

Terms of reference (ToRs) for the procurement of services

Urban Design Guidelines for Street Vending	Project number/ cost centre: 20.9015.7-003.00
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0. List of abbreviations	2
1. Context.....	3
2. Tasks to be performed by the contractor	5
3. Concept.....	6
Technical-methodological concept	6
Other specific requirements.....	6
Project management of the contractor.....	7
4. Criteria for Eligibility of firms (Please refer to Grid for assessing eligibility of consulting firms)	8
4A. Personnel concept (Please refer to technical assessment grid)	9
Team leader – Man days required : 30 days.....	9
Expert 1 – Urban design planner (Man days required : 66 days)	10
Expert 2- Livelihood expert (Man days required : 22 days)	10
Expert 3 – Civil engineer (Man days required: 36 days)	11
Expert 4 – Climate expert (Man days required : 08 days)	11
Expert 5 – Graphic designer/Draughtsman (Man days required : 30 days).....	12
5. Costing requirements	12
Assignment of personnel	12
Travel	13
Workshops, training.....	13
6. Inputs of GIZ or other actors	14
7. Requirements on the format of the bid.....	14
8. Option	14
9. Annexes	14

0. List of abbreviations

AVB	General Terms and Conditions of Contract (AVB) for supplying services and work 2022
ToRs	Terms of reference
Urban Act	Integrated Urban Climate Action for Low-Carbon & Resilient Cities
TC	Technical Cooperation
IKI	Internationale Klimaschutzinitiative
MoHUA	Ministry of Housing and Urban Affairs
BMWK	The Federal Ministry for the Economic Affairs and Climate Action
DAY-NULM	Deendayal Antyodaya Yojana- National Urban Livelihoods Mission
URDPFI	Urban and Regional Development Plans Formulation and Implementation
SOPs	Standard Operating Procedures
NMSH	National Mission on Sustainable Habitat
SCM	Smart Cities Mission

1. Context

Under the ambit of Indo-German Development Cooperation, "Integrated Urban Climate Action for Low-Carbon & Resilient Cities' (Urban Act)- a technical cooperation (TC) project has been initiated with Ministry of Housing and Urban Affairs. The project is funded under the Internationale Klimaschutzinitiative (IKI) by The Federal Ministry for the Economic Affairs and Climate Action (BMWK) and will be implemented by Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ). The project duration is December 2022 till September 2026.

The Integrated Urban Climate Action for Low-Carbon & Resilient Cities (Urban-Act) project is a regional project which aims to support a transformation towards low-carbon and resilient urban development in India, the Philippines, Thailand, China, and Indonesia and contributes to the implementation of NDCs and the 2030 Agenda. Urban-Act focuses on enabling conditions at country level and strengthens capacities of cities for mainstreaming climate change into urban development. At local level, the project intends to support cities to develop climate-sensitive urban development plans with underlying budgets. Innovative climate projects are identified and access to project preparation and finance is facilitated. At country level, policy frameworks are further developed with a focus on technical services, cross-sectoral and multi-level coordination, and incentives for urban climate action. At Asia-Pacific level, the project aims to support regional level advocacy through intergovernmental and city-to-city dialogue and facilitates knowledge sharing to enable scaling-up of projects results and good practices within the region.

The project aims at improving the systematic integration of climate change perspectives into urban development, to address key gaps and barriers that currently hinder cities to understand their contribution to climate change, the climate risks they face, and the opportunities that come from implementing high impact urban climate actions. These can be elaborated as the following outputs:

i. Improving Institutional Environment for Urban Climate Policies

The project will assist national and/or state level agencies to address barriers in the policy environment (policies, regulations, coordination mechanisms, guidance, or services) that hinder the localization of climate change and sustainability targets.

ii. Evidence-based and inclusive climate- sensitive spatial and urban planning

The project targets for evidence-based and inclusive climate-sensitive spatial and urban planning considering the revision of Master Plans and Local Area Plans incorporating urban climate change aspects to plan low carbon and resilient cities through participatory planning approach.

iii. Project concepts for urban climate action investments identified

The project identifies technical and institutional capacities at city level for the development of viable project concepts for urban climate action investments. The cities will be provided further support to explore access to finance in line with national climate policy frameworks and the SDGs. The project provides analytical support for screening and climate proofing urban investment plans or municipal budgets of the selected pilot cities.

iv. Enhanced knowledge through regional networking, exchange and learning

The project facilitates to enhance the knowledge of urban practitioners and strengthen institutional capacities for climate action through regional networking, exchange, and learning. This effort aims to complement the technical and process support provided in Outputs I-III

The project will facilitate dialogue among climate data providers, academia and users to identify needs and data requirements (incl. approaches for addressing data gaps) reflecting the urban planning and development context as well as conditions in medium and small cities. This includes policy dialogues on urban planning regulations at state level with regards to needs, priorities and opportunities for mainstreaming urban climate change into city-level Master Planning or Local Area Planning processes.

The project is anchored with Smart Cities Mission of Government of India which is a people-centric and transformational Mission aimed at delivering a high quality of life for citizens and a clean and sustainable environment. The Smart city Mission sets out to bring in its fold the urban policy design of public transit oriented urban mobility, smart parking, intelligent traffic management and integrated multi-modal transport, prioritising non-motorised transport, digitalisation of public services, and improved waste management. The mission promotes environmental sustainability in all its projects and initiatives. It recognizes Climate Change as one of the biggest problems on the planet we are facing. One of the core principles the Mission operates on is 'Achieving More with Less'. Smart Cities are conscious of the fact that resources are limited and hence, they have to generate more impact and outcomes from use of as little natural resources, energy and financial resources.

In addition, the Ministry of Housing and Urban Affairs (MoHUA), under its Deendayal Antyodaya Yojana- National Urban Livelihoods Mission (DAY-NULM) has developed close to 1340 Vending Markets and earmarked 13,400 Vending Zones under the Act. The Street Vendors Act of 2014 protects the rights of vendors and calls for street vending plans with basic spatial norms recommended in the Act. In most cities, ULBs are yet to draft these ward wise plans after conducting a study of the streets' carrying capacities for vending. However, there are no centrally adopted spatial guidelines to assist ULBs and state governments to draft these plans and to accommodate street vendors while planning for on-going and future road improvement projects.

ULBs and State Roads Dept are often tasked with solving congestion on streets. Here, the conflict for space between pedestrians, street vendors, parking and vehicular traffic is often resolved by simply widening the road and relocating the street vendors. This can be resolved by better reorganization of the street to accommodate various users and have better enforcement.

Under its Streets4People Campaign, Ministry is working to publish Healthy Street Design Guidelines, with basic guidelines for street vending. However, the need for further details depending on diverse street typologies as well as modes (pushcart, spread on floor, rack & frame etc.), and type of vending (stationary, mobile, peripatetic) still remains to be addressed. Further, variances for restriction-free-vending zones, restricted vending zones and temporary vending also need to be accommodated. In addition to accommodating street vendors on streets, dedicated open and enclosed market zones are also created.

Further, there are no centrally adopted spatial guidelines to assist ULBs to plan for this street vending. National planning guidelines like the URDPFI should include the design guidelines for street vendors also looking from the climate vulnerability and social inclusion perspective. There is a need to create standard operating procedures (SOPs) for local governments to support street vending end to end. This will also help in the localizing the agenda of National Mission on Sustainable Habitat which looks for providing better urban planning in the small and medium town.

Thus, there is a need for MoHUA to create and publish spatial design guidelines for street vendors as a complement to the Street Vendors Act of 2014. To address this, DAY-NULM, together with the Smart Cities Mission (SCM) of MoHUA, has decided to develop design guidelines for street vending in consultation with various stakeholders and experts.

The exercise to be undertaken in close coordination with GIZ.

2. Tasks to be performed by the contractor

The contractor is responsible for providing the following services:

- Undertake desk research and compile the existing policies instruments (for e.g. National planning guidelines like the URDPFI), norms and standards that may be applicable to street vending design guidelines.
- Conduct site visits for research and interviews, in up to 5 cities (tentative cities are Panaji, Coimbatore, Shimla, Bengaluru and other 1 cities) will be announced later by MOHUA across diverse geographies, city sizes and economies, for the development of guidelines, and prepare questionnaires in this regard.
- Undertake desk research & based on field visits, document national and international best practices in street vending design in cities (up to 20 numbers) based on template.
- Obtain inputs from the key stakeholders in this context in close coordination with GIZ team.
- Provide secretarial support to the Expert Committee meetings, its agenda, proceedings, compiling recommendations, presentations, report writing and producing drawings for the guidelines.
- Development of the draft guidelines – conducting research, writing, and producing drawings based on the Expert Committee recommendations taking into account the various types of vending, ancillary amenities needed and the regional diversities for these across
- Extending support for wider stakeholder consultations organized by MoHUA in Hybrid mode (up to 4no.). Contractor will seek further inputs for enrichment of the draft guidelines.
- Finalize the document after incorporating inputs received.
- Undertake one training (hybrid) and one Training of Trainer (hybrid) for City officials and training institutions/academic institutions.

Certain milestones, as laid out in the table below, are to be achieved by certain dates during the contract term, and at particular locations:

Milestone	Deadline/place/person responsible
Draft Design Guidelines on Urban Street Vending	September 2024
Stakeholder Consultations and Trainings	November 2024
Final Guidelines Document	December 2024

Period of assignment: From May 2024 until December 2024.

3. Concept

In the bid, the bidder is required to show how the objectives defined in Chapter 2 are to be achieved, if applicable under consideration of further specific method-related requirements (technical-methodological concept). In addition, the bidder must describe the project management system for service provision.

Technical-methodological concept

Strategy: The bidder is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1). Following this, the bidder presents and justifies the strategy with which it intends to provide the services for which it is responsible (see Chapter 2).

The bidder is required to present the actors relevant for the services for which it is responsible and describe the **cooperation** with them.

The bidder is required to present and explain its approach to **steering** the measures with the project partners and its contribution to the results-based monitoring system.

The bidder is required to describe the key **processes** for the services for which it is responsible and create a schedule that describes how the services according to Chapter 2 are to be provided. In particular, the bidder is required to describe the necessary work steps and, if applicable, take account of the milestones and contributions of other actors in accordance with Chapter 2.

The bidder is required to describe its contribution to knowledge management for the partner and GIZ and promote scaling-up effects (**learning and innovation**).

Other specific requirements

The bidder should have experience in developing policy, guidelines, technical reports pertaining to street designing.

Project management of the contractor

The bidder is required to explain its approach for coordination with the GIZ project.

- The contractor is responsible for selecting, preparing, training and steering the experts (international and national, short and long term) assigned to perform the advisory tasks.
- The contractor makes available equipment and supplies (consumables) and assumes the associated operating and administrative costs.
- The contractor manages costs and expenditures, accounting processes and invoicing in line with the requirements of GIZ.
The contractor reports regularly to GIZ in accordance with the AVB of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH from 2022

In derogation from GIZ AVB, the contractor makes contributions to reports to GIZ's commissioning party instead of submitting its own reports.

In addition to the reports required by GIZ in accordance with AVB, the contractor submits the following reports:

- Inception report
- Contributions to reports to GIZ's commissioning party
- Brief quarterly or half-yearly reports on the implementation status of the project (5-7 pages)

The bidder is required to draw up a **personnel assignment plan** with explanatory notes that lists all the experts proposed in the bid; the plan includes information on assignment dates (duration and expert days) and locations of the individual members of the team complete with the allocation of work steps as set out in the schedule.

backstopping

The bidder is required to describe its backstopping concept. The following services are part of the standard backstopping package, which (like ancillary personnel costs) must be factored into the fee schedules of the staff listed in the bid in accordance with section 5.4 of the AVB:

- Service-delivery control
- Managing adaptations to changing conditions
- Ensuring the flow of information between GIZ and field staff
- Contractor's responsibility for seconded personnel
- Process-oriented technical-conceptual steering of the consultancy inputs
- Securing the administrative conclusion of the project
- Ensuring compliance with reporting requirements
- Providing specialist support for the on-site team by staff at company headquarters
- Sharing the lessons learned by the contractor and leveraging the value of lessons learned on site

4. Criteria for Eligibility of firms (Please refer to Grid for assessing eligibility of consulting firms)

Note: Bidders have to submit the documentary evidence for the criteria's specified below.

I. Commercial eligibility assessment

- Bidder must be registered national Entity of India.
- The average annual turnover for the last three financial years should be of Euro 50000.
- The average number of employees and managers for the past three calendar years should be at least 10 persons.

II. Technical eligibility assessment

- The technical assessment is only based on reference projects with a commission value of Euro 20000.
- Experience of at least 3 reference projects in the technical field of developing policy, guidelines, technical reports pertaining to street design.
- Experience of at least 2 reference projects of working in india in last 3 years

III. Weighted criteria

1. Technical Experience

- Must have 7 years of experience in urban planning particularly working with/on Tier-II or above cities.
- Must have 5 years of experience in Deendayal Antyodaya Yojana-National Urban Livelihoods Mission (DAY-NULM) Implementation or relevant social sectoral project.
- Must have 5 years of experience in Street design.

2. Regional Experience – Experience of working in southern Asia region.

3. Experience of ODA Financed – Experience of working in development projects.

Additional Clause: Consortium/joint venture

If agency is forming a bidding consortium or association, the bid must show who the members are and how the work is divided between them. Specifically, all members must name the lead member and authorize this member to represent the association and to receive payments on behalf of the other members. The members must also acknowledge joint and several liabilities for performing the contract. A corresponding written authorization must be attached to the bid.

Consortium guidelines –

- Consortium with other firms is allowed. All the partners must be onboard at the time of bidding.
- The lead partner must be legally registered entity in India. The contract will be issued in favor of Lead Partner and in INR only.
- The bidder can hire the services of freelance consultants.

- Subcontracting the said assignment to different agency/outsourced agency is not allowed without the permission of GIZ India.
- In case of entering into a consortium. The agency must submit the following documents within technical proposal. a. Name of Lead Partner (first party) b. Name of the Firm with whom the consortium is formed c. Letter from 2nd party accepting the terms of consortium (financial & technical)
- The Lead partner/agency should provide the documentary evidence of its own agency (and not of consortium/JV parties) in order to meet all the criteria's defined under "Grid for Assessing the Eligibility of firms."

Note:

The technically qualified bidders shall be called for presentation round post technical assessment.

Also, the technically qualified bidders shall be called for financial negotiations if required.

4A. Personnel concept (Please refer to technical assessment grid)

The bidder is required to provide personnel who are suited to filling the positions described, on the basis of their CVs (see Chapter 7), the range of tasks involved and the required qualifications.

The below specified qualifications represent the requirements to reach the maximum number of points.

Team leader – Man days required : 30 days

Tasks of the team leader

- Overall responsibility for the advisory packages of the contractor (quality and deadlines)
- Coordinating and ensuring communication with GIZ, partners and others involved in the project
- Personnel management, in particular identifying the need for short-term assignments within the available budget, as well as planning and steering assignments and supporting local and international short-term experts
- Regular reporting in accordance with deadlines

Qualifications of the team leader

- Education/training (2.1.1): University qualification Post Graduation in Planning/ Architecture/Transportation Engineering/ Civil Engineering
- Language (2.1.2): Good business language skills in English
- General professional experience (2.1.3): 15 years of professional experience in the Urban designing/ planning
- Specific professional experience (2.1.4): 6 years of experience in Street Designing/ transport project

- Leadership/management experience (2.1.5): 6 years of management/leadership experience as project team leader or manager in a company
- Regional experience (2.1.6): 10 years of experience in projects in India
- Development Cooperation (DC) experience (2.1.7): 2 years of experience in DC projects
- Other (2.1.8): Experience in development of national or state or city level guidelines on urban planning/designing or any related topics. Experience in conducting stakeholder consultations and trainings will be an advantage.

Expert 1 – Urban design planner (Man days required : 66 days)

Tasks of expert 1

- Support Team Lead in assignment execution.
- Undertake desk research and compile the existing policies, norms, best practices and standards that may be applicable to street vending design guidelines.
- Secretarial support to the Expert Committee meetings
- Develop guidelines based on various types of vending in public spaces, including open-air spaces, transport junctions across the regional diversities in the country

Qualifications of expert 1

- Education/training (2.2.1): Post Graduation in Planning/ Transportation Engineering/ Civil Engineering/Architecture
- Language (2.2.2): Good business language skills in English
- General professional experience (2.2.3): 8 years of professional experience in the Urban Designing/ planning
- Specific professional experience (2.2.4): 4 years in Street Designing/ transport projects
- Leadership/management experience (2.2.5): NA
- Regional experience (2.2.6): 4 Years experience in project execution in India
- Development Cooperation (DC) experience (2.2.7): One year of experience in DC projects

Expert 2- Livelihood expert (Man days required : 22 days)

Tasks of expert 2

- Support Team Lead in assignment execution, capturing best practices and undertake field visit to the cities
- Technical inputs to the guidelines on the matters related to NULM and its implementation pertaining to street vending related aspects
- Bring in the social aspects into the design guidelines based on various types of vending, ancillary amenities needed and the regional diversities across the country

Qualifications of expert 2

- Education/training (2.3.1): Post Graduation in Sociology, Social Work or other similar fields is required.
- Language (2.3.2): Good business language skills in English

- General professional experience (2.3.3): 15 years of professional experience in the Social work
- Specific professional experience (2.3.4): 5 years of experience in livelihood generation sector in urban areas.
- Development Cooperation (DC) experience (2.3.7): Two year of experience in DC projects
- Other (2.3.8): 2 Years experience working with Street Vending related schemes and missions.

Expert 3 – Civil engineer (Man days required: 36 days)

Tasks of expert 3

- Support Team Lead in assignment execution.
- Review existing street design norms and standards that may be applicable to street vending design guidelines.
- Writing, and developing street designs pertaining to street vending

Qualifications of expert 3

- Education/training (2.4.1): Post Graduation in Transport Planning/ Transportation Engineering/ Civil Engineering
- Language (2.4.2): Good business language skills in English
- General professional experience (2.4.3): 8 years of professional experience in the Urban Designing/ planning
- Specific professional experience (2.4.4): 4 years in Street Designing/ transport projects
- Development Cooperation (DC) experience (2.4.7): One year of experience in DC projects
- Other (2.4.8): Experience in development of DPR for any road or street project will be an advantage

Expert 4 – Climate expert (Man days required : 08 days)

Tasks of expert 4

- Include climate vulnerability aspects into the draft guidelines
- Suggest changes to strengthen the URDPFI guidelines for urban street vendors prospective with an intent to localizing NMSH and interlinking requirements for better master and local area planning.

Qualifications of expert 4

- Education/training (2.5.1): Post Graduation in Climate Change/ Environmental Science/ Planning/ other related field
- Language (2.5.2): Good business language skills in English
- General professional experience (2.5.3): 12 years of professional experience in the field of climate change and infrastructure related projects
- Specific professional experience (2.5.4): 5 years Local/ City level experience in climate related projects

Expert 5 – Graphic designer/Draughtsman (Man days required : 30 days)

Tasks of expert 5

- To understand/interpret Civil Engineering/Architectural drawings and general CAD standards of the field
- Design and AutoCAD drafting of complete design as guided by the Team Leader / Urban Designer/ Civil Engineer
- Preparing both rough sketches and detailed work with CADD systems

Qualifications of expert 5

- Education/training (2.6.1): Bachelor of Science/ engineering or architecture or degree form technical college/ ITIs
- General professional experience (2.6.3): More than 6 years of experience of draughting related to Architecture/Civil Engineering.
- Other (2.6.7): Knowledge of CADD (2D/3D) / ETAB / Solidworks / Indesign etc

Soft skills of team members

In addition to their specialist qualifications, the following qualifications are required of team members:

- Team skills
- Initiative
- Communication skills
- Sociocultural competence
- Efficient, partner- and client-focused working methods
- Interdisciplinary thinking

The bidder must provide a clear overview of all proposed experts and their individual qualifications.

5. Costing requirements

Assignment of personnel

Team leader: On-site assignment for 30 expert days

Expert 1: Assignment in country of assignment for 66 expert days

Expert 2: Assignment in country of assignment for 22 expert days

Expert 3: Assignment in country of assignment for 36 expert days

Expert 4: Assignment in country of assignment for 8 expert days

Expert 5: Assignment in country of assignment for 30 expert days

Travel

The bidder is required to calculate the travel by the specified experts and the experts it has proposed based on the places of performance stipulated in Chapter 2 and list the expenses separately by daily allowance, accommodation expenses, flight costs and other travel expenses.

The field trips and number of days envisaged in mentioned in the table below. The consultant has to travel to Delhi and 5 cities (to be selected by MoHUA) across various regions in the country.

Team leader, Urban designer and Livelihood expert is only allowed to travel for this assignment, in case if any other experts travel this should be prior informed to GIZ.

The experts are only permissible for travels as per below listed.

Travel expenses	Quantity	Sector	Comments
Per-diem allowance in country of assignment	52	4 Delhi Travels for one inception meeting and 3 experts (to attend meeting with Ministry/ Expert Committees) and 5 Travels for up to 3 experts (city visits), <i>(tentative cities are Panaji, Coimbatore, Shimla, Bengaluru and other 1 cities) will be announced later by MOHUA across diverse geographies)</i>	Total of 52 per diem is envisaged
Overnight allowance in country of assignment	52-night stays		Total of 52 nights is envisaged
Domestic flights	27 trips (To & Fro)		9 trips for 3 experts
Local Travel expenses/vehicle hire/Airport transfers	24		Total of 24 local travel envisaged

Workshops, training

The contractor implements the following workshops/study trips/training courses:

- 5 Study trips across the diverse geographies, city sizes and economies within India

(tentative cities are Panaji, Coimbatore, Shimla, Bengaluru and other 1 cities) will be announced later by MOHUA across diverse geographies)

- Attend Expert Committee meeting, training-cum-ToT programmes (two meetings are envisaged)

No separate cost should be quoted for study trips and expert committee meeting as the travel expenses listed in above table has already factored this.

6. Inputs of GIZ or other actors

GIZ and/or other actors are expected to make the following available:

- Workshops logistics
- Expert Committee Meeting

7. Requirements on the format of the bid

The structure of the bid must correspond to the structure of the ToRs. In particular, the detailed structure of the concept (Chapter 3) is to be organised in accordance with the positively weighted criteria in the assessment grid (not with zero). It must be legible (font size 11 or larger) and clearly formulated. The bid must drawn up in English.

The complete bid shall not exceed 50 pages (excluding CVs & other supporting company documents)

The CVs of the personnel proposed in accordance with Chapter 4 of the ToRs. The CVs shall not exceed 3 to 5 pages. The CVs must clearly show the position and job the proposed person held in the reference project and for how long. The CVs should be submitted in English only.

If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment.

8. Option

Not applicable

9. Annexes

Not applicable