**REQUEST FOR EXPRESSIONS OF INTEREST**

**Republic of Serbia**

**The Serbia Railway Sector Modernization Project (SRSM)**

Project ID No. P170868

**Assignment Title:**

**LEGAL CONSULTING SERVICES DISPUTES ANALYSIS OF SERBIAN RAILWAY COMPANIES, Reference No. SER-SRSM-CQ-CS-21-26**

The International Bank for Reconstruction and Development (IBRD) launched the Multiphase Programmatic Approach (MPA) to support the Government of Serbia (GoS) in continuation of institutional, physical and operational modernization of the railway sector in an integrated manner through providing financial support to Serbia Railway Sector Modernization Project as part of the Multiphase Programmatic Approach to be implemented in three overlapping phases over the ten-year period.

For the purpose of financing Serbia Railway Sector Modernization Project, Phase 1 of the MPA, IBRD and the Agence Francaise de Développement (AFD), jointly, granted to the Republic of Serbia EUR 102 million loan to support enhancing the efficiency and safety of existing railway assets and improving governance and institutional capacity of the railway sector.

**The scope of work** of the Consultant is to perform a case analysis with recommendations for further action and instructions on how to implement the proposed solutions, with the following objectives:

* Providing a legal analysis of all ongoing labor lawsuits in four Railway companies;
* Estimating on case-by-case basis the probability of trial outcomes;
* Proposing a strategy on how to resolve the issue through mechanisms such as out of court/court settlement;
* Providing advice on how to create a robust implementation process for the proposed strategy;
* Estimate expected cost savings in term of court fees, plaintiff's legal fees and PEA's fees;
* Support to railway companies in validation of the proposed process with all relevant stakeholders including but not limited to State Attorney's Office, State Audit Institution etc.

Bearing in mind that the Railway companies report to MoCTI and that their business is subject to periodic supervision by the State Auditor, the Consultant will provide support to the Railway companies and MoCTI in correspondence with supervisory state institutions, in purpose of proper and legal implementation of the proposed solutions that are an integral part of the legal analysis.

**Minimum qualifications requirements required**:

The assignment will require a qualified consulting firm that can demonstrate extensive experience in Labor disputes in accordance with Serbian legislation.

The following criteria will be applied to all consulting firms that have submitted EoI:

1. The Consultant must be Law Firm, with Team at least of 10 attorneys at law,
2. The Consultant must have at least three senior attorneys with minimum eight years of experience in the field of Labor Law, at least two attorneys specialized in labor disputes and one advisor specialist with not less than six years of experience in labor law relations,
3. The Consultant – Law office or its members must be registered in The Register of Bidders on the Serbian Business Registers Agency,
4. The Consultant provided labor law services for at least 5 legal entities that employ more than 50 employees in past 10 years,
5. The Consultant provided legal services of representing employers in at least 200 labor disputes,
6. The Consultant provided legal services of representing employers in at least 5 collective labor disputes.

As a proof, the Consultant firm shall prepare: necessary certificates, list of proposed Team with qualifications of proposed experts (with necessary certificates from Serbian Bar Association and signed statements) and representative list of clients in the form of table, listing following information: type of service provided to the client with year of providing services (and other data if it is possible).

In addition, The Consultant shall establish his Team in accordance with the needs and requirements of the ToR. The Team shall consist of minimum:

1. Team Leader - Senior attorney
2. Senior Attorneys (specialised for Labour disputes)-Deputy team leader
3. Attorneys (specialised for Labour disputes)
4. Attorneys (specialised for Labour law relations)

## Consultant will be selected using the Consultant Qualification Selection (CQS) method.

## Expressions of interest will be evaluated by applying the following criteria with allocated points:

General experience – 10 points

Specific experience related to the assignment – 40 points

Qualifications of key experts – 50

Key experts will be evaluated based on the following criteria and points:

1. General Qualifications – 30
2. Adequacy for the assignment – 70

The intended commencement date is September 2022, but the actual commencement date will be defined with the signature of the Contract. The period of implementation of the contract will be 8 months starting from the commencement date.

The detailed Terms of Reference for the above referenced consulting services is posted on the website of the Ministry of Construction, Transportation and Infrastructure (MCTI) [www.mgsi.gov.rs/en/dokuments/serbia-railway-sector-modernization-srsm-project](http://www.mgsi.gov.rs/en/dokuments/serbia-railway-sector-modernization-srsm-project)

The Central Fiduciary Unit (CFU) of the Ministry of Finance now invites eligible 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.

The attention of interested Consultants is drawn to paragraph 3.16 and 3.17 of the ***World Bank’s Procurement Regulations for IPF Borrowers – Procurement in Investment Project Financing Goods, World, Non-Consulting and Consulting Services,*** July 2016, revised November 2017, August 2018 and November 2020 (“the Regulations”) setting forth the World Bank’s policy on conflict of interest.

Interested consultants may obtain further information from the CFU at the address below from 09:00 to 15:00 hours.

Expressions of interest **in English language** must be delivered to the e-mail address below by **July 15, 2022, 12:00 Noon**, local time.

When submitting Expressions of interest please indicate assignment and reference number for which you are applying.

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