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Projekat za bolje uslove poslovanja
Business Enabling Project

**USAID Business Enabling Project in Serbia
JOB DESCRIPTION AND STATEMENT OF WORK**

Position: Legal Expert

Employer: Cardno Emerging Markets USA Ltd., Washington DC, Belgrade Representative Office

Component 2: Macroeconomic Policy and Public Financial Management

Location: Belgrade

SCOPE OF WORK

About the Project

USAID's Business Enabling Project ("USAID BEP"), implemented by Cardno Emerging Markets USA Ltd. and partners, is a seven-year initiative launched in January 2011. The purpose of USAID BEP is to help the Government of Serbia improve the competitiveness of the Serbian economy, its macroeconomic position and its private sector businesses. USAID BEP provides technical assistance, training, and other support to improve the business enabling environment, improve public financial management, and further develop financial markets. USAID BEP is demand driven: all activities are based on the priorities of the private sector and Government.

USAID BEP has three components: Component 1, Business Regulation and Economic Governance; Component 2, Macroeconomic Policy and Public Financial Management; Component 3, Financial Market Development. This assignment concerns Component 2.

Component 2 helps to advance reforms in financial management and fiscal policymaking that are relevant for business growth and competitiveness. This includes technical assistance to develop better economic forecasts, build capacity in program and performance-based budgeting, improving public debt management, and strengthen public private dialogue and awareness about key policy issues and developments.

Background to SoW

Adoption of program budgeting (PB) in the 2015 budget provided an improved framework for longer-term planning and expenditure prioritization of the government. PB model enabled the Government to: assess if the funds are spent in line with set objectives and performance requirements; identify not only inefficient spending, but to also under-performing areas that

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require more resources; and improve the quality and outcome of public services by enabling “value-for-money” assessments.

In addition, introduction of PB triggered a set of related reforms in management and implementation of public policies and finance that are long overdue. Budgeting and planning coordination, along with a PB, is necessary for the Government to ensure that its strategies are realistic, and that spending priorities are properly funded and implemented by national and sub-national budget beneficiaries. This requires an integrated system for budgeting, planning and coordination within the Government. There is a consensus in the Government of Serbia (GoS) that practices related to the policy planning, fiscal coordination, and prioritization of policy measures need to be improved immediately. This is recognized as an essential prerequisite for achieving nationwide social and economic objectives. A new institution, the Public Policies Secretariat (PPS), has been established in 2014 to lead those efforts along with the Ministry of Finance (MoF).

USAID BEP has worked with the PPS on its effort to identify policy priorities and coordinate budgeting and policymaking processes among line ministries. While efforts thus far have been more bottom-up than top-down, the system is being improved – at least the bottom-up process identifies medium-term objectives and priority measures of these line ministries. During the previous period, USAID BEP has helped the PPS and MoF to develop new legislation that will regulate the new planning system and align it with the budget preparation and adoption, medium-term budget framework, as well as with other aspects of public financial management, in order to create comprehensive integrated planning and budgeting framework that will be implemented at national and sub-national level. The hierarchy of objectives from planning documents should provide a clear picture of what needs to be done across the government institutions to achieve national objectives, and what progress is being made.

The legislation remains unfinished and the current draft of the Law on Planning System needs to be revised to meet its original intent, including integration of the planning and budgeting processes. A Bylaw on Methodology for Development of Medium-Term Plans also needs to be revised.

The PPS is currently seeking assistance of USAID BEP to develop and enact legislation that will regulate integrated strategic planning and program budgeting framework.

This assignment will be part of the USAID BEP project’s Component 2 activities. The assignment includes work under *Objective 1, Improve GoS budgeting, fiscal policy analysis, and financial management efficiency, Task 5 Assistance to integrate program budgeting and performance management into national strategic planning, Activity 1 Assistance to the PPS and Center of Government Working Group in developing and enacting legislation that will regulate integrated strategic planning and program budgeting.*

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Objective

The central objective of this STTA is to assist the PPS to develop: 1) the Law on Planning System in the Republic of Serbia, and 2) the Bylaw on Methodology for Development of Medium-Term Plans of Budget Beneficiaries. Development of these documents will enable establishment of a regulatory and institutional framework for coordinated policy development, integrated planning and budgeting system, and prioritization of budget expenditures.

Tasks

The Consultant will plan and implement the work schedule in accordance with the requirements of USAID BEP and PPS. He/she will be expected to perform the following tasks during the period of assignment:

Task 1: Finalize the Law on Planning System

During the previous period, PPS and USAID BEP have been working on development of the new law that will establish adequate planning system and align it with the budget preparation and other aspects of existing budget system. The law needs to be finalized for submission to the Government of Serbia.

The consultant will be responsible for ensuring that the draft law meets procedural and drafting standards, as well as for adequate inclusion of amendments, comments and recommendations received from other public administration bodies on it. This includes obtaining further clarification within the following areas and revising the draft legislation in these areas as necessary:

- Planning documents- their types, scope, mandatory elements, and mutual relationship and hierarchy;
- Processes and procedures for preparation, proposal and adoption of planning documents developed by public administration bodies in line with their competencies;
- Processes and procedures for development of budget beneficiaries' medium-term plans;
- Procedures for reporting on execution of public policies tasks and achievement of goals, objectives; required scope of reports for each type of planning documents; reporting frequency and the reporting calendar;
- Roles and responsibilities of different state administration bodies in coordination and management of public policies approval, monitoring and evaluation;
- Integrated annual planning and budgeting calendar.



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Task 2: Finalize the Methodology for Development of Medium-Term Plans of Budget Beneficiaries

The consultant will be responsible for ensuring that the draft Bylaw on Methodology for Development of Medium-Term Plans of Budget Beneficiaries meets procedural and drafting standards, as well as for adequate inclusion of amendments, comments and recommendations received from other public administration bodies on it. This includes obtaining further clarification within the following areas and revising the draft legislation in these areas as necessary:

- The draft Law on Planning System
- PB requirements, adopted in MoF's Program Budgeting Methodology, and annual budgeting cycle from the Law on the Budget System;
- structure, elements, and content of the Annual Government's Work Plan and Action Plan for Implementation of Government's Program
- other relevant legislation and Government guidelines.

Task 3: Provide assistance in enacting the Law on Planning System and accompanying Bylaws

- Participate in public hearings and presentations of the legislation package;
- Participate in meetings and presentations between PPS and MoF.

Level of effort

Maximum number of days under this LOE cannot exceed 20 (twenty) days. The Consultant will obtain approval by the USAID BEP authorized representative on the number of days billable for each activity under this SoW and on deadlines for completion of each activity before he/she engages in that activity.

Period of Performance

Period of performance of this SoW is 07/15/2016 to 10/31/2016.



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Deliverables

In addition to the advisory inputs, specific work products to be developed by the Consultant include:

- Upgraded and finalized Law on Planning System;
- Upgraded and finalized Bylaw on Methodology for Development of Medium-Term Plans of Budget Beneficiaries;
- STTA final report on the work performed and results achieved.

All materials must be prepared in Serbian unless expressly authorized otherwise in writing by the Cardno Emerging Markets representative. Final report must be delivered in English. Drafts of all deliverables need to be supplied for comments to BEP and PPS team. The consultant will make adjustments to the deliverable in line with BEP and PPS' comments within a week after such comments have been provided.

To Apply

1. Requirements for eligible candidates:

- a. Relevant educational background, proven expertise, and minimum 7 years of experience in similar assignments;
- b. Experience in working with the public administration bodies will be considered an advantage;
- c. Proven expertise in drafting legislation and methodologies;
- d. Excellent communication and presentation skills.

2. Applications including CV clearly showing adequate technical background and relevant work experience should be sent by e-mail to: info@bep.rs, by July 12, 2016 CoB (Close Of Business - day). Only short-listed candidates will be contacted.