

Terms of reference (ToR) for the procurement of services below the EU threshold

CONFIDENTIAL

Background Study on Public Transport Regulation	Project number/ cost centre: G-012535-001
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0. List of abbreviations

AG	Commissioning party
AN	Contractor
AVB	General Terms and Conditions of Contract for supplying services and work
BMZ	German Federal Ministry for Economic Cooperation and Development
FK	Expert
FKT	Expert days
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
KZFK	Short-term expert
INMOTION	Sustainable Urban Public Transport in Indonesia
SECO	Swiss State Secretariat for Economic Affairs
ToRs	Terms of reference

1. Context

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH is Germany's central organisation for international cooperation, and a global service provider in the field of international cooperation for sustainable development. GIZ is dedicated to shaping a future worth living around the world. As the third largest democracy and the fourth largest country in terms of population, Indonesia has been a partner country of German Development Cooperation since 1958 and one of the Global Partners of the German Federal Ministry for Economic Cooperation and Development (BMZ).

BMZ, in collaboration with the Swiss State Secretariat for Economic Affairs (SECO) and the Ministry of Transportation of Indonesia, initiated a project titled the Sustainable Urban Public Transport in Indonesia (INMOTION). The project is designed to support the Indonesian government in a transformation towards an integrated and sustainable urban public transport with four objectives:

1. Foster collaboration among urban and metropolitan regions to develop integrated public transport systems
2. Equip transport agencies and companies with knowledge tools for the implementation of integrated public transport
3. Establish agreements between transport companies, local authorities, and organisations on public transport services integration in pilot cities
4. Prepare a nationwide financial mechanism to increase investment for the integrated public transport system

To achieve these objectives, the project plans to provide technical assistance to strengthen the regulatory framework and financing mechanisms of the public transport system.

The development of Indonesia's mass public transport system is hindered by a number of challenges. While primarily the responsibility rests with regional governments under Law No. 23/2014, most Indonesian cities still face challenges in financing their local public transport services. The proportion of regional budgets allocated to public transport management remains low (mostly below 1%), and many cities continue to face constraints due to limited fiscal capacity. Therefore, strengthening financing mechanisms is important to accelerate the development of public transport systems, including exploring alternative financing schemes outside government budget that can be adopted by cities.

One of the key enablers for addressing this issue is the establishment of a clear and reliable regulatory foundation on public transport financing. To support this matter, the INMOTION project will conduct a study to strengthen regulatory framework on public transport systems that can support the public transport financing in the cities. The study aims to analyse the key constraints affecting financing, investment readiness, and the implementation of sustainable public transport systems, and to develop recommendations and actionable next steps to address these challenges.

The background study will serve as a critical foundation for strengthening the regulatory framework of the public transport system. The study will include, but not be limited to, mapping the existing regulatory framework, assessing gaps and implementation challenges, identifying best practices, and developing recommendations that will serve as the basis for the improvement of public transport regulations.

2. Tasks to be performed by the contractor

The objective of this contract is to support the development of background studies on public transport regulation. This study will cover the mapping and assessing the existing regulation and policies, identifying the gaps, and develop recommendation and actionable next steps that can be used by the relevant stakeholder to strengthen public transport regulation.

The contractor is responsible for providing the following services:

Task 1: Initial preparation

- 1.1. Submit an Inception Report that includes a detailed work plan, a proposed methodology, an indicative timeline, and an intended report's outline.

Task 2: Conduct relevant assessment

- 2.1 Identify and map the existing policies and regulations on public transport financing mechanisms at the national and sub-national level.
- 2.2 Review the current implementation of existing policies and regulations on public transport financing mechanisms at the national and sub-national level using established methods, e.g.: *Regulatory Mapping and Review (Regmap)*, *Regulatory impact assessment (RIA)*, or related methods.
- 2.3 Assess the gaps between implementation practices, existing regulatory frameworks and policies, and the actual needs to support the implementation of public transport financing in the cities.
- 2.4 Identifying best practices and potential improvement areas to improve public transport policy and regulation on financing mechanism.
- 2.5 Develop recommendations and actionable next steps to strengthen public transport regulation on financing mechanism.

Task 3: Engage relevant stakeholders

- 3.1. Identify relevant stakeholders and conduct/facilitate stakeholders' consultation(s) and/or focus group discussion(s) at the national level to collect relevant data/information and feedback/inputs.

Task 4: Develop the final background study

- 4.1. Incorporate all relevant feedback from stakeholders and submit the final background study.

The following table gives an overview of the envisioned deliverables:

Milestones/partial works	Deadline/place/person responsible	Criteria for acceptance
Inception Report	Week-3 after initial contract date	- One approved Inception Report. The report written in Indonesian, submitted in Word/PDF format that includes a detailed work plan, a proposed methodology, an indicative timeline, and an intended report's outline - One inception report presentation (up to 10 slides).
Draft Final Report	Week-15 after initial contract date	- One draft final report written in Indonesian, submitted in Word/PDF format that consists of: 1) Analysis the implementation of existing policies and regulations on public transport financing mechanism 2) Gap analysis and best practices on public transport financing mechanism 3) Recommendations and actionable next steps to strengthen public

Milestones/partial works	Deadline/place/person responsible	Criteria for acceptance
		transport regulation on financing mechanism. - One draft final report presentation (up to 10 slides).
Final Report	Week-17 after initial contract date	- One approved Final Report, written in Indonesian. Submitted in Word/PDF format - One approved Final Presentation (up to 10 slides). - One approved Executive Summary, written in English.

Period of assignment: from 27 August 2026 until 30 November 2026.

3. Concept

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

Technical-methodological concept

Strategy (1.1): The tenderer is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1 Context) (1.1.1). Following this, the tenderer presents and justifies the explicit strategy with which it intends to provide the services for which it is responsible (see Chapter 2 Tasks to be performed) (1.1.2).

The tenderer is required to present the actors relevant for the services for which it is responsible and describe the **cooperation (1.2)** with them.

The tenderer is required to present and explain its approach to **steering** the measures with the project partners (1.3.1) and its contribution to the **results-based monitoring system** (1.3.2).

The tenderer is required to describe the key **processes** for the services for which it is responsible and create an **operational plan** or schedule (1.4.1) that describes how the services according to Chapter 2 (Tasks to be performed by the contractor) are to be provided. In particular, the tenderer is required to describe the necessary work steps and, if applicable, take account of the milestones and **contributions** of other actors (partner contributions) in accordance with Chapter 2 (Tasks to be performed) (1.4.2).

The tenderer is required to describe its contribution to knowledge management for the partner (1.5.1) and GIZ and to promote scaling-up effects (1.5.2) under **learning and innovation**.

Project management of the contractor (1.6)

The tenderer is required to explain its approach for coordination with the GIZ project (1.6.1). In particular, the project management requirements specified in Chapter 2 (Tasks to be performed by the contractor) must be explained in detail.

The tenderer is required to draw up a **personnel assignment plan** with explanatory notes that lists all the experts proposed in the tender; 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 (1.6.2).

The tenderer is required to describe its backstopping concept (1.6.3). 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 tender in accordance with Section 3.1 of the GIZ AVB:

- Service-delivery control
- Managing adaptations to changing conditions
- Ensuring the flow of information between the tenderer and GIZ
- Assuming personnel responsibility for the contractor's experts
- Process-oriented steering for implementation of the commission
- Securing the administrative conclusion of the project

Further requirements (1.7)

The tenderer is expected to demonstrate strong experience in working closely with national and local governments in Indonesia, particularly in urban public transport financing mechanisms and regulatory frameworks. Experience working with government, or a strong understanding of their administrative processes, stakeholder dynamics, and operational context, will be considered a strong advantage.

The tenderer should also demonstrate the ability to work collaboratively and intensively with national Government, city administrations, and relevant stakeholders to ensure that the proposed approaches and recommendations are practical, implementable, and aligned with needs and realities.

4. Personnel concept

The tenderer 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 in the technical assessment.

Expert 1: Team Leader: Legal Expert

Tasks of the Expert

- Lead and coordinate the overall implementation of the assignment
- Regular reporting in accordance with deadlines
- Identify and map the existing regulations on public transport financing mechanisms
- Review the implementation of existing regulations on public transport management, especially related to financing mechanism
- Assess the gaps between implementation practices, existing regulatory frameworks, and the actual needs to support the implementation of public transport financing mechanisms.
- Based on the assessment, develop recommendations and actionable next steps to strengthen public transport regulation on financing mechanisms.

Qualifications of the Team Leader: Legal Expert

- Education/training (2.1.1): Master's degree or higher in Law
- Language (2.1.2): B1-level language proficiency in English
- General professional experience (2.1.3): 8 years of professional experience in law/legal, especially related to decree/regulation drafting, including the preparation, review, or amendment of government regulations, decrees, or other regulatory instruments.

- Specific professional experience (2.1.4): 5 years of professional experience in urban development, public transport, urban governance, or development cooperation projects.
- Leadership/management experience (2.1.5): 3 years of management/leadership experience as project team leader for lawmaking/regulation drafting
- Regional experience (2.1.6): 5 years of experience advising national and local government on regulatory governance.
- Development cooperation (DC) experience (2.1.7): 3 years of experience in DC projects.

Expert 2: Public Transport Policy Expert

Tasks of Public Transport Policy expert

- Identify and map the existing policies and mechanisms on public transport financing.
- Review the implementation of existing policies and mechanisms on public transport financing.
- Assess the gaps between implementation practices, existing policies and financing mechanism, and the actual needs to support the implementation of public transport financing.
- Identify best practices and potential improvement areas to improve public transport policy on financing mechanisms.

Qualifications of Transport Policy expert

- Education/training (2.2.1): Master's degree or higher in Transport Engineering, Civil Engineering, Urban and Regional Planning, Urban Development, or related fields.
- Language (2.2.2): B1 -level language proficiency in English
- General professional experience (2.2.3): 7 years of experience in sustainable transport and/or urban development project
- Specific professional experience (2.2.4): 5 years of experience in public transport policy project
- Regional experience (2.2.6): 5 years of experience advising national and local government on urban development and/or transport.
- Development Cooperation (DC) experience (2.2.7): 3 years of experience Development cooperation project

5. Costing requirements

Specification of inputs

Fee days	Number of experts	Number of days per expert	Total	Comments
Team Leader: Legal Expert	1	60	60	Against timesheet and completion of report
Public Transport Policy Expert	1	50	50	Against timesheet and completion of report
Other costs	Number	Price	Total	Comments
Flexible Remuneration	1	15.000.000	15.000.000	A budget of IDR 15,000,000 is foreseen for flexible remuneration. Please incorporate this budget into the price schedule.

				Use of the flexible remuneration item requires prior written approval from GIZ.
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6. Requirements on the format of the tender

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

The complete tender must not exceed 10 pages (excluding CVs). If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment. External content (e.g. links to websites) will also not be considered.

The CVs of the personnel proposed in accordance with Chapter 4 of the ToRs must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages each. They must clearly show the position and job the proposed person held in the reference project and for how long. The CVs can also be submitted in English.

Please calculate your financial tender based exactly on the parameters specified in Chapter 5 costing requirements. The contractor is not contractually entitled to use up the days, trips, workshops or budgets in full. The number of days, trips and workshops and the budgets will be contractually agreed as maximum limits. The specifications for pricing are defined in the price schedule.

7. Organisational matters

Place of Assignment: Jakarta

Payment modalities: Payment for the assignment will be made in one instalment upon completion of the assignment, considering satisfactory results and the submission of the required deliverables by the contractor.

Failure to complete work: GIZ reserves the right to cancel the remainder of the contract if the deliverable output does not meet ToR requirements and standards of quality e.g. if Task 1 is completed unsatisfactorily, GIZ is only liable to pay for Task 1 and can cancel the contract for the remaining Tasks.

8. Outsourced processing of personal data

The provisions on data protection and information security of the General Terms and Conditions of Contract apply.