of the consultant in the main report.

The consultant shall finalise the report incorporating the comments after a debriefing of the findings to SDC and Government of Nepal. The final report should be ready by **end of September 2024** with the key recommendations for the GoN to take over and continue with the programme.

3.9 References/List of documents to be consulted

Among others, the following documents must be referred to by the Review Team:

- i) External review report of Phase III
- ii) Programme Document with Log-frame – Phase IV
- iii) Decisions of Programme Steering Committee meetings
- iv) Annual Programme Reports and Outcome Monitoring Summaries (2020-21, 2021-22, 2022-23)
- v) Key documents, manuals (Different Parts) including sample Provincial roads Act, PRNMPs etc.
- vi) Any other relevant programme reports and documents
- vii) Reports from the self-evaluation of the programme

3.10 Prior involvement

No potential tenderers were involved in preparing the invitation procedure or drafting the Terms of Reference. All tenderers that meet the criteria set are invited to submit a bid.

Independency from SDC

Neither the tenderer/the consortium nor a member of the proposed team/member of the consortia is involved in the implementation or in an operational responsibility/collaboration of an Motorable Local Roads Bridge Programme, phase IV (MLRBP IV).

3.11 Content of the mandate

The tender must have prior experience of conducting the independent evaluations of complex development projects in the areas of infrastructure managed by the recipient governments in Asia. The tenderer must be a firm with a team of following experts, who are competent to carry out the evaluation. Consortia are permitted.

i. Team Leader - International (Rural Transport Infrastructure Expert or Transport Planner with experience in Monitoring & Evaluation)

The international Team Leader (TL) is expected to be an evaluations expert, preferably with a background on Transport Planning or Rural Transport Infrastructure expertise. S/he shall have worked with SDC or bilateral development partners, government counterparts in the fragile and federalized context; have excellent coordination, analytical and reporting writing skills in English. S/He should have strong understanding of cross cutting issues such as gender, social inclusion, climate, environment and disaster resilience in transport infrastructure planning and implementation. The International TL shall be responsible for the following tasks:

- Devise methodology of the evaluation and agree with individual team members and agree with SDC prior to conduction of evaluation covering all the criteria – relevance, effectiveness, efficiency, impact and sustainability and coordination
- Lead and manage overall evaluation process by guiding, facilitating and supporting on all the technical aspects related to programme evaluation to the individual consultants, ensuring the timely deliveries of their individual outputs (report on economic survey and analysis, accessibility mapping, institutional analysis report based on the stakeholder consultations)
- Ensure the overall quality of processes and results from the evaluation including the data, information, their analysis and consolidation and preparation of final report, holding ultimate responsibility and accountability for the agreed deliverables on behalf of the tenderer
- Shall act as a Single Point of Contact (SPOC) for this manadate on behalf of the tenderer, shall be responsible for all the communications with the SDC/contractor and with the Local Roads Bridge Support Unit.

ii. National Expert - Federal State Building

The National Expert, an Institutional/Federal State Building Expert, shall have an experience and understanding of Nepali Federal State building context, its political economy, have with experiences on analysis of legal frameworks, constitutional mandates of the different spheres of the Government of Nepal; have experience in political consultations at high levels. The National expert shall be responsible for the following:

- Supporting the International Team Leader on overall evaluation processes

- Supporting the International Team Leader on national stakeholders' consultation processes/meeting at federal, provincial government levels, with private sector, arrange for national/local travel logistics, organization of meeting with stakeholders, translate and narrate the data and findings from the consultative meetings for institutional analysis
- Support the International Team Leader in delivery of agreed deliverables including report writing

iii. National Expert – Transport Economist

The Transport Economist shall have prior experience in conducting extensive socio-economic surveys, analysis of extensive quantitative data, and prepared report on cost-benefit analysis of transport sectoral programmes in Nepal using standard HDM-4 software. The Transport Economist shall be responsible for the following:

- Developing the methodology for quantitative surveys (traffic, household, settlement, origin-destination, market), survey tools and instruments in consultation with the International Team Leader
- Manage, orient and train the enumerators as required and administer the surveys of bridges in all seven provinces, data entry, processing by ensuring the quality, and analysis of data using the standard HDM4 software and prepare the EFA/CBA report
- Supporting the International Team Leader on evaluation of the project with respect to reflecting overall impacts of bridges in the consolidated report

iv. National Expert – GIS and Mapping

The GIS and Mapping expert shall: have prior experience in understanding the transport sectoral master plans and have prepared accessibility mapping for the transport sectoral programmes using various accessibility indices in Arc GIS. The expert shall be responsible for the following:

- Support the International Team Leader in devising methodology for evaluation with respect to preparation of accessibility maps using the accessibility indices,
- Support the International TL in reviewing and studying the PRNMPs, analysis of the maps, prepare the necessary maps showing how bridges have impacted the overall accessibility and connectivity of local areas to revalidate and compliment the EFA/CBA reports.

v. Other Experts

The tenderer shall be provided with competent and adequate enumerators and surveyors from the project. While they will conduct the field quantitative surveys required for socio-economic impacts assessments - Economic and financial Analysis (EFA)/Cost benefit Analysis (CBA), the tenderer shall lead and guide the team of enumerators and surveyors from the project.

This review will validate the results on the outcomes which are reported on annual basis by MLRBP from the lens of Federal State Building. Institutional capacities of Department of Local Infrastructure (DoLI) at the Federal Level, the Provincial Government entities (MOPIDs, TIDs, IDOs) and the private sector (consultants, contractors and educational institutions) will be assessed through a very highly consultative process – with in-depth interviews and consultative meetings with the key people in the Ministries (Political) and executives/bureaucracy (Secretaries, Directors, Commissioners, Chief of offices etc.).

For the socio-economic impacts, it will adopt an evaluation method that will compare 'with' and 'without' bridge situations of the people living in the bridge zone of influence. The assessments of these situations will be done, particularly in those selected bridges where the programme has established a baseline data as well as monitored outcomes on annual basis. The changes in the situations will be compared with the national average available from the recent census.

The team of the tenderer shall first make a desk study of the available programme documents and reports and meeting with SDC and the LRBSU team to plan and detail out the methodology which should include detail checklist for collecting the required information (how many bridges, how many respondents in each bridge site, how to select respondents, where and how to verify/triangulate information, when and how to collect data keeping in mind seasonal variations so that information received are not influenced or biased or skewed).

The tenderer shall then submit an inception report for the review along with the elaboration of the review methodology within one week of undertaking the assignment. The inception report shall include the preparations required including methodologies - to conduct provincial governments' institutional assessment, and to conduct impact study – selection of sample bridges and beneficiaries, the proposed field visits schedule with the transport and logistic requirements, the data collection methods and analysis; and reporting time required and the date for submitting the report.

SDC shall review the inception report, comment and then approve the tenderer's proposals for the review methodology, within a week of its submission. When these are approved, the team shall commence the review, conduct necessary field works, analyze the received data and information critically from the viewpoints of the principles of relevance, effectiveness, efficiency, impact and sustainability, and coordination. Then a draft report shall be submitted as agreed in the timeline and approved by SDC, after which the report shall be finalized to incorporate any comments, and a final version shall be produced.

In the course of finalization of the report, presentations to respective Governments (federal and province governments), other SDC programme team, Team leaders of other programmes will be needed.

3.12 Estimated amount

All the price details must be indicated in CHF excl. VAT. The price excl. VAT includes in particular remuneration, travel, insurance, allowances, social costs, transport, customs etc.

Financial offers shall be submitted in CHF together with the budget form according to the legal status of the bidders:

- a) as per Annex 4a for type B mandate (for international organisations) or
- b) as per Annex 4b for local mandates/national organisations (in case of local bidders: local bidders can submit in Nepali Rupees (NPR), exchange rate 1 CHF = 150 NPR)

Table 1: Estimated maximum number of working days and other tentative cost

Description	Person days	Remarks
Team Leader - International (Rural Transport infrastructure, transport planner, Livelihood Expert) and/or M&E Expert	30	
National Expert (Federal State Building Expert with prior experiences on analysis of legal frameworks, constitution, political consultations at high levels and/or Rural transport expert)	40	
Transport Economist (for Cost Benefit Analysis)	30	
GIS expert - accessibility mapping	10	

Enumerators for EFA in Zols of at least 21 bridges in 7 provinces (proportionate bridges in each province representing all 3 ecological zones with 2 persons for 5 days in each bridge)	NA	Will be managed with the help of MLRBP (project office)
Traffic Surveys in 5 bridges in 7 provinces (represent all 3 ecological zones) (1 person for 7 days for each bridge)	NA	Will be managed with the help of MLRBP (project office)

The tenderer will not be reimbursed for any costs arising from the preparation or submission of bid.

3.13 Timetable of the invitation procedure

Date / Deadline	Activity
19.03.2024	Invitation for tender and publication of the mandate on the FDFA mandates platform
22.03.2024	Expression of interest in submitting a tender by email: kathmandu@eda.admin.ch
02.04.2024	Deadline for submitting questions by email: kathmandu@eda.admin.ch
08.04.2024	Sharing of the questions and answers with all the interested tenderers
15.04.2024	Deadline for submission of tenders
April 2024	Evaluation of submitted bids
Mid May.2024	Information of the tenderers by means of individual dispositions: Awarding of the contract and notification of the not considered tenderers
15.05.2024	Signing of contract
16.05.2024	Contract start date

4 Eligibility criteria

The tenderer must duly fulfil without limitation or modification the eligibility criteria listed in annex EC. The tenderer must also provide, where indicated, the necessary evidence with the submission of the bid. **Confirmation of the fulfilment of the eligibility criteria must be given in 'Annex EC: Confirmation of Eligibility Criteria and documents to be submitted'.**

Only those tenderers that fulfil all formal requirements and eligibility criteria will be evaluated on the basis of the award criteria. The other tenderers will be excluded from the further procedure.

5 Award criteria

The following table shows the award criteria (AC) and the corresponding weightings, on the basis of which the bids will be evaluated.

AC	Award Criteria	Weighting
AC 1	Qualifications of the personnel to be deployed in this mandate (CVs)	60%
AC 1.1	International Team Leader (Rural Transport Infrastructure, Transport Planner, M & E Expert)	60%
AC 1.2	National Expert (Federal State Building Expert)	15%
AC 1.3	National Expert (Transport Economist)	15%
AC 1.4	National Expert (GIS expert)	10%
AC 2	Experience of the tenderer in monitoring and evaluation of projects (Numbers of project evaluated, financial volume of evaluation of projects, types of clients served)	10 %
AC 3	Understanding of the mandate and general approach, (including approach and methodology proposed for the evaluation process with innovative ideas other than what was described in the annex 2 of the ToR)	10%
AC 4	Financial offer – overall price The overall price is to be submitted in CHF (excl. VAT) only together with the budget form as per Annex 4 (type B or local mandate budget) of the tender document and to include the following: <ul style="list-style-type: none"> • Remuneration of experts • Outward and return journey • Incidentals • Expenses The following services (from the scope of works shall also be listed: <ul style="list-style-type: none"> • Devise the evaluation methodology, surveys, field works • Consultations with stakeholders and consolidation of feedbacks • Reporting and presentations Evaluation of the price: The overall amount (excl. VAT) for the awarding of points is evaluated for each offer. This is calculated as follows: $\text{Score} = M \times \left(\frac{P_{\min}}{P} \right)^2$ <ul style="list-style-type: none"> P = Price of the bid being assessed P min = Price of the cheapest bid M = Max. points (= score 5) Exponent = Exponent in formula (=2) 	20%
	Total	100%

Each further award criterion will be evaluated according to the following score table:

Score	Fulfilment and quality of the criteria	
0	Cannot be established	<ul style="list-style-type: none"> • Not possible to assess • No information
1	Very poor fulfilment	<ul style="list-style-type: none"> • Very limited achievement of the criteria • Insufficient, incomplete information
2	Poor fulfilment	<ul style="list-style-type: none"> • Limited achievement of the criteria • Information without sufficient relevance
3	Average fulfilment	<ul style="list-style-type: none"> • Normal achievement • Average quality, minimum requirement fulfilled
4	Good fulfilment	<ul style="list-style-type: none"> • Good achievement • Very good quality
5	Very good fulfilment	<ul style="list-style-type: none"> • Very good achievement • Outstanding quality

6 Structure and content of the bid

The tenderer must adhere to the following structure in the interests of fairness and in order to expedite the evaluation process.

Nr.	Contents	Max.* No. Pages	EC/AC
00	Cover letter with signature(s) and documents evidencing organisational capability		EC 1
01	'Annex EC: Confirmation of Eligibility criteria and documents to be submitted' And submission of all annexes mentioned in the catalogue		EC1 - EC 8
07	Qualifications (CVs) of the four key personnel to be deployed for this mandate	Max. 4 for each CV	AC 1
08	Experience of the tenderer in monitoring and evaluation of projects	6	AC 2
9	Understanding of the mandate and general approach, (including approach and methodology proposed for the evaluation process with innovative ideas other than what was described in the annex 2 of the ToR	2	AC 3
10	Financial offer (see point 3.5 in CHF (excl. VAT) (local bidders can submit in Nepali Rupees (NPR), exchange rate 1 CHF = 150 NPR), according to the legal status of the bidders: a. as per Annex 4a for type B mandate (for international companies/experts) or b. as per Annex 4b for local mandates/national experts/companies)		AC 4

*) the maximum pages mentioned must be strictly respected. We consider only those pages for evaluation.

7 Administrative Aspects

7.1 Official name and address of the contracting authority

Embassy of Switzerland in Nepal is in charge of the awarding procedure and also acts as direct contracting authority towards the tenderer.

7.2 Deadline and address for submitting bids

The completed bids (format pdf) must be electronically submitted to kathmandu@eda.admin.ch by 15.04.2024, 23:00 (Nepal Standard time) at the latest. Bids received late cannot be taken into consideration. They will be returned to the tenderer.

The email must mention '**Bid for External Evaluation of Motorable Local Roads Bridges Programme- Exit Phase**' in the reference line. Tenderers must confirm in the email the binding force of the bid. The receipt of the bids submitted via email will be acknowledged via email at the latest until 16.04.2024. The bids must be submitted in the English language.

In all cases, the tenderer must retain proof of the timely submission of the bid.

7.3 Expression of interest in submitting an offer and receiving documents

Interested tenderers are kindly invited to express their interest by email to kathmandu@eda.admin.ch until 22.03.2024.

7.4 Answering questions

No individual information is given to the tenderers. Any questions must be submitted by 02.04.2024 to kathmandu@eda.admin.ch. Questions submitted late cannot be answered. The document with all questions received and their answers will be sent to all tenderers by 08.04.2024.

7.5 Type of procedure

Procurement is carried out in accordance with the Federal Act on Public Procurement of 21 June 2019, PPA, SR 172.056.1.

It is **not** possible to appeal the award.

7.6 In accordance with GATT / WTO agreement or treaty (as applicable)

This is a public contract under Annex 5 no. 1 let. d PPA. There is no right of appeal.

7.7 Evaluation and adjustment of bids

Tenders are evaluated in accordance with Art. 38 PPA. Tenders may only be adjusted at the contracting authority's specific request. Adjustments must be undertaken in accordance with Art. 39 PPA and subject to the conditions set out therein.

7.8 Bidding consortia

Bidding consortia are permitted. If the SDC concludes the contract with several contractors (consortium), all parties must sign, having first designated a person to represent the

consortium vis-à-vis the SDC. The representative is expressly authorised to act for and on behalf of the consortium members. The consortium members shall be jointly and severally liable. The tenderer lists all members and their roles.

7.9 Subcontractors

Subcontractors are permitted, subject to the prior approval of the awarding entity. If the tenderer engages subcontractors in order to carry out the work, the tenderer will assume overall responsibility. It must list all the subcontractors involved, together with the roles allocated to them.

Any contractual delegation by the contractor of performance of all or part of the present contract to subcontractors shall be subject to the prior written consent of the contracting authority. Subcontractors and their personnel must satisfy all conditions stipulated in the present contract and the appendices thereto. The contracting authority shall be liable solely to the contractor. In the event that the contractor delegates performance of all or part of the contract, the contractor shall bear sole liability for the acts of any subcontractors. As a general rule the tenderer is required to make the characteristic supply.

7.10 Multiple tenders by single tenderers, consortia and subcontractors not permitted

Single tenderer, consortia and subcontractors are allowed to participate exclusively in one bid.

7.11 Validity of bids

180 days after the deadline for receipt of bids.

7.12 Language of the procedure

The present procurement procedure is conducted in English language. This means that all statements on the part of the awarding authority are made in English language.

7.13 General Terms and Conditions of Business (GTC)

The General Conditions of Business (GTC) of the FDFA for mandates (type A and type B) – version May 2021 and/or General Conditions of the FDFA for local mandates – version May 2021 shall be deemed to have been accepted by the contractor on submission of the bid.

7.14 Conclusion of contract

The contract is concluded subject to the prior approval of credits by the FDFA.

8 Further information

8.1 Confidentiality

The parties shall keep confidential any facts and information that are not generally known or in the public domain. In case of doubt, all facts and information shall be treated as strictly confidential. The parties shall take all measures, to the extent that they are commercially reasonable and practicable in technical and organisational terms, to ensure that confidential facts and information are properly protected against access by, or disclosure to, unauthorised third parties.

Any transfer of confidential information by the contracting authority within its own organisation (or within the Federal Administration), or to any third parties appointed, is not deemed to constitute a breach of the obligation of confidentiality. The foregoing also applies to tenderers to the extent that the disclosure of confidential information is required for the performance of the contract, or provisions of the contract are disclosed within the organisation.

The tenderer may not, without the contracting authority's written consent, publicise the fact that a cooperation arrangement with the contracting authority is or was in effect or cite the contracting authority as a reference.

The parties shall ensure that their employees, subcontractors, suppliers and any other third parties appointed comply with the foregoing obligations of confidentiality.

8.2 Integrity clause

Tenderers undertake to take all necessary measures to avoid corruption and, in particular, agree not to offer or accept payments or other advantages.

Tenderers who breach this integrity clause are required to pay a contractual penalty to the contracting authority amounting to 10% of the value of the contract or at least CHF 3,000 for each instance of breach.

The tenderer notes that any breach of the integrity clause will generally result in cancellation of the award or early termination of the contract for good cause by the contracting authority.

The parties shall inform each other of any well-founded suspicions of corruption.

8.3 Property rights

All industrial property rights which arise in the course of the performance of the mandate shall pass to the contracting authority.

9 Annexes

No.	Annex
Annex EC	Annex EC: Confirmation of Eligibility criteria
1a	Self-declaration form 'Proof of Compliance with the conditions of participation' of the Federal Procurement Conference FPC
1b	Self-declaration form 'pursuant to Article 29c of the Ordinance on measures in connection with the situation in Ukraine' of the State Secretariat for Economic Affairs (SECO)
2	'Tenderer Information' form
3a	General Terms and Conditions (GTC) of the Federal Department of Foreign Affairs (FDFA) for mandates (type A and B) – version May 2021 (applicable for northern tenderers) AND/OR General Terms and Conditions of the FDFA for local mandates (applicable for local tenders) – version May 2021
3b	Code of conduct for contractual partners of the FDFA
4a	Budget format type B for legal entities, organisations and self-employed persons
4b	Budget format for local mandate