**TERMS OF REFERENCE AND SCOPE OF ACTIVITIES OF**

**LEGAL EXPERT**

**FOR**

**SERBIA SCALING UP RESIDENTIAL CLEAN ENERGY PROJECT**

## Background

The Government of the Republic of Serbia (GoS) has secured financing from the International Bank for Reconstruction and Development (IBRD), which is part of the World Bank Group, to implement the Serbia Scaling Up Residential Clean Energy Project (SURCE or Project). The development objective of the Project is to increase the uptake of energy efficiency, sustainable heating, and rooftop solar photovoltaics (RSPV) by households in participating local self-government units (LSGUs) in Serbia. An important associated objective is to reduce greenhouse gas (GHG) emissions and improve air quality thanks to achieved energy savings and reduced use of solid fuels for heating. These objectives will be achieved by two project components:

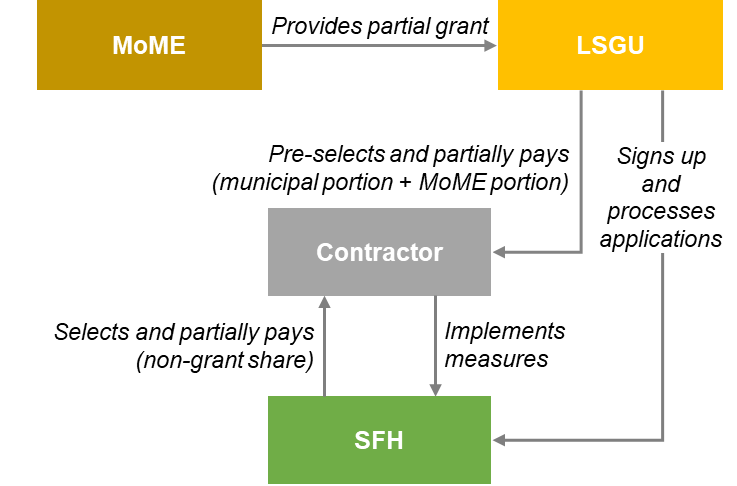
* Component 1: Financing Energy Efficiency, Sustainable Heating, and Rooftop Solar Investments in Residential Buildings with a key focus on single-family houses (SFHs).
* Component 2: Technical Assistance and Implementation Support, with the overall aim of supporting the development of scalable financing mechanisms and removing market barriers, with three subcomponents: (a) enhancing local market capacity, improving enabling environment, and strengthening public awareness; (b) technical studies informing program design and implementation; and (c) project implementation support.

Components 1 and 2 will be implemented simultaneously; together they represent USD 50 million with Component 1 being allocated the major share of loan proceeds. Investments will be financed under Component 1 and scaled up relying on the analytical insights, institutional structures, and financing mechanisms developed under Component 2. The Ministry of Mining and Energy (MoME) might provide additional funds from the government budget to expand the scope of the investments.

The Loan Agreement entered into between the GoS and IBRD became effective on December 2022 and will be implemented over a 5-year period, until November 2027. The overall responsibility for implementation of the Project rests with the Government of Serbia, with the MoME acting as implementing entity and the Ministry of Finance responsible for fiduciary matters. The MoME will (i) establish a Project Implementation Unit (PIU) to carry out the day-to-day activities of Project implementation; and (ii) coordinate closely with the Ministry of Finance (MoF) as well as the IBRD team.

The Project will scale up a revised version of an existing government program, piloted in 2021, financing residential Energy Efficiency (EE) investments through a combination of public grants and leveraged private-sector financing. The investments under Component 1 will be financed through: (a) IBRD loan proceeds via partial grants disbursed by MoME to LSGUs; (b) LSGU funds via partial grants disbursed by LSGUs directly to contractors; and (c) household contributions, financed either from savings or borrowings (Figure 1).

**Figure 1. Structure of the SURCE Project, with the LSGU playing a pivotal role and the citizen required to pay a share of the investment**



*Notes:* MoME: Ministry of Mining and Energy; SFH: single-family house; LSGU: Local self-government unit.

*Source:* World Bank staff.

The MoME intends to engage a Legal Expert, financed through the IBRD loan proceeds, to provide expert legal assistance in the PIU. These Terms of Reference define the scope of activities and responsibilities of the Legal Expert. Additional PIU staff will be recruited under separate TORs for key positions and will include among others the Head of the PIU, a financial expert, an environmental and social safeguard expert, and an IT expert.

## Objective of the assignment

The objective of this assignment is for the Legal Expert to provide legal support and advice to the PIU in relation to the Project, under the guidance and supervision of the PIU Director.

## Scope of Work

The activities to be performed by the Legal Expert include, but are not limited to, the following:

* Provide legal advice to PIU staff on the basis of Serbia’s national legal framework, international legal obligations, and contractual obligations, as relevant to the Project.
* Draft proposals of decisions, contracts, and other documents related to the Project.
* Assist in the drafting of public calls for construction companies and citizens; if necessary, provide legal advice related to the applications to the public calls.
* Participate in the drafting of and provide legal advice on the requests related to the allocation of Project funds.
* Provide legal advice, as needed, related to the public events and public awareness activities organized under the Project.
* Provide inputs to the periodic program implementation progress reports that MoME must submit to the IBRD.
* Monitor compliance of the MoME’s contractual obligations, as per the Loan Agreement.
* Consult with local legal experts regarding legal issues concerning the implementation of the Project.
* Perform other tasks as instructed by the PIU Director.

Expected Outputs

Legal inputs for quarterly project management reports, twice-annual progress reports, annual budget and work plans, and mid-term review documentation. Day-to-day management of the legal aspects of the Project, and preparation of ad hoc legal reports and papers as the needs of the Project require.

## Reporting

The Legal Expert shall report to the PIU Director under the MoME.

Assignment duration

The Legal Expert shall (i) provide full-time services for the life of the Project, i.e. until November 30, 2027, with a probationary period of six (6) months; and (ii) not hold another full time or part time assignment.

Qualification Requirements

The Legal Expert shall possess the following knowledge and work experience:

* University degree in law with at least 240 ECTS points or equivalent (Bachelor Academic Studies, in the scope of at least 240 ECTS points, Master Academic Studies, Specialist Academic Studies, Specialist Vocational Studies, i.e. at Bachelor studies lasting at least four years or Specialist Academic Studies at the University)
* At least 5 years of work experience in the legal field, including drafting memoranda, contracts, policy briefs, etc.
* Computer skills (Microsoft Office);
* Fluency in Serbian and working knowledge of both spoken and written English language.

Work experience in the following fields is preferred:

* Experience in legal affairs related to the Serbian energy sector
* Experience in drafting agreements and implementing projects financed by international financial institutions.
* Experience in drafting and implementation of legal acts for the LSGUs and public institutions of the Republic of Serbia.
* Experience in preparation of analytical materials and reports.

Input by the MoME

The MoME will provide the Legal Expert with complete office infrastructure, the required equipment, access to any documentation and information necessary for the performance of his / her tasks.

Evaluation criteria

The candidates will be evaluated applying the following evaluation criteria:

* General experience; and ( 40 Points)
* Specific Experience relevant to the Assignment ( 60 Points)

Procurement Regulation

The attention of interested Consultants is drawn to paragraph 3.14, 3.16 and 3.17 of the World Bank’s Procurement Regulations for Investment Project Financing (IPF) Borrowers, Procurement in Investment Project Financing Goods, Works, Non-Consulting, and Consulting Services (updated November 2020) setting forth the World Bank’s policy on conflict of interest.

A Consultant will be selected in accordance with the *Open Competitive Selection of Individual Consultants* as set out in the World Bank’s Procurement Regulations. The type of contract will be time-based contract.