



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

Position: Short-Term Construction Permitting Specialists, Legal Expert 2. Position is opened for one or more candidates.

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

Component 1: Business Regulation and Economic Governance

Location: Belgrade

I. SCOPE OF WORK

About the Project

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

USAID BEP Component 1, Business Regulation and Economic Governance, streamlines laws, regulations, and institutions to improve regulators’ capacity to implement laws and improve analysis and public-private dialogue. The Project’s approach to achieving reforms is to help the Government work closely with the private sector and outside experts to make reforms that improve business competitiveness. The Project provides technical assistance to improve construction permitting, inspection oversight, and other legal, regulatory and institutional reforms.

Background to SOW

In order to meet numerous and complex requirements of creation of business-friendly regulatory and institutional frameworks in the areas of construction permitting, USAID BEP seeks for assistance of the Construction Permitting Specialist.

USAID BEP has worked with the Ministry of Construction, Transportation and Infrastructure (MCTI) and the Government of the Republic of Serbia (GoS) in developing a new construction permitting framework that is harmonized with good international practices and modern construction standards. USAID BEP and its partners also helped development of the related laws, such as Law on Planning and Construction, Fire Protection Law, Law on State Survey and Cadaster, as well as new Law on Energy, implementing many of construction permitting reform best practices supported by. The MCTI, with USAID BEP support, has prepared an Implementation Plan for the construction permitting reform to address challenges in



implementing this reform. Implementation of the construction permitting reform involves more than a dozen GoS and provincial institutions and public enterprises, along with 162 municipalities and their public enterprises. USAID BEP provided assistance in bringing most other relevant laws in line with the reformed permitting procedure. BEP, the MoCTI, and NALED worked on developing the requisite bylaws needed for the One-Stop-Shop system to become operational and for the reforms to work properly. USAID BEP also helped develop the e-permitting system and began training for permitting authorities.

The construction permitting reform is still evolving, and there is a lot of work to do within many of the GoS and provincial institutions, State owned enterprises, and 162 municipalities and their public enterprises.

USAID BEP's next step is to focus on improving construction related legislation (sectoral laws and bylaws) and harmonizing e-permitting one stop shop procedure with it. USAID BEP will also focus on facilitating implementation of the one stop shop procedure and ePermitting by providing practical materials and trainings to the stakeholders.

Objective

The objective of this STTA is to assist in changing relevant construction permitting regulation in accordance to the USAID BEP's viewpoints, as well as to provide technical assistance for improving one stop shop implementation.

Tasks

Construction Permitting Specialist will:

- Prepare analyses of initiatives, from line ministries and other stakeholders, for amendments to the CP related bylaws, and prepare report on their alignment with the general concept and regulatory framework for construction permits;
- Develop policy guidelines for amendments of bylaws;
- Contribute to preparation of drafts of changes to the CP related bylaws;
- Prepare analyses of initiatives, from line ministries and other stakeholders, for amendments to the CP related sectoral laws, and prepare report on their alignment with the general concept and regulatory framework for construction permits;
- Develop policy guidelines for amendments of sectoral laws;
- Contribute to preparation of drafts of changes to the CP related sectoral laws and to the drafts of the CP related the sectoral laws;
- Analyze most frequent mistakes made by applicants and reasons for rejection of CP applications by the MCTI, CoB, Novi Sad, Nis and three other local governments and prepare recommendations for avoiding negative outcomes;
- Prepare instruction materials (instructions, explanations, power point presentations etc.) for permitting officials and investors for implementation of the construction permits reform;



- Participate in training delivery on implementation of the construction permitting procedures;
- Contribute to preparation of the concept for engagement on the annexes to planning documents from the legal aspect;
- Review of materials prepared in the scope of realization of the annexes to planning documents activity;
- Participate in training on annexes to planning documents;

Level of Effort

The maximum number of days under this LoE cannot exceed 25 (twenty five) 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 March 28, 2016 to January 31, 2017.

Deliverables

Specific work products to be developed by the Construction Permitting Specialist include:

- Reports on initiatives for amendments to the CP related bylaws;
- Policy guidelines for amendments of bylaws;
- Policy guidelines for amendments of sectoral laws;
- Drafts of relevant changes to the bylaws;
- Drafts of the relevant changes of the sectoral laws;
- Report on most frequent mistakes made by applicants and reasons for rejection of CP applications by the MCTI, CoB, Novi Sad, Nis and three other local governments, with recommendations for avoiding negative outcomes;
- Instruction materials (instructions, explanations, power point presentations etc.) for implementation of the construction permits reform;
- Training delivery on implementation of the construction permitting procedures;
- Concept for development of annexes to planning documents from the legal aspect;
- Review of materials prepared in the scope of realization of the annexes to planning documents activity;
- Participation in training on annexes to planning documents;
- STTA Final Report.

Construction Permitting Specialist will closely cooperate with USAID BEP staff and consultants, as well as with the government, public institutions, business and professional associations, non-governmental organizations, private sector, experts and practitioners.



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Projekat za bolje uslove poslovanja
Business Enabling Project

All documents will be prepared in Serbian, except the final report on the activities performed and results achieved (STTA Completion Report) that will be prepared in English.

The Regulatory Reform Specialist will furnish drafts of deliverables to USAID BEP duly and timely. USAID BEP will provide its comments in written timely after receiving the draft deliverable through its head of the Business Regulation and Economic Governance Team.

To Apply

1. Requirements for eligible candidates:
 - a. Good understanding of construction permitting and one stop shop procedure, and business environment related issues;
 - b. Proven expertise and significant experience in construction and real-estate legislation;
 - c. Proven expertise and significant experience in drafting legislation or participating in drafting legislation;
 - d. Good analytical skills;
 - e. Good English speaking and writing skills;
 - f. Excellent writing and good presentational 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 March 23**. Only short-listed candidates will be contacted.
3. Maximum number of this under this Scope of Work cannot exceed 25 (twenty five) days.