

## **Section 7. Terms of Reference**

### **1. Background**

1.1 Assam has approximately 1980 km of navigable waterways of which the most important for transport purposes are the Brahmaputra and Barak Rivers. The Brahmaputra River with a length of 891 Km between the Bangladesh Border(Dhubri) and Sadiya, was declared National Waterway no. 2 by the Government of India in 1988, the development of its navigation infrastructure thereafter being the responsibility of the Inland Waterways Authority of India (IWAI).However, while IWAI is responsible for the navigation ‘fairway’ it does not own the water resources or have responsibility for operating water transport services. Landside activities such as riparian land-use development are regulated by State or local governments.

1.2 The Brahmaputra, running through the heart of the state, provides a vital link for both urban and rural ferry services which are the single most important transport mode for many sections of the population, especially rural households in Assam. These ferry services are provided by the Directorate of Inland Waterway Transport Assam (DIWTA), and by country boat operators – typically small independent and informal private businesses. In addition to the 97 ferry service routes designated by the Directorate of IWT, there are numerous routes licensed by the local (village) and district councils. Other users of the river include the Central Inland Water Corporation Limited (a Government of India Undertaking transporting cargo and operating some terminals on the rivers in the Eastern India & North-Eastern India and on the Indo-Bangladesh protocol routes), border security forces, tourist organizations and private operators. Navigation on the Barak River (152 km) is minimal at present, but the river is designated to become National Waterway 16 under the National Waterways Bill (2015).

1.3 The Directorate of Inland Waterway Transport Assam established in 1958 and part of the Assam Transport Department is responsible for developing, maintaining and regulating IWT services in the state. It also operates and maintains many of the passenger transport services, ferry terminals and navigation aids on both Brahmaputra and Barak Rivers. Headquartered in Guwahati, it has three divisional offices in Guwahati, Dibrugarh and Silchar; five sub-divisional offices in Guwahati, Golpara, Jorhat, Dibrugrah and Hailakandi; and three commercial offices at Guwahati, Golpara and Dibrugarh. It also has a crew training centre at Guwahati. AIWTA currently has a total of about 4,330 regular staff.

1.4 The ferry industry as a whole is characterised by an aging and poorly equipped fleet. Most demand is now met by the informal sector operating traditional country boats without supporting infrastructure. Terminal facilities and navigational aids are insufficient. Most ferry terminals consist of no more than improvised moorings on the bank of the river, which require relocation with changing river conditions, often over substantial distances. In the absence of bank protection the main ferry terminals in or close to the urban centres (provided with steel pontoon that improves access) also often require relocation. The cargo sector is small partly because of market circumstances, partly because of connectivity problems and partly because the navigation standards provided do not permit reliable year round use by large modern vessels that can deliver competitive advantage over other transport modes.

1.5 The Government of Assam intends to transform the quality of inland water transport services and integrate high quality passenger and vehicle ferry services into Assam’s wider transport network. The World Bank is funding and supporting the State Govt. in developing the Assam IWT project. To plan and manage the project, an Assam Inland Water Transport

Development Society (AIWTDS) that will host the Project management unit (PMU) is being established. Corporate oversight and management of the AIWTDS will be provided by a two tier administrative system comprising a Project Guidance Council headed by the Chief Secretary to the Government of Assam, and a Governing Body headed by the Senior Secretary of the Transport Department. The PMU will be headed by a State Project Director (typically Secretary level or above) with staff experienced in procurement, financial management, market development, social development and social safeguards, environment safeguards, communications and administration.

These Terms of Reference (TOR) are for a suitably qualified institution, company or consortium ('the General Consultant'), over a planned 4-year project period, to help the Assam IWT project and provide an effective general and project management support to achieve tangible and beneficial results in development of the sector.

## **2. Objective of the Assignment**

2.1 A reputed consulting firm with national and international experts experienced in managing and developing projects in the maritime transport sector (preferably inland water transport) is required to provide efficient and effective assistance as 'General Consultant (GC)' to the employer on planning, managing, procuring, supervising and monitoring of all project related activities, in turn improving the employer's project management capacity. The GC will make efforts to ensure that the Assam IWT project is implemented on schedule in a satisfactory manner to the required standards within budget.

The *General Consultant* shall report to the State Project Director, AIWTDS, and undertake the following tasks:

**A. Procure:** support the employer to procure consulting services and works, goods and experts for the PMU, in accordance with relevant World Bank procurement guidelines.

**B. Review of project preparatory studies:** Support the employer in review of investment preparation studies, including but not limited to technical, commercial, financial, environmental and social aspects including labour management plan and compliance with major labour and other relevant laws grievance management systems and citizen engagement and advise on their adequacy.

**C. Design workflow for AIWTDS/PMU:** Review the AIWTDS/PMU structure and design productive workflow for AIWTDS/PMU that can support efficient delivery of the mandate. In addition, the General Consultant will design workflow to track progress on "real time basis" using mobile application and geo-tagged.

**D. Develop a comprehensive Project Implementation and Monitoring Plan:** plan implementation of various project components and create an integrated, time-bound and budgeted master schedule for the entire Assam IWT project, including a monitoring program, data management and management information system for tracking grievance resolution and process of implementation for tracking on "real time basis".

**E. Manage, monitor and supervise project progress:** Assist AIWTDS/PMU in managing, monitoring, supervising and expediting the progress of the individual project components in accordance with agreed project implementation plan. Prepare information dashboard to periodically appraise the employer of project progress and existing/anticipated issues that

need to be resolved for successful and timely implementation of project, within budget. Develop a comprehensive and concise Environmental, Social, Health and Safety Management Strategies and Implementation Plans including Code of Conduct that will apply to the contractors and sub-contractors, to ensure compliance with its Environmental, Social, Health and Safety (ESHS) obligations.

**F. Research, review and analyze:** Assist the AIWTDS/PMU with necessary day to day tasks and in particular with sector research, literature review and analytics on intermittent requirements that may become important inputs for better project delivery **G. Build PMU capacity:** Periodically assess capacity building needs of AIWTDS/PMU for effective implementation of the project. As applicable, provide capacity building / training to address weaknesses, as well as suggesting external training opportunities.

**H. Disseminate outputs:** effectively disseminate the outputs generated towards the project to the key stakeholders through reports, summaries, workshops, seminars etc. While reporting directly to the State Project Director, AIWTDS, the Consultant is also required to work closely and co-operatively with the Directorate of IWT Assam, World Bank, consultants appointed to carry out individual components of the project and other stakeholders, as necessary to ensure the performance of the project. The detailed tasks to be carried out by the General Consultant shall include those set out below in corresponding Sections A-F.

### 3. Tasks

All the tasks will be undertaken in consultation, guidance and agreement with the employer and the World Bank.

**A. Procure:** The General Consultant will, on behalf of and under the guidance of Directorate of IWT Assam(DIWTA)and AIWTDS/PMU, manage the procurement of consultancy or contractor services and/or of goods and works associated with each component of the project. In particular, procurement of the following will need to be undertaken:

**i. Consultant services:** In order to establish the basic contours of the Assam IWT project, two major consultancies – *Integrated Strategic IWT Development Plan(ISIDP)*and *Institutional Strengthening and Business Planning*, have already been identified to be commissioned at the earliest. The Terms of Reference (ToR) for the two consulting assignments have been framed and are being finalised. Procuring other such consultancies/surveys/project feasibility studies for specific components/areas that influence use and development of water transport in Assam will become necessary in course of the project. The General Consultant shall assist AIWTDS/PMU in procuring the above-mentioned two consultancies/studies as well as in identifying and procuring others that will be useful in project delivery.

**ii. Expert resources for the PMU:** The GC in consultation with the employer and AIWTDS/PMU will help identify the right experts/professional resources (nonpermanent) needed to strengthen the capacity of the PMU and ensure sustainable knowledge transfer.

**iii. Goods& Works:** The nature of the goods and works to be procured will largely depend on the recommendations of particular studies planned under the project itself, though all goods, works or services that may further the purposes of the project may be considered. Procurements funded from the proceeds of World Bank loans shall be conducted in accordance with the World Bank's "Guidelines: Procurement under IBRD Loans and

IDACredits" dated January 2011 Revised July 2014 (Procurement Guidelines); and "Guidelines: Selection and Employment of Consultants by World Bank Borrowers" dated January 2011 Revised July 2014(Consultant Guidelines) and the provisions stipulated in the Loan Agreements (LA). The General Consultant must have substantial experience in applying these Guidelines and ensure any of its staff involved in such procurements have the necessary skills, experience and training. AIWTDS/PMU is responsible for its procurements. Tender Evaluation Committees shall be nominated by AIWTDS/PMU and conducted in accordance with relevant requirements under Indian Law and AIWTDS/PMU procedures. However, the General Consultant shall on behalf of and reporting to the employer, manage the overall tendering process including but not limited to drafting and obtaining necessary clearances of tender documentation, publishing notices seeking expressions of interest, assisting AIWTDS/PMU to determine qualifying companies, issuing invitations to tender, acting as secretariat to Tender Evaluation Committees, drafting of Tender Evaluation Reports and preparing draft contract documentation for AIWTDS/PMU.

**B. Review of project preparatory studies:** The General Consultant will, on behalf of and under the guidance of the employer, provide support to the AIWTDS/PMU with respect to review of strategic, feasibility and safeguards studies for preparation of the project and its proposed investments. Advise the PMU on their adequacy as per their TORs and applicable national and World Bank standards, and provide suggestions for improvement. Relevant standards for safeguards studies include national laws and regulations for environmental and social impact assessment and management, as well as the World Bank safeguard policies and Environmental, Health and Safety (EHS) guidelines. The General Consultant will review processes, procedures and the institutional capacity of the AIWTDS/PMU to manage environmental and social risks and impacts to ensure compliance with its Environmental, Social, Health and Safety (ESHS) obligations.

**C. Design workflow for AIWTDS/PMU:** This would involve establishing mechanisms for efficient organisation work culture involving information flow processes, document management, record keeping, file tracking system, review meetings, time control, internal feedback mechanism, grievance redress mechanism etc. Together with identification of day-to-day tasks and processes, the GC would also identify the right set of people or resources needed for performance of those tasks that are necessary to accomplish project goals.

**D. Develop a comprehensive Project Implementation Plan:** Majorly drawing on the consultancy *Integrated Strategic IWT Development Plan (ISIDP)*, identify detailed project components and interventions to be made in support of the project objective and overall IWT sector strategy. Similarly, use recommendations from the study *Institutional Strengthening and Business Planning* to decide on appropriate measures to be undertaken for improving institutional strength and capacity. All project components/interventions shall be decided and finalised in consultation with the employer and the World Bank. In doing so, the GC will develop a comprehensive project implementation plan capable to guide and control timelines/budgets for activities such as feasibility studies/surveys, procurement etc. associated with each project component whether taken up in parallel or sequentially. The GC shall, in consultations with the employer create mechanisms for effective consultant coordination, as well as engagement of all stakeholders who participate in guidance, conduct or review of outputs of the different components of the project.

**E. Manage, monitor and supervise project progress:** GC shall assist AIWTDS/PMU in managing, monitoring, supervising and expediting the progress of the individual components

under the project implementation plan as a whole, resolve issues and initiate corrective action when needed. GC would provide such support both at the AIWTDS/PMU head office at Guwahati and also at the regional level where day-to-day monitoring and supervisory services (including review and audit of detailed engineering designs) will be needed during actual construction/work sites.

The GC shall prepare an information dashboard / brief monthly progress reports to periodically appraise the employer of project status (on procurement, construction, environmental and social management, etc.) together with any existing/perceived issues that need to be resolved for successful and timely implementation of project. In addition, it will manage the project budget on behalf of AIWTDS/PMU, monitor the expenditures and costs against deliverables and assess tangible benefits. It shall also support AIWTDS/PMU in preparation of the disbursement applications to the World Bank and in furnishing the supporting documentation.

**F. Research, review and analyse:** Assist the AIWTDS/PMU with necessary day-to-day tasks and in particular with sector research, literature review and analytics on intermittent requirements that may become important inputs for better project delivery.

**G. Build PMU capacity:** Periodically assess capacity building needs of AIWTDS/PMU for effective implementation of the project. Suggest capacity building and training options and opportunities to the PMU which can address weaknesses. As applicable, provide training to relevant staff, as well as suggesting external training opportunities where relevant.

**H. Disseminate outputs:** Effectively disseminate the outputs generated towards the project to the key stakeholders through reports, summaries, workshops, seminars etc.

#### **4. Duration of Services**

The anticipated duration of the Assignment is 48 months, commencing from the date of award of contract.

#### **5. Administrative Arrangements**

The Assignment will be carried out and funded from the loan proceeds of Assam Inland Water Transport Project. The contract for this work will be with AIWTDS/PMU. The General Consultant will report directly to the employer and work under the general day-to-day guidance of the nominated officers for particular components of the Program. The General Consultant shall liaise on relevant matters with the World Bank's Task Team Leader for Assam Inland Water Transport Project, Mr. Atul Agarwal, or his nominee(s).

On its part, AIWTDS/PMU shall provide the General Consultant with workstation(s) at the head office at Guwahati and also at regional offices, with sufficient and secure filing and storage facilities for documentation. The GC shall otherwise be responsible for all their own secretarial, clerical, IT, report production and communication expenses. However, the employer shall provide two support staff to help GC in their day to day work. In addition, the employer shall reserve the right to depute / attach its own staff with the GC with the intention to assist and in the process build capacity of the staff.

## **6. Conflicts of Interest**

In submitting its tender the General Consultant is required to comment on any potential conflicts of interest arising out of other assignments or a conflicting involvement in other assignments. Following the award of the General Consultant contract, neither the General Consultant nor any of the General Consultant's staff or company affiliates, shall participate in any role or form whatsoever, either on their own behalf or in a consortium arrangement, in any subsequent Assam Inland Water Transport project tender; nor be party to or participate (other than in its capacity as General Consultant) in the performance of any contract awarded under the project.

## **7. Confidentiality**

The General Consultant shall keep confidential all commercially sensitive information that they receive, directly or indirectly, from client, contractors or stakeholders. The confidentiality obligations shall not apply to information in the public domain.

## **8. Skills Required**

The General Consultant shall propose a senior professional with requisite skills and experience (the 'Project Director') with overall accountability for the performance of the contract and team. Importantly, the GC will propose a qualified and capable (details as below) 'Project Manager' who will have responsibility for Project delivery and client liaison. In essence, the Project Manager will perform the General consulting / project management services for the duration of the contract. A written assurance from the nominated Project Director on the proposed team's availability to perform these services is required in the response to Invitation to Tender. The proposed General Consultant team should consist of the following minimum personnel. This is to clarify that only key professionals will be considered for technical proposal evaluation, however CVs of all the proposed professionals/experts should be provided along with technical proposal.

Title (Nos)	Qualification/ Experience	Skills	Expected Man- months
<b>Project Director (1)</b> <i>Key Professional</i>	<ul style="list-style-type: none"> <li>• Engineer plus Master in Business administration and/or Economics</li> <li>• Minimum of 15 years of successful experience working in project management and/or General Consultant in business or engineering consultancy, the infrastructure sector (preferably marine/water transport), or an academic environment</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership, interpersonal and communication skills, both with stakeholders and contractors</li> <li>• Practical skills in risk anticipation, trouble-shooting and problem solving;</li> <li>• Good knowledge of project, planning, procurement, monitoring and management techniques; and</li> <li>• Experience in budgeting, resource allocation and control</li> </ul>	4*
<b>Project Manager (1)</b> <i>Key Professional</i>	<ul style="list-style-type: none"> <li>• Engineer/Commerce graduate plus Master in Business administration and/or Economics</li> <li>• Minimum 8-10 years of business consulting experience in managing and coordinating delivery of large transport (preferably marine/water transport) infrastructure projects.</li> <li>• Having worked with reputed management consulting firms.</li> <li>• Working experience in at least two countries</li> </ul>	<ul style="list-style-type: none"> <li>• Good knowledge of project planning, procurement, monitoring and management techniques;</li> <li>• Good knowledge of water transport sector and services and relevant policies</li> <li>• Infrastructure costing and pricing techniques and</li> <li>• Excellent analytical and report writing skills</li> <li>• Management, interpersonal and communication skills, both with stake holders and contractors, to ensure integrated implementation of the project</li> </ul> <p><i>[The consultant may include supporting staff in the team as considered appropriate to carry out specific sub-tasks but not to diminish the focus, responsibility and</i></p>	12*



		<i>accountability of the Project Manager for day-to-day client interface and all aspects of performance.]</i>	
<b>Procurement Specialist cum Deputy Project Manager (1)</b> <i>Key Professional</i>	<ul style="list-style-type: none"> <li>• Engineering / commerce graduate (preferably with post-graduate degree/diploma)</li> <li>• Minimum 10 years of experience in procurement of goods, works and consultancy services</li> <li>• Experience in managing transport projects is preferable.</li> </ul>	<ul style="list-style-type: none"> <li>• Must have direct experience of applying the World Bank's or other donor Procurement policies and guidelines and be able to reference examples of such experience.</li> <li>• Good knowledge of project planning, monitoring and management techniques</li> <li>• Excellent analytical and report writing skills</li> <li>• It would be desirable for the Deputy Project Manager to have similar skills as the Project Manager</li> </ul>	48
<b>Senior River Engineer (1)</b> <i>Other Professional</i>	<ul style="list-style-type: none"> <li>• Post-graduate civil/water engineering degree</li> <li>• Minimum of 10 years of experience in design and conduct of river bed surveys (bathymetric etc.), flow modelling and analysis</li> </ul>	Good knowledge of river flow characteristics, bank protection and navigation improvement techniques	2*
<b>Terminal planning / Port infrastructure specialist (1)</b> <i>Key Professional</i>	<ul style="list-style-type: none"> <li>• Post-graduate civil engineering/ Architecture degree</li> <li>• An expert with minimum of 10 years of experience in river port terminal planning and design.</li> <li>• Working experience in at least two countries</li> </ul>	Good knowledge of national and international best practices in terminal layout planning and design and execution (preferably passenger ferry terminals and services, with experience in mixed-use/ cargo terminals to incorporate future development of cargo operations)	6*



<b>Environmental specialist (1)</b> <i>Other Professional</i>	<ul style="list-style-type: none"> <li>• Post-graduate degree in civil/environmental/water engineering, environmental sciences, environmental policy or related field</li> <li>• Minimum 10 years of relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Experience in conducting Environmental Impact Assessments as well as implementation / monitoring of environmental management plans for infrastructure projects, including in water or IWT related infrastructure</li> <li>• Proven knowledge of and past experience with World Bank environmental safeguard policies and ESHS guidelines</li> </ul>	4*
<b>Social Specialist (1)</b> <i>Other Professional</i>	<ul style="list-style-type: none"> <li>• Post-graduate degree in a relevant discipline, e.g. Sociology, Anthropology, Social Work.</li> <li>• Minimum 8 years of relevant experience</li> </ul>	<ul style="list-style-type: none"> <li>• Experience in conducting Social Impact Assessments, monitoring and implementation of Social Management Plans – specifically pertaining to water or IWT related infrastructure projects</li> <li>• Strong understanding and past experience of implementing World Bank Social Safeguard policies and ESHS guidelines.</li> <li>• Field experience in assessing project site issues, vulnerabilities/risks, as well as supervising/inspecting/monitoring projects during implementation to mitigate and monitor social impacts.</li> <li>• The candidate should be conversant with monitoring and evaluation and have practical experience in stakeholder engagement and consultation, community participation.</li> <li>• Experience working with a wide range of stakeholders, NGOs, international organizations, development</li> </ul>	4*

		partners and/or with the government of India will be an advantage.	
<b>Construction supervisors(2)</b> <i>Other Professional</i>	Civil engineering / diploma holders with minimum 5 years of working experience in the construction industry	<ul style="list-style-type: none"> <li>• Experience in managing and supervising civil works (preferably pertaining to maritime related infrastructure projects)</li> <li>• Knowledge of construction material and relevant IS/IRC codes</li> <li>• Knowledge of quality control practices</li> </ul>	30* (15 man months each) (Only 2 Professionals would be required to begin with, rest shall be mobilised when actual construction works begin

*\* As required by the project from time to time up to maximum of man-months indicated above*

It is desirable, but not essential that the nominated Project Director has experience in the maritime sector (preferably Inland water transport sector), but in case not, then the nominated team must include an expert with these relevant skills and experience to assure necessary access to institutional knowledge and necessary institutions and stakeholders.