

Government of Nepal
Ministry of Commerce
Nepal-India Regional Trade and Transport Project (NIRTTP)

Terms of Reference
of
Technical Adviser to DoTM (Component A.3 - Axle Load
Control and Road Safety)
(National)

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Terms of References for Technical Adviser (DoTM)

A. Background and Context:

Nepal is a geographically small, landlocked country surrounded by India in the south, east and west and the Tibet Autonomous Region of the People's Republic of China in the north. Due to difficult geographical terrain and remoteness from the sea, Nepal's access to international markets depends on efficient and reliable transport infrastructure and logistics services and transit facilities availed at neighboring countries, particularly India. Despite that 15 official trade routes are designated for movement of transit traffic across the Nepal-India border, the single border crossing of Birgunj-Raxaul handles 60 percent of Nepal's third country trade traffic passing through the port of Kolkata and Haldia. Hence the Kathmandu-Birgunj-Raxaul-Kolkata/Haldia route has remained the main transit corridor for Nepal's foreign trade. The Treaty of Transit between India and Nepal allows Nepali goods to transit through designated routes in India, with the ports of Kolkata/Haldia serving as gateway ports for the movement of third country trade cargo by road or by rail to the only railhead serving Nepal at Raxaul (Indian border with Nepal) and onwards to the Inland Container Depot (ICD) at Birgunj, Nepal across the border.

Nepal's Trade Integration Strategy (NTIS)-2016 and National Development Plan (2013-16) prioritize the need to facilitate trade and improve the country's export competitiveness. Key objectives of NTIS include; strengthening the capacity of the country's trade-related institutions on trade negotiations, strengthening export industries that promote economic inclusion, and strengthening the Government's capacity to implement the NTIS, improve coordination between trade-related institutions and enhance the delivery of technical assistance. Nepal is also participating at ongoing discussions in trade facilitation in the World Trade Organization, South Asian Free Trade Agreement, and bilateral agreements with India. As a landlocked country, Nepal's interest lies in facilitating freedom of transit and eliminating non-tariff barriers including those related to technical and sanitary and phyto-sanitary inspections, and simplification of cumbersome clearance procedures.

In support of the NTIS, the World Bank is financing the Nepal India Regional Trade and Transport project (NIRTTP), designed to decrease transport time and logistics costs for bilateral trade between Nepal and India and transit trade along the Kathmandu-Kolkata corridor for the benefit of trade by reducing key infrastructure bottlenecks in Nepal and by supporting the adoption of modern approaches to border management. The project has three components, namely:

- i. Modernize transport and transit arrangements between Nepal and India
- ii. Strengthen trade-related institutional capacity in Nepal
- iii. Improve selected trade-related infrastructure

The project will help in implementation of number of measures, particularly the development of physical infrastructures, and improvement in trade and transport processes and capacity building of the related institutions, under those three components. The World Bank has provided the financing support of 99 million USD for these activities. This is a multi-sectoral project that takes on different government and public sector institutions in implementation of various activities, envisaged under the project. Ministry of Commerce (MOC) has the overall responsibility to coordinate the implementation of the project.

A Project Coordination Office (PCO) has been established under the administrative jurisdiction of Ministry of Commerce (MOC), with the overall responsibility for supervision, monitoring and evaluation of the activities and coordination between various sub-components of the NIRTTP. It also works as bridge between implementing agencies and the National Trade and Transport Facilitation Committee (NTTFC), a high level coordinating committee which includes representation from the trade-related government ministries, departments, para-statal and private sector organizations. Department of Roads (DoR), will independently implement the road component of the project. The PCO at MoC is responsible for coordinating the program and activities of four different Implementing Agencies; viz. Department of Transport Management (DoTM), Department of Customs (DoC), Nepal Intermodal Transport Development Board (NITDB) and Trade and Export Promotion Centre (TEPC).

The Department of Transport Management (DoTM) in Nepal plays an important role in the management and regulation of road transport services. Most of Nepal's domestic cargo movement is carried out by road transport. However, recent studies have indicated on the need to strengthen DoTM's capability to fulfill its mandate effectively. As a result, the project intends to support the DoTM in executing its mandate to enhance quality and competitiveness of transport services in Nepal. Specifically, the project will support DoTM to strengthen its capabilities in two areas, namely, road safety and vehicle overload control.

The road safety environment in Nepal is deteriorating. In fact Nepal has a poor road safety record. In 2010-11 there were 8,656 road-traffic accidents resulting in 1,689 fatalities, 4,071 serious injuries and 9,133 minor injuries. Close to half of the accidents are in the Kathmandu Valley, which has the highest concentration of vehicles in the country. To address this issue, the DoTM would like to put its efforts in safety education and awareness campaigns among other activities under its purview. Measures in this area have generally not been effective due to several weaknesses, of which two are most prominent. The first weakness has been that Nepal has lacked, until recently, a long-term strategy for road safety. A major step has now been taken to address the problem at the first stage as drafting of a Road Safety Action Plan. The plan which was

drafted through wide consultation among all stakeholders including the DoTM is now with the Government awaiting adoption. The plan covers the period 2011-2020 and proposes several actions to reduce the economic, social and environmental impacts caused due to road traffic accidents.

The second issue is the absence of a designated national lead agency for road safety, resulting in poor coordination among the agencies with a stake in road safety. In the current scenario road safety functions are shared mainly by the Road Traffic Unit of the Department of Roads, DoTM and the Metropolitan Traffic Police Division.

The Road Safety Plan has been developed in consistent with the UN Global Action which mandates member countries to develop individual national plans for the decade (2011 to 2020) incorporating interventions under the following five pillars to road-safety.

- 1) Road safety management
- 2) Safer roads and mobility
- 3) Safer vehicles
- 4) Safer road users and
- 5) Post-crash response

The plan is based on the premise that all stakeholders will follow it with a view to improve and manage road-safety in an integrated manner. Activities are identified for each agency best placed to implement them that will lead achieving the desired goals of reducing road traffic injuries and resultant economic losses. It is the very first comprehensive national action plan for Nepal.

There are several agencies involved in vehicle axle load control in Nepal, of which the Department of Roads and DoTM are the most significant ones. The DoR sets the limits of vehicle weights. In order to address the increasing problem of overloaded vehicles, DOR has prepared a Heavy Vehicle Management Policy (HVMP). Truck overloading is a serious problem given that some critical bridges are 35 to 40 years old and were not designed for weights in excess of 10.2 ton limit. The HVMP sought to clarify the roles and responsibilities of DoR, DoTM and the Traffic Police and to provide for better coordination for implementation of the control on axle load and vehicle load limits. However, presently, the DoTM is the lead agency on the regulation of vehicle overloading in Nepal. Government of Nepal in the National Transport Policy brought out in 2001 has expressed the intention to improve the regulation of axle loads so as to protect road infrastructure and promote healthy competition among goods transporters. However, it is very much apparent that these objectives are yet to be realized. Trucks are frequently overloaded owing to inadequate capacity for enforcement of existing rules and regulations, while the regulations themselves do not provide for the now

commonly used truck configurations. In addition, truck associations have also taken the regulation of axle loads, largely as a means of allocating loads and creating cartels and price fixing. Privately-owned weighbridges are in a few locations along the network while a private firm, operates the weighbridge at the Dry Port in Birgunj. Generally, there appears to be little or no enforcement of weight limits.

The proposed activity seeks to develop a) an axle load control strategy and b) a legal framework and modalities for a PPP approach to axle load management in Nepal. The program should clarify the roles of different parties with a stake on axle load management, especially the Department of Roads as custodian of the road network and DoTM as the transport regulatory authority. The proposed strategy would also include among other aspects, the identification of ideal locations for weigh bridges and requirements for a network of weighbridges with appropriate IT connectivity to minimize fraud. Meanwhile the legal framework and modalities for a PPP approach to axle load management would seek to involve the private sector in axle load management in the country.

The World Bank has provided resources to finance these two activities viz. axle load control and road safety management, to be implemented by DoTM. Two separate consulting firms will be recruited for implementation of these two activities under DOTM.

B. Objectives:

The objective of this component is to strengthen and modernize the regulation of international trucking services including axle load control and road safety from a transport management perspective.

C. Scope of Services:

The services of Technical Advisor (National) are aimed to provide overall management support to DOTM in planning, implementing, managing and monitoring the tasks associated with the project, so that above mentioned objectives shall be achieved. The TA will report to the Director General DOTM for the assigned tasks and will work closely in association with the designated Sub-Project Coordinator of DOTM. The specific responsibilities of the TA shall be, but not necessarily limited to following:

- i. Assist DOTM in introducing internationally accepted standards and good practices for overall project management within the phases of the project and

- ensure that their delivery meets timelines and quality requirements for the projects;
- ii. Procurement of consulting services for axle load control and road safety activities including monitoring the consultant's progress, reviewing and finalizing the reports and designs. The TA shall also coordinate and provide support to the consulting firm;
 - iii. Assist in monitoring the contract terms and ensure that conditions of contract are fully met by all consultants and other project vendors. Help in settling the disputes, should they arise, according to the agreed procedures;
 - iv. Assist in planning, designing, procuring, and implementation of civil works and goods contracts for setting up and operation of axle load weigh bridges;
 - v. Assist in developing road safety awareness program and conducting road safety awareness campaigns to different stakeholders;
 - vi. Coordinate with the relevant police offices and plan for implementing road crash data development and management system.
 - vii. Assist in procurement and implementation of road crash data management including trainings to police and staff of DOTM. Assist in studying the public vehicle routes and developing criteria for route permit for busses and trucks;;
 - viii. Undertake visits of project sites as necessary, supervise the works and provide guidance to the consultants and the contractors on the project activities and provide suggestions to DOTM for enhancing project efficiency if required;
 - ix. Maintain coordination with PCO at MoC, World Bank and other government and non-government agencies in course of project implementation;
 - x. Provide guidance to the consultants in review and revision in existing laws;
 - xi. Develop sustainability modules for operation and maintenance of weigh bridges established in order to ensure control on overloading of vehicles;
 - xii. Identify training needs for technical staffs and other staffs engaged in axle load control and road safety, and conduct relevant trainings ;
 - xiii. Prepare and submit the project status reports, and other reporting requirements in the World Bank format in a periodic manner and as assigned by the Sub-Project Coordinator (SPC);
 - xiv. Other technical and managerial activities as instructed by the SPC or DG DOTM.

D. Qualification Requirement:

An individual to be eligible for the service should meet following requirements:

- i. Minimum Bachelor's Degree in Civil Engineering or Automobile/ Mechanical Engineering with at least 10 years of experience in the related field or Master's Degree in Civil/ Highway/ Transportation/ Automobile/ Mechanical Engineering or relevant subject with at least 5 years of experience in the related field;

- ii. Registered in Nepal Engineering Council as "General Registered Engineer (Category-A)" as per Nepal Engineering Council Act, 2055 (1999);
- iii. Demonstrated experience in modern approaches to axle load control or road safety management. Experience with both will be an added advantage;
- iv. Experience in developing policy framework, action plans, guidelines and management of road safety and axle load activities;
- v. Experience in World Bank or other donor funded projects is preferable;
- vi. Good presentation, interpersonal and communication skills;
- vii. Excellent knowledge of English, Nepali/local languages;
- viii. Good knowledge in basic computer skills.

E. Duration of Services:

The Technical Adviser will be hired for a remaining period of Project Activities of DoTM. Her/his service is renewed in the first day of new Nepali Fiscal Year based on the availability of budget, need of DoTM/Project and performance of services. The TA shall work full-time at DOTM office in Kathmandu, and shall require frequent visit to construction sites.

F. Supervisor:

The TA shall be on immediate supervision of Sub-Project Coordinator and shall report to the Director General of DOTM through the supervisor.

G. Reporting Requirements:

The TA shall prepare all necessary reports (monthly, quarterly and other reports) as prescribed by the Project and DOTM.

H. Remuneration and Compensation:

The followings shall apply:

- ❖ The Technical Adviser will be provided with a monthly remuneration as agreed on the contract. Such remuneration will include monthly lump sum amount that includes all overhead, social charges, taxes and VAT, and other associated costs including the local transportation within Kathmandu valley.
- ❖ The Technical Adviser will be entitled to get all public holidays.
- ❖ The Technical Adviser shall be responsible to settle all taxes and duties including the applicable VAT and income taxes per the GON rules and regulations. However, the Project Office will deduct the Advance Income Tax (AIT) as per the prevailing rules and regulations.
- ❖ In case of travel outside Kathmandu or outside Nepal, for the project related assignment, the Technical Adviser shall be paid the actual travel and lodging

expenses and/or a subsistence allowances equivalent to Class I Officer of the Government of Nepal.

I. Facilities to be provided by the implementing agency-PCO/ DOTM:

Following facilities shall be provided to the TA by the Sub-Project Office (SPO) during the period of service:

- i. Office space with furniture
- ii. Internet access
- iii. Required office stationery
- iv. Photocopying facilities

J. Contact for Additional Information and Application:

Further information related to selection and recruitment of the TA may be obtained from the Project Office (PCO) of Nepal India Regional Trade and Transport Project (NIRTTP) or from DOTM. Interested candidates to work in the position of TA under the contractual service arrangements and complying with the above requirements are requested to submit their cover letter and detailed CV.

The Project Director

Ministry of Commerce

Nepal-India Regional Trade and Transport Project

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