



# Handbook Blueprint Procurement and Governance for Mobility Hubs

EIT Urban Mobility - Mobility for more liveable urban spaces

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# Handbook Blueprint Procurement and Governance for Mobility Hubs

*This handbook helps you to work with the “Blueprint for procuring and governing the process of realising a mobility hub” as can be found on the website <https://smarthubs.eu/>. The tool is divided into 2 parts, and this handbook helps to understand how the tool works and how the input results in the output. The tools are compiled of questions on all kinds of conditions required in the development of a hub. Conditions that have to do with the organisation aiming to build hubs and conditions concerning the state of the market. This handbook guide helps to understand why certain questions are asked and why they are relevant, as well as help to interpret the outcomes and definitions used in the tool.*

## 1. Why a Blueprint?

Mobility hubs are a relatively new phenomenon in many cities, and they often require a process of tendering to see the light of day because most cities choose not to be the owner of the mobility services. This means that the cities in which the hubs will be realised will need to look at how they want to do that and what role they want to play in both the realisation of the hub and the exploitation of the hub. Is the city aiming for a hub(network) which is owned and managed by the Mobility service providers? Or does the city want a network which is managed and owned by its own administration thereby having control, but also the financial responsibility?

In the EIT Urban Mobility project SmartHubs we have worked with several cities to realise mobility hubs and test how they perform during a period of 2 years. These experiences helped to gain an understanding of how hubs have been realised and how they are envisioned by the cities in the process.

The blueprint is a tool that helps to gain insight into the relevant questions that cities have to ask themselves before they start the process of making hubs. After filling in these questions the tool also provides a short advice on the suggested procurement method and governance approach of the hub. In the tool, practical examples and best practices can be found.

## 2. When to use this blueprint

The blueprint serves to advise cities that are looking to realise hubs to choose the best and most fitting procurement type. Secondly, it can also serve as a checklist to determine if everything has been taken into consideration regarding the procurement process. The different elements within procurement specifics to hubs are broad. From shared scooters/bikes/cars operated by commercial organisations within different legal circumstances, to differing situations regarding land ownership. Lots of questions need to be answered to determine the correct avenue to approach a procurement. Who owns the ground positions at the anticipated hub location? Regarding the role of the procuring party, questions

such as 'Do you want to stimulate, facilitate or regulate?', 'How do we integrate digital infrastructure in the hub?' I.e MaaS application, are just as important as the "wheels" in the hub to take into account.

### 3. How to use this handbook

The handbook is an additional product to support the online tools of procurement and governance for Mobility hubs [procurement.smarthubs.eu](http://procurement.smarthubs.eu).

The handbook provides some introduction into the topic and why using the tool can be beneficial for cities. Furthermore, the handbook aids the users of the tool in understanding why certain questions are asked and deemed

relevant to be part of the tool. Lastly, the handbook provides an appendix in which the questions from the tool are clarified with some argumentation on why the questions are relevant and how you should interpret them.



# 1. Governance approach Tool

The governance approach distinguishes 4 types of governing. From top to bottom in order of: Much government influence to little government influence. Please be aware that the government might not always have a stake or position at all. On private grounds for example, there is no governance approach to be taken, it is in full ownership of the market, which could consist of an organisation, or a group of citizens for example. This option is not taken into account in the tools.

The 4 governance approaches that are distinguished in this tool are not a full list of all the possible governance approaches that can be adopted but they give a sense of direction.

The 4 approaches are:



Regulate



Stimulate



Restrict



Leave up to the market

They are ordered from a high degree of control by the city/government to a low degree of control. The tool is designed in such a way that the questions give a score which corresponds with certain types of governance. The aim is to analyse the situation, the maturity of the market, the maturity of the city administration and the legal situation.



Regulate

To regulate procurement means that the government/city is the owner of the entire procedure of procurement and decides the entire functionality of the hub. From its characteristics to the functionalities and to the terms regarding the business case. The government sets the preconditions in law and regulation, decides on what terms hubs and shared mobility can operate and how this is evaluated. A concession is an instrument that the government can use to regulate the market. The market operators that see business opportunities here can opt to work together with the governments to realise the hubs.



Stimulate

Within the context of procurement, 'to stimulate' means to react to initiatives for hub locations, and to help realise them by removing barriers and leaving characteristics and functionalities of the hub up to the initiative-takers or to put inviting conditions as prospects for market operators in place to attract them towards your city/region. It can be both a passive and an active attitude. The bottom line is that there are advantages set up to help service providers or hub developers to realise more easily. Reasons to do this is because there might be a societal need for hubs and shared mobility but they have trouble getting started, or to increase the speed with which hubs will be realised.



### Restrict

Restricting means putting policies and demands in place that prevent all initiatives to be realised without checks. By restricting some developments, and stimulating others, you can steer hub developments to certain outcomes. This is part of the process of policy making, which is of course a step before actual procurement. The reason why restrictions can be interesting is because the market is relatively new, and the sheer amount of interested service providers might cause an overflow of mobility services in the city, leading to negative circumstances.



### Leave up to the market

A passive role in the development of mobility hubs. This can work via permit-structures, where complying with the permit preconditions are all a service provider needs to realise the hub. By doing so, there is no real government interference on an active level. This presumes a government which either trusts that the market will regulate its own supply and demand or sees no urgent societal issues to be solved by hubs.

## 2. Procurement approach Tool

All public procurement procedures in the EU are carried out on the basis of national rules, or organisation specific rules. For higher value contracts, these rules are based on general EU public procurement rules. Therefore, in order to start with the procurement approach tool, you need to make a preselection to determine which route to take, and to see if procuring is actually the way to go forward.

### Selecting the right procedure

Before you start to fill out the procurement tool, you need to predetermine if procurement is even relevant in terms of its governance. The situation per location will determine greatly if a procurement process is even necessary and if so, for which parts. Secondly, procurement jurisdiction prescribes financial tip-overs for certain types of procurement, mainly the tip over from being able to do a direct assignment to an open procedure and the tip over from an open procedure to a European open procedure. The questions will also be found within the tool itself, but this guide gives some additional information on why these questions are important. We distinguish three ways to realise the mobility services on hubs, of which only one requires proceeding with this tool:

- Procurement
- Concession
- Permit
- Subsidise

### Procurement

The process of procurement is the process in which governments issue a public tender towards the market to buy a certain service or product. The result of this process is a written agreement for consideration that has been concluded between one or more service providers and one or more contracting authorities and which relates to the provision of other services.

If you opt for the form of a government contract, this means that the contractor is obliged to provide the agreed service. The consideration of the client consists of a payment of an amount of money or a consideration that can be valued in money. With a government contract you therefore have enforceable performance.

Government contracts for services and supplies with a value above € 215.000 must be put out to European tender on the basis of the Public Procurement Act, so that the contract is accessible to parties in Europe. Below that threshold from a value of € 50,000 or more, you must also grant the assignment to multiple parties to access the assignment (i.e. 3 to 5 parties) or national public (open to the market) procedure must hold a procedure. Thus, above the threshold of €50.000 a direct assignment will not be possible. It is important to note here that local organisations sometimes have internal rules that apply lower thresholds than the thresholds required by the European Union.

## Concession

The concession for services is a kind of partnership between the public sector and a (usually) private company. Concessions are used in sectors that affect EU citizens' quality of life. Examples: road and rail transport, port and airport services, motorway maintenance and management, waste management, energy and heating services, leisure facilities and car parks. Concessions permit private capital and know-how to complement public resources and enable new investment in public infrastructure and services without increasing public debt. The process leading to a concession is by default a European tender since the services that fall under concessions are by default of greater value than €215.000.

The difference with a public contract is that: in a public contract, a company is paid a fixed amount for completing the required work or providing a service. Example: a private company builds and manages a motorway for a fixed price. In a concession, a company is remunerated mostly through being permitted to run and exploit the work or service and is exposed to a potential loss on its investment. Example: a private company builds and manages a motorway and is remunerated through tolls, running the risk that the revenue generated will not cover its investment and other costs incurred.

With such a concession there is an obligation for the contractor (concessionaire) to operate, so the service must be performed. The operating risk lies with the concessionaire. The concessionaire acquires an exclusive right to offer its services within a defined area. If the exploitation risk does not lie with the contractor, it is an ordinary public contract.

## Licensing or providing a permit

A permit is the order decree on an application that allows intended activities to be carried out that are normally prohibited by law or regulations. With a permit (exemption), permission is granted to offer the relevant services that are prohibited in a city's local regulation rules by law).

Permits are not subject to procurement. However, if there are scarce permits, for example due to a permit ceiling (limited number to be issued), then you are obliged to observe the principle of equality and transparency when distributing these permits. This means that you do the distribution via a selection procedure in which you allocate the permits on the basis of objective criteria that you announce in advance (i.e. in the same way as with a tender).

## Subsidise

The entitlement to financial resources provided by an administrative body for the purpose of certain activities other than as payment for goods or services provided to the administrative body. Often used for activities related to the public interest, where the subsidy provider (often) has an interest in (maintaining) activities of the individual applications for the benefit of third parties. This often happens when competition in a market is not really possible, but subsidies are also often part of a concession since the concessions are partly financed by governments. Concessions tend to be a mix of subsidies and market driven profits. The societal importance of public transport for instance is so important that the governments subsidise to guarantee basic levels of operations and guarantee a low(er) price for customers to use the services. There is a crossover point between subsidies and concessions which are legally bound and described. The Dutch law on Services of general economic importance (DAEB) states that decentral governments may partly

subsidise services in a concession if the market does not do so on its own terms or not following the societal quality demands put on it by governments. This combined with the PSO-ACT, which allows decentral governments to determine the conditions for and to hire private companies to improve public transport, sets a perimeter around the conditions in which subsidies and concessions come together and how that helps governments to realise services which are beneficial to society. At this moment, shared mobility is not part of most European laws surrounding public transport, but they might become part of the future. This would allow cities and governments to realise hubs and shared mobility in this way by stating the public interest of shared mobility as a goal, thereby freeing the way for a concession based or a subsidised hub.

In the case of a raw subsidy, the performance indicators that are in place for the subsidy are not or hardly enforceable. If the subsidy conditions are not (fully) met, the subsidy may be repaid in whole or in part.

### When procurement is the best strategy

When procurement is the best strategy for operationalizing a mobility hub, there are different possibilities. Each has their own characteristics and it is important to select the right type for your case. The procurement tool helps you determine the possible best type. The five main type of procurement are:



Direct assignment without open tender



Open procedure



Restricted procedure



Innovation partnership



Competitive negotiation or competitive dialogue



### Direct assignment without open tender

The Direct assignment is the first method of realising a hub. It can be generally argued that this is not a form of procurement, but for the sake of being as complete as possible, this is taken into account in this tool. The direct assignment is strongly connected to the questions asked in the preselection, due to the financial demands on procurement type selection. Most organisations have rules of their own regarding direct assignments without an open tender. The overarching rule to be taken into account is that as soon as an assignment passes over the threshold of (e)215.000, you will need to procure on a European scale.



### Open procedure

If your research has shown there are few bidders who could meet your needs, you may decide to use the Open Procedure. You start with publishing the tender with an advance notice, and you send all interested bidders (who responded to the published tender) the full Invitation to Tender documents. This



means there is no separate selection stage. The Open Procedure can be used freely in any circumstances and for any type of contract and Framework Agreement. Any interested bidder may submit a tender.

However in some cases it can be beneficial to choose a procedure where the number of the bidders can be reduced at the selection stage based, especially if the Organisation does not have enough resources (such as time) to conduct a full Open Procedure.

Using the Open Procedure will depend upon the number of tenders received and the nature of the evaluation criteria. If the Organisation receives a large number of tenders, the evaluation of them is likely to be time consuming.

### Restricted procedure

The Restricted Procedure should be used for procurement exercises where market analysis has shown many bidders could meet your needs and bid.

The Restricted Procedure is a two stage process. The first stage is a selection process, where the bidders' capability, capacity and experience to perform the contract is assessed i.e. the SPD (Scotland) is used to shortlist bidders. This means the number of bidders can be reduced at the selection stage.

The second stage is when the Invitation to Tender is issued and the bids are assessed to determine the most economically advantageous tender, the basis of contract award. Only the shortlisted bidders are then invited to submit a tender. This will minimise the cost for the bidders and your organisation.

All organisations are free to use this procedure, in any circumstances and for any type of contract and Framework Agreement.

### Innovation partnership

An Innovation Partnership must only be used where:

- there is a need for the development of an innovative product or service and
- the subsequent purchase of these cannot be met by solutions already available on the market.
- The use of this procedure must be justified.

The Innovation Partnership Procedure aims to solve an existing problem i.e. organisations not being able to purchase directly from the developer without further competition. This was because the original research and development contract was awarded without competition.

### Competitive negotiation or competitive dialogue

Both types involve a two-step process. The competitive negotiation procedure lets you clarify bids with bidders after their submission of fully formed initial tenders. The competitive dialogue allows tenderers to submit initial solutions after being successful at the selection stage. It allows you to negotiate proposed solutions with bidders.

This procedure may be used:

- For procuring services or goods that require adaptation or design inputs.
- In cases of complex purchases, such as sophisticated products, intellectual services or major information and communication technology tools

More information about public tender rules: [https://europa.eu/youreurope/business/selling-in-eu/public-contracts/public-tendering-rules/index\\_en.htm](https://europa.eu/youreurope/business/selling-in-eu/public-contracts/public-tendering-rules/index_en.htm)

More information about thresholds: [https://single-market-economy.ec.europa.eu/single-market/public-procurement/legal-rules-and-implementation/thresholds\\_en](https://single-market-economy.ec.europa.eu/single-market/public-procurement/legal-rules-and-implementation/thresholds_en)

# Appendix 1 Governance Tool question and argumentation

Appendix 1 provides a collection of the questions which are asked in the Governance tool to provide some additional context to why the question is relevant for the tool and to help the user gain insight and how to interpret the meaning.

Primary Parameters		
NR	Question	Argumentation
1	Does the City have sufficient human resources to manage the operation and administration of a mobility hub?	Determining whether there is sufficient capacity is essential in order to understand whether this task is something to keep within your government or to present to the market. This question determines whether sufficient resources are currently available.
2	Does the organisation plan to reduce administration staff in the near future?	
3	How do you evaluate your available financial resources to finance the mobility hub?	Determining the financial space in your city's budget is essential to determine the choices you have. This question helps determine the amount of financial resources you have available for this project.
4	What percentage of the project costs can be covered from the internal City budget without significant negative impact on financing of other projects?	
5	In your business plan do you rely on external financial sources apart from City funding (e.g. EU or national grants)?	
6	What level of mobility know-how does the city possess?	The operationalising and managing of a mobility hub requires specialised know-how. This question helps determine the

7	Does the municipality have its own experts involved in mobility?	amount of mobility know-how that is available in your organisation.
8	Did you already implement mobility hubs or services and monitor them digitally?	
9	Does the municipality already have experts (internal, external) for the procurement process?	Tendering for mobility hubs requires specialised know-how to understand what the market has to offer and under what circumstances the different shared mobility offers contribute to city (societal) goals. Above all, for a good tender, there needs to be an understanding of the indicative volume required and the related contract value. This value is one of the factors that determines what kind of procurement procedure needs to be followed.
10	How fast do you want the mobility hub to be constructed and implemented?	The timeline for operationalising the hubs is an important determinant for the choice in governance approach. This question assesses how much time is available for opening the mobility hub.
11	Is the mobility hub a solution to an urgent traffic problem?	
12	Are there enough shared mobility services in the city?	The availability of mobility providers is an important determinant of the choices you have in your city regarding the governance approach. This question determines that availability.
13	Do they operate also in the area to be covered by the mobility hub?	The availability of mobility providers is an important determinant of the choices you have in your city regarding the governance approach. Although mobility providers might be available, it is important to assess their current service area in the city.
14	What are the expectations about the profitability of the running operations of the mobility hub? Please evaluate the profitability level without bias.	The expected (and desired) return on investment is an important factor that helps with deciding how the government and market will assess the mobility hub. These questions assess the potential hub profitability in general.
15	Does the city expect a profit from installing and operationalising the mobility hubs?	

16	Is the mobility hub idea positively received by the citizens?	The expected citizen expectation and demand is essential to the actual performance of the mobility hub. This question assesses the public opinion about the mobility hub.
17	Are there supporting policies in place to limit parking permits, to limit traffic zones, to discourage ownership of private mobility?	The expected citizen expectation and demand is essential to the actual performance of the mobility hub. This question assesses whether there are supporting policy interventions taking place.

Secondary Parameters		
NR	Question	Argumentation
1	What governance approach was applied in a similar project realised by the municipality in the past?	This question helps with identifying if there is any earlier chosen governance approach which is likely to influence forming a similar strategy on new projects.
2	Are there any important municipality regulations with impact on the mobility hub construction (e.g. culture / heritage that must stay untouched, technical restrictions)?	It influences the governance approach whether there are important stakes to take care of as a government or not. This question helps determine whether or not a government needs to keep that stake in implementing the mobility hub.
3	Is your organisation ready to accept financial (or other) kinds of risks regarding a mobility hub project?	This question helps determine the potential financial risk the organisation can take, which in turn influences the freedom to invest and experiment within the project.
4	How much control do you want to have over the management, maintenance and enforcement of the mobility hub? Please, without bias, assess the efforts that are required.	This question helps determine the governance approach based on the amount of control you as a city would like to have in the mobility hub.
5	What level of influence does the city want to have on the hub services?	This question helps determine the governance approach based on the amount of influence you as a city would like to have in the mobility hub.
6	Does the City operate other shared mobility services, and do these services	This question helps determine the current landscape of the shared mobility services and the level of

	need to be integrated with the mobility hub?	integration needed when deploying new mobility hubs.
7	Is the support for local business ecosystem incl. start-ups and scale-ups of high importance for the city?	The business climate to which the city aspires is likely to influence the decision whether or not to work with local start-up or scaled-up partners.
8	Is the municipality willing to become a player in the field of smart mobility (e.g. based on internal development plans)?	The intention that the city has towards their role in organising and managing mobility hubs is essential in order to decide which governance approach to adopt.

# Appendix 2 - Procurement Tool

## question and argumentation

Appendix 2 provides a collection of the questions which are asked in the procurement tool to provide some additional context to why the question is relevant for the tool and to help the user gain insight and how to interpret the meaning.

Direct Assignment		
NR	Question	Argumentation
1	Are there suitable vendors on the market to realise the delivery?	The direct assignment presumes a fully thought-out mobility hub with services from the government. In order to give a direct assignment for the realisation of a mobility hub, you will need a vendor that is able to deliver on that assignment.
2	Do you have clear and transparent criteria to select the right vendor?	In order to give a direct assignment to a suitable vendor, you need to determine clear and transparent criteria to be able to judge the vendor's bid.
3	Have you also analysed potential vendor markets in other countries?	The cities' own perspectives and networks are most likely of great influence when a direct assignment is considered. Looking for vendors outside your own network and borders is often overlooked but can result in the best fit.
4	Are there clear reasons to speed up vendor selection?	A direct assignment is a relatively quick way to realise a mobility hub because, unlike with an innovative partnership, there is no need for a long process to determine the contents of the assignment in cooperation with vendors.
5	Is the purchase/service price below the threshold which, when exceeded, requires the use of the open tender procedure? (The threshold varies depending on the country.)	This is a check question. Due to the nature of public tendering, there are laws to uphold in case the sum of the assignment is too high. A direct assignment is not in compliance with public tendering rules if for instance the expected contract value is above the threshold of a country.)

		European tender (example: the threshold for services is €215,000 excluding VAT for non-central governments).
6	Have you found only one suitable vendor, but might there be more that you have not identified yet?	The possibility of an open procedure instead of a direct assignment might give you more options if you lack a full overview of the possible vendors on the market.

Open Procedure		
NR	Question	Argumentation
1	Do you have an objective set of criteria to choose the right vendor?	You need clear criteria to differentiate among vendors and decide who fits the assignment the best out of all the submissions.
2	Do you have a short timeline for realising the mobility hub and which does not enable an open tender procedure incl. assessment of all the bids, appeal process etc.?	Time is an important factor. An open procedure requires going through legal processes and steps which, in the case of a small to medium-sized hub, will result in a minimum lead time of three to four months and, in the case of a larger hub, as much as a year.
3	Do you have enough staff capacity to administrate and carry out the open tender procedure?	An open procedure requires enough capacity to facilitate all the necessary legal steps.
4	Is your request for proposals described in such a way that there are enough potential vendors?	An open procedure should result in options to choose from. However, at the same time, an open procedure should also give space to vendors to come up with their own vision for the product they need to deliver.

Restricted Procedure		
NR	Question	Argumentation
1	Is a large number of vendors expected to participate in the competition?	The restricted procedure should be used for procurement exercises where market analysis has shown that many bidders could meet your needs. If there is an abundance of potential bidders, a pre-selection of vendors would reduce the number of possible vendors that thereafter actually start the tender procedure.



2	Are there objective reasons for restricting the procedure?	Objective reasons for the restrictions can include too many potential bidding parties making the process unmanageable, the need to improve the quality of the bids and the decision for only a limited number of vendors to participate and spend their means on the tendering process.
3	Are there project-specific selection criteria on the bidder that enable preselection of vendors?	Selection criteria assess the qualities and capacities of the bidder, not the bid. The award criteria assess the bid itself. So project-specific selection criteria can help with the preselection of vendors.
4	Are the requirements complex, with a detailed award evaluation process?	This presumes clearly predefined requirements which can be evaluated in detail. If these requirements are not available beforehand, it may be assumed that input from the market is necessary in order to decide what is wanted and needed. The restricted procedure is then not the best fit. This procedure should only be chosen if it is clear what is wanted and needed. If this is not yet the case, an innovative partnership may be a better choice.
5	Is there a lack of available time to complete the competition procedure?	Restricted procedure is time-consuming since it consists of two phases: the pre-selection phase and the tender itself.

Innovation Partnership		
NR	Question	Argumentation
1	Is the city ready to accept certain risks stemming from the partnership?	Innovation partnerships carry inherent risk because the product, solution or service which will be the result of the partnership is not guaranteed to be a fit to the problem.
2	Is the city able to come up with a viable business case for the cooperation to interest vendors to participate in an innovation partnership?	Business cases are an important prerequisite for innovation partnerships since the initial costs of the innovation need an optimistic perspective for a business case result.
3	Is the plan for the mobility hub in need of an innovative solution which is not available currently on the market?	Innovation partnerships work towards developing as-yet-undiscovered solutions. If there already is a fitting solution to the problem which is central to the procurement, you will want to opt for a direct assignment or a restricted procedure.

4	Does the city dispose of skilled staff to participate actively in the innovation partnership ?	Innovation partnerships require process management and people management, as well as in-field expertise.
5	Does the city have experience with public-private partnership projects?	The process of an innovation partnership is relatively complex. Having previous experience with this type of procurement is valuable for the realisation of mobility hubs.

Competitive procedure / competitive dialogue		
NR	Question	Argumentation
1	Is there a lack of available time for the selection procedure?	Competitive procedure can be a significant time investment. In case of limited time, the competitive procedure is usually not a good fit.
2	Is it difficult to visualise and describe the desired end result of the mobility hub?	This procedure allows you to clarify bids with bidders after their submission of fully-formed initial tenders.  You should use this procedure if you are unable to define how to meet your needs technically, and/or you cannot specify the legal or financial requirements of your contract and you need the expertise of vendors to help determine those requirements.
3	Are you able to establish objective criteria (e.g. legal/financial) to determine the winner of the competition (e.g. for the open procedure)?	When you are unable to define criteria prior to the procurement, the competitive procedure is a good option. The competitive procedure is a process itself which helps to define the actual problem and solution.
4	Are there suitable vendors expected to participate in the competition, and is their management time-consuming?	The competitive procedure is a co-creation between vendor and city. The outcome is uncertain, and vendors need to take a risk by allocating their time while not having a guarantee that the process will lead to an assignment for them.