

Terms of Reference
Multi Donor Trust Fund for Justice Sector Support for Serbia
Reform Facilitation Unit – Ministry of Justice
Procurement Specialist (Long Term Consultant)

Background and Objective of Assignment

1. Serbia intends to further accelerate its justice sector reform process based on promising results achieved during the past years. This process aims at strengthening the rule of law and improving the capacity, performance, efficiency, integrity, accountability and professionalism of its justice sector and justice sector officials. The judicial reform process in Serbia has been supported by resources from the state budget and by Serbia's development partners. Programs and projects providing support to the reforms have been financed by a wide range of multilateral and bilateral donors and Civil Society Organizations.

2. To support this evolving reform agenda a Multi Donor Trust Fund for Justice Sector Support (MDTF-JSS) has been established with contributions from key international development partners. The MDTF-JSS, jointly executed by the World Bank and the Ministry of Justice (MOJ) of the Republic of Serbia, provides targeted support to Serbia's justice sector to advance justice sector reform and modernization. The main focus areas pertain to different aspects of Serbia's EU accession process in the justice sector, strengthening institutional capacity and resource management functions in justice sector institutions and ensuring donor coordination and aid effectiveness.

3. As part of Government-executed activities, the MDTF-JSS will support the establishment of a Reform Facilitation Unit (RFU) to assist the MOJ and judiciary institutions in planning, implementing and evaluation justice sector reform activities. This facility will fund long term consultants, legal experts and short term consultants, to provide expert advice, recommendations and technical assistance – including drafting technical and policy notes/papers, strategic planning documents, improving aid coordination and effectiveness, and facilitating project design and implementation.

4. The establishment of the RFU is also envisioned to contribute to longer-term capacity building at the MOJ and the Judiciary, and lay sustainable foundations for in-house capacity within the Serbian justice sector institutions to plan, sequence, implement and monitor justice sector reform activities in Serbia. It is envisaged that the RFU will stay in operation after the completion of MDTF-JSS and be funded from the state budget.

Scope of Assignment and Key Tasks

5. The Procurement Specialist will support the implementation of the Trust Fund work program under the Government-executed components of the MDTF-JSS. The Specialist will play a key role in preparation, implementation and monitoring of different procurement transactions pertaining to the implementation process. Consultant will handle all procurement procedures, and implementation and conclusion of contracts. The Specialist will lead the preparation and processing of different transactions and ensure their timely delivery, and seek "No Objections" from the Bank team.

6. The main tasks comprise:

5.1.1 General tasks:

- Prepare the procurement plan for the Government-executed activities of the MDTF-JSS and monitor/update the procurement plan regularly;

- Coordinate for publication of the procurement plan and procurement opportunities in relevant newspapers/websites, including the MDTF-JSS website;
- Maintain systematically the procurement related records and documentations for audit/review by the World Bank and, if necessary, MDTF-JSS contributing donors;
- Provide procurement related reports/updates, list of contracts to MOJ management and the World Bank as and when required;
- Handle the procurement related complaints, if any, received by the project as per the agreed procedure for the project; and
- Support the MOJ/Judiciary officials in any and all procurement activities.

5.1.2 Procurement of Goods:

- Coordinate with other members of the RFU to finalize the technical specifications of the goods to be procured;
- Based on the standard bidding documents of the World Bank, prepare the bid document for various packages contained in the procurement plan as per agreed timelines;
- Co-ordinate with the World Bank for obtaining “No Objection” for the technical specifications and the bid document;
- After finalization of the bid document, issue the advertisement in newspapers and in UNDB/dgMarket. Handle sending of the bid documents to the interested bidders and upload the bid document on relevant websites, including the MDTF-JSS website;
- Prepare and issue addendum/clarifications to the bid document, if required, under information to the World Bank;
- Arrange to send the clarifications to all bidders for any queries received from the potential bidders before the deadline for submission of bids;
- Receive the bids till the agreed deadline, and open the bids as per the time indicated in the bid document.
- Coordinate with MOJ management, Judiciary and other members of the RFU in the technical and commercial evaluation of the bids;
- Share the bid evaluation report with the World Bank and obtain the “No Objection”;
- Prepare and issue contract documents to the winning bidders and provide the feedback to unsuccessful firms/consultants;
- Publish the contract award notices;
- Coordinate the pre-shipment and post-shipment inspections, if required;

- Monitor the contract management including timely supply of the goods, release of payment, issuing contract amendments, inventory management etc.; and
- If any bid documents require Bank's review and clearance, then these should be checked and submitted to the Bank.

5.1.3 Procurement of Consulting Services:

- Coordinate with the MOJ management, Judiciary and RFU members in finalizing the Terms of Reference (TOR) of the services to be procured;
- For consultancy assignments, invite expressions of interest (EOI) through advertisements in Newspapers and in UNDB / dgMarket and the MDTF-JSS website. Coordinate with MOJ management, Judiciary and RFU members in the evaluation of the EOI and finalization of the shortlist;
- Based on the standard request for proposal documents of the World Bank, prepare the request for proposal (RFP) for various packages contained in the procurement plan as per agreed timelines;
- Co-ordinate with the World Bank for obtaining "No Objection" for the TOR, the shortlist and the RFP document;
- Issue the RFP document to the short listed consultants. Arrange the reply of queries, if received from invited consultants before the deadline for submission of proposals;
- Receive the proposals till the agreed deadline, and open the technical proposals as per the time indicated in the bid document;
- Coordinate with MOJ management, Judiciary and RFU members the evaluation of the technical proposals.
- Share the technical evaluation report with the World Bank and obtain the "No Objection";
- Open the financial proposals of the technically qualified consultant(s) as detailed in the SRFP/Selection Guidelines of World Bank and coordinate with MOJ management, Judiciary and RFU members the evaluation of the financial proposal(s);
- Conduct negotiations with highest ranked consultant, prepare draft initialed negotiated contract and minutes of negotiations and seek the No Objection of the World Bank for contract award;
- Get the contract documents signed by the winning consultant and provide the feedback to unsuccessful consultants;
- Publish the contract award notice; and
- Monitor the contract management including timely completion of the assignment, release of payment, issuing contract amendments etc.

All above responsibilities will be executed in compliance with Procurement Guidelines and procedures and regulations of the World Bank.

Contract duration, reporting and location

5. The duration of the Contract will be one year. The contract may be extended depending on performance, business needs and resource availability. Expected contract start date will be January 17, 2011.

6. The position will be based at the RFU in the MOJ. The consultant may need to undertake operational travel in Serbia and externally – such travel will be reimbursed in accordance with World Bank operational travel policies and guidelines.

7. The Consultant will report to relevant Assistant Ministers at the MOJ.

Consultant Qualifications and Experience

8. The Consultant will possess the following qualifications and experience:

- Advanced degree in law, business administration, accountancy, or related discipline;
- At least 5 years of relevant professional experience in public procurement;
- At least one year experience in procurement using World Bank or any multilateral funding agency procurement/selection guidelines;
- Considerable knowledge of purchasing methods and procedures; working knowledge of sources of supplies, price trends and grades or quality of materials and equipment;
- Demonstrated experience in dealing with procurement transactions and contracting, preferably in a World Bank-financed project;
- Ability to work under pressure, with tight deadlines, in a multicultural environment; and
- Excellent written and oral communications skills in English and Serbian, with the ability to prepare notes and summaries at short notice;
- Advanced computer skills are essential; and
- High integrity and accountability in all aspects of project procurement.