



GOVERNMENT OF SAMOA
MINISTRY OF WORKS, TRANSPORT & INFRASTRUCTURE

Date: 21th Feb, 2021

**REQUEST FOR EXPRESSIONS OF INTEREST
(CONSULTING SERVICES – FIRMS SELECTION)**

**LAND TRANSPORT SUB-SECTOR LEGISLATIVE REVIEW AND REVENUE
GENERATION OPPORTUNITIES**

RE-ADVERTISED

Country:	Independent State of Samoa
Name of Project:	Samoa Climate Resilient Transport Project (SCRTP)
Grant No.:	IDA-D3670
Assignment Title:	Consultancy Services for Land Transport sub-sector legislative review and revenue generation opportunities
Reference No:	WS-MWTI-256346-CS-CQS

1. The Independent State of Samoa has received financing from the World Bank toward the cost of the Samoa Climate Resilient Transport Project (SCRTP) and intends to apply part of the proceeds for consulting services.
2. The consulting services ("the Services") includes the provision of advisory support and facilitation services to the GoS to improve the regulatory framework supporting land transport in Samoa. The services to be provided by the Consultant will be completed in a two (2) stage approach as follows:

Stage 1 – Identify Land Transport Legislative Changes and Craft Position Paper. This activity will include (but not be limited to) the following:

- (a) In line with the two key focus areas, the first shall tackle the revenue collection and allocation components of legislation and will require input from a transport economist capable of assessing legislation, fiscal policy, and the financial operating environment. The Land Transport Funding Position Paper should clearly articulate, but not be limited to:

- Findings from a review of previous studies and stakeholder engagement sessions on how land transport infrastructure is funded, including both the national and local (non-LTA) road networks, and whether the current funding environment is optimal;
 - Recommendation on the fiduciary roles of MOF, MPE and LTA in collecting revenue and allocating funds across the land transport sector. Inclusive of donor agency financing, taxation, fuel levies, fines and charges. Consideration should be given to new revenue generating opportunities and this needs to be a key component of the position paper – or potentially a precursor to;
 - Identify gaps in current legislation (Acts and Regulations) to deliver the above outcome and outline the changes required.
- (b)** The second paper is to focus on the functions of the land transport network, requirements placed upon its users and the roles and responsibilities of government agencies in planning, developing, operating, and maintaining a safe, efficient, and effective national road system for Samoa. The Land Transport Roles and Requirements Position Paper should clearly articulate, but not be limited to:
- A review of previous studies, stakeholder engagement sessions and the outcome/direction set in the funding position paper;
 - A review of the functions of government agencies in planning, developing, operating and maintaining the road systems for Samoa including establishing clarity on responsibilities for both the local and national road networks;
 - Recommendation on the functions for MWTI as they pertain to the promotion of strategic planning and regulatory oversight of road infrastructure including safety, traffic, enforcement and the likes. This should align with the legislative structure for civil aviation and maritime shipping;
 - Recommendations on requirements of land transport network in providing a safe, efficient and effective national road system and the requirements of network users. This will include improving current legislation as recommended in previous studies (referenced above) and as identified during stakeholder engagement and the consultants review process;
 - Identify gaps in current legislation (Acts and Regulations) to deliver the above outcome and outline the changes required.
- (c)** This statement of basic principles, intent, roles, and responsibilities would be an important prelude to the legislative reforms which have been identified as being necessary to provide effective governance for the land transport sector and related infrastructure. The consultant will be required to draft and seek endorsement of recommendations in the position papers. This stage will include, but not be limited to, the following activities:
- Review guidance provided in the Legislative Drafting Handbook (approved by the Attorney General, July 2008);
 - Consult with relevant stakeholders and conduct engagement sessions/workshops;

- Review all relevant reports, policies, laws, regulations, rules and other regulatory instruments pertaining to land transport in the Independent State of Samoa;
- Review revenue collection across the land transport sector including fees and charges collected by LTA and fuel excise taxes collected by MOR and the legislative and regulatory frameworks supporting their enforcement in the Independent State of Samoa. Also consider applicability of the regulations to accommodate isolation of land transport related components of property taxes and the future potential to introduce additional road user charges (e.g., a heavy vehicle road use charge);
- Review the ownership and accounting practices for land transport infrastructure and align with those in the wider transport sector, namely: Samoa Airport Authority (SAA), Samoa Shipping Corporation (SSC) and Samoa Ports Authority (SPA);
- Summarize the intended roles and functions of MOF, MPE, MWTI and LTA in managing maintenance of the local and national road network, administering revenue and delivering an effective land transport system;
- Liaise with the AG's Office to determine the format and extent of any new or amended legislation;
- Identify legislative gaps and ambiguities in intended agency responsibilities regarding land transport in the Independent State of Samoa. This will mostly pertain to outdated laws and regulations covering MWTI's role and the role of LTA in its receipt of an annual government grant to cover operating expenditure;
- Draft the Land Transport Position Papers to seek agreement on key concepts and components of new legislation;
- Facilitate further workshop(s) with key leadership from the four governing bodies and seek endorsement on the recommendations (roles and responsibilities);
- Finalize clear, endorsed recommendations in a consolidated land transport legislative review position statement from which new legislation can be drafted. This position statement will form the foundation of the draft Bill in Stage 2;
- Develop implementation plan for Stage 2.

Stage 2 – Draft New Legislation and Supporting Regulations. This activity will include (but not be limited to) the following:

- Develop a draft “Land Transport Bill” or appropriately named alternative (s) incorporating the principles agreed in the policy position statement prepared in Stage 1 of this assignment;
- Draft amendment bill to revise existing legislation to support the new Act(s) as required, and prepared revised regulations as may be required to support the draft Bill;
- Draft any supporting Regulations as may be required pursuant to the new Bill;
- Present the Bill and draft regulations to key stakeholders and amend as required to facilitate support required for enactment/promulgation;

- Provide on-call technical support to key stakeholders as the draft Bill and draft amendment Bill are presented to and considered by the Legislative Assembly.
3. The assignment will be undertaken by a firm (consultancy services) on a part time basis in Samoa and remotely due to Covid travel restrictions. An expected input of 6 person months over a period of no more than 8 months.
 4. The detailed Terms of Reference (TOR) for the assignment can be obtained at the address given below.
 5. The Ministry of Works, Transport and Infrastructure now invites eligible Consulting Firms “(Consultants)” to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services.
 6. The attention of interested Consultants is drawn to Section III, paragraphs, 3.14, 3.16, and 3.17 of the World Bank’s “*Procurement Regulations for IPF Borrowers*” July 2016, revised in November 2017), setting forth the World Bank’s policy on conflict of interest.
 7. The best qualified firm to carry out the services will be selected in accordance with the Consultant’s Qualification Based Selection (CQS) method set out in the Procurement Regulations and based on the following criteria: (i) Detailed description of at least two similar assignments conducted in the last five years, (ii) Availability of technical personnel and capacity to complete the services in the time specified and (iii) Experience of similar work in Developing Countries or Small Island Communities.
 8. Further information can be obtained at the address below during office hours Monday to Friday, 9:00 to 17:00 Samoa time:

Sagauga Leilani Galuvao
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9. Expressions of interest including documentary evidence on the above requirements must be addressed to the Secretary of the Tenders Board, and deposited in the Tender Box located at the Ministry of Finance, Level 4, Central Bank of Samoa Building, Apia, Samoa **by no later than 11am Mon 7th March, 2022.**
10. Alternatively, Expressions of Interest may be submitted electronically via the Ministry of Finance’s Tender Link Portal: http://portal.tenderlink.com/mof_samoa/
Late submissions will not be considered.