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Projekat za bolje uslove poslovanja  
Business Enabling Project

**USAID Business Enabling Project in Serbia  
Invites Eligible Candidates to Apply for the Position**

**Consultant  
to Assist the Commission for Public-Private Partnership  
in Developing Website of the Commission for Public-Private Partnership**

**Background**

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USAID's Business Enabling Project, implemented by Cardno Emerging Markets USA, is a five 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 and its private sector businesses. The Project will provide technical assistance, training, and other support to improve the business enabling environment, maintain 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. The Project's activities are described in more details on the Project's website: [www.bep.rs](http://www.bep.rs).

The Business Enabling Project's Component 1, Business Regulation and Economic Governance, has a goal to streamline 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 steps in this collaborative reform process include:

- Determine priorities by engaging with businesses, including surveys of businesses, and using regulatory impact assessment and other tools to measure the benefits of reforms
- Build demand for reforms through outreach and education
- Partner with the Government to plan and implement various priority reforms
- Build Government and private sector capacity to properly implement and sustain reforms
- Help the Government and private sector to monitor reform efforts.

These activities will reduce the time and money spent by Serbian businesses to comply with laws and regulations and will help the Government to be more efficient. The activities will also enable businesses to attract necessary investment at an appropriate cost. As result, Serbian businesses will be able to aggressively compete in the global economy. This will lead to export-led economic growth and increased employment.

**New Legal and Institutional Framework for PPPs and Concessions**

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The Project plans to work with the private sector and Government of Serbia to implement the new legal framework for PPPs and concessions, particularly the Law on PPPs and Concessions, enacted in 2011. Both national and local governments struggle to find funding for infrastructure and other projects, and

Serbia's fiscal situation is unlikely to improve in the short term. In surveys, studies, roundtables and other forums, businesses and public officials consistently state the necessity for more PPP arrangements, which should especially increase the size of private investments, contribute to infrastructure development, and decrease the level of public debt. Responding to this need of the public sector and to the request for assistance from the Ministry of Economy and Regional Development, as a line ministry for PPPs, the Project has taken on tasks referring to creation of an enabling environment for PPPs, including outreach activities to relevant stakeholders and general public on potentials and challenges connected to PPPs, as well as building interest of public and private partners to engage in PPPs.

PPP, encompassing institutional and contractual PPPs and concessions, is a model that has potential to contribute to solving of some of the most important problems that Serbian economy faces today. PPPs have helped national and local governments in countries throughout Europe to attract billions of Euros in investment for infrastructure and public services. Until recently, the Republic of Serbia had no effective general and/or special laws governing PPPs, and PPPs and concessions were only partially and indirectly regulated, dispersed within the large number of laws. As a result there were no true PPPs in Serbia, and very few concessions: under the Concession Law only five concessions were awarded in the eight years of implementation, and four of those have failed.

In order to attract the new private investments, the Law on PPP and Concessions was enacted in late 2011 (after the Law on Public Property, and in parallel with the new Law on Communal Utility Activities). BEP helped facilitate public private dialogue on the Law. This Law regulates PPPs and concessions, establishes models for PPPs and concessions, and decrees the establishment, status and authorities, as well as composition of the inter-departmental Commission for Public Private Partnership. As a follow-up, the Resolution on Formation of Commission for PPP, including appointment of the Commission's members, was enacted by the Government in February 2012. The Commission, formed by the Government, consists of 9 members, appointed by proposals of the Prime-Minister, the Ministry in charge of economy and regional development, the Ministry in charge of finance, the Ministry in charge of infrastructure, the Ministry in charge of mining, the Ministry in charge of utility activities, the Ministry in charge of environment, the Autonomous Province and the City of Belgrade. The Commission has a Chairman (representative of the Ministry in charge of economy and regional development), Deputy Chairman (representative of the Ministry in charge of finance) and 7 regular members. The new legal framework envisages consultative, informative, expert, regulatory and educational roles of the Commission for PPP, as a separate public body that shall issue opinions, assessments, information, advices, recommendations, and other relevant acts and documents related to preparation and execution of PPP projects. Furthermore, the Commission is in charge of preparation of methodological documents in the area of PPP, including the Value-for-Money Methodology, which is the most important one. The Ministry in charge for Economy and Regional Development shall provide staff, premises and other work requirements for the Commission for PPP, performing the role of the Commission's Secretariat.

Enactment of the laws governing PPPs and concessions, and communal utility activities represents a major breakthrough, and implementation of PPPs will benefit from other relevant laws recently adopted or drafted: public property, capital market and public debt, and public procurements. These new regulations offer better guarantees for private investors and more checks and balances for the protection of the public interest. Implementation of the new PPP legal framework will largely depend on proper presentation and related outreach activities of the Commission for PPP, as key public institution

in this regard, which is supposed to maintain institutional memory, promote benefits and educate on challenges of the PPPs.

Lack of resources and capacities within the Commission and the Ministry represents a threat to successful performance of assigned competencies. In addition, visibility of the Commission, as the newly formed public institution, is diminished. Lack of visibility, recognition and promotion of the Commission leads to slowdown in informing of the relevant stakeholders and subjects about the new legal and institutional framework for PPPs in Serbia, and is able to decrease interests of public and private partners to engage in PPPs. Therefore, USAID BEP intends to raise visibility of the Commission, by developing its website, as a tool which is supposed to help in raising interests and capacities of public and private partners to engage in PPPs

## **Scope of Work**

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This assignment will be part of the BEP project's Component 1 (Business Regulation and Economic Governance) activities. It is incorporated in BEP's Objective 4 (Create Enabling Environment for PPPs), Task 2 (Build interests and capacities of public and private partners to engage in PPPs), during year 2012.

### **I. Development of website of the Commission for PPP**

The Project intends to engage consultants, with relevant technical background and experience, to assist the Commission for PPPs in developing website of the Commission for PPP.

#### **1. Target Audience**

The target audiences for the website of the Commission for PPP are public institutions, businesses and potential investors, business and professional associations, legal and economic practitioners, academia, media, and citizens. Public institutions, businesses, and potential investors need to understand the legal and institutional framework for PPPs, opportunities that PPP present for infrastructure and other funding in Serbia, and how to obtain technical and financial support for projects.

#### **2. Content and structure of the website**

The website's visual style must be professional and appropriate for the institution it represents, but at the same time modern and attractive to visitors. When designing the visual concept and structure of the website, the consultant should keep in mind modern trends in presenting information on the web, with an emphasis on relevant, brief, clear and easy-to-access information. Regarding the form, the website should resemble to the websites of the similar public institutions (e.g. the Administration for Public Procurements, the Serbian Investment and Promotion Agency).

The consultant should also address access to the website by visitors using mobile devices, including issues such as versatility of screen resolutions, touch-friendly navigation, absence of Flash technology on many mobile platforms, etc.

Due to the large amount of information that will be contained in the website and the constant need to update content, it is required that the new website utilize a powerful, flexible, and easy to use content management system (CMS).

The Ministry in charge for Economy and Regional Development, which performs technical and administrative jobs for the Commission for PPP, shall supply content of the website, through communication with the consultant.

### **3. Project methodology**

The consultant should keep in mind that development of the website should follow an “agile software development methodology”, including frequent and intensive collaboration with the working group from the Commission for Public-Private Partnership and the USAID Business Enabling Project which will jointly steer and manage the development of the website. It is expected from the consultant to be very flexible and willing to experiment and occasionally modify the design and organization of the website in order to achieve optimal usability and relevance of information for website visitors.

### **4. The Commission for PPP Functional Specifications**

#### **4.1. Content structure of the website of the Commission for PPP**

A non-exhaustive list of the information and elements of the website of the Commission for PPP should include:

- Overview of the competencies and organization of the Commission for PPP;
- Reports of the Commission for PPP;
- The Law on PPPs and Concessions;
- The by-laws, implementing and supporting acts, documents and forms under the Law on PPPs and Concessions, including methodological documents (e.g. Value-for-Money Methodology);
- The laws and by-laws governing public property, public procurements, communal utility activities, public enterprises, local self-government, public debt, capital market, companies, banks, contracts and torts, pledges, mortgages and other realty law relationships, arbitrations, and other areas relevant to PPPs;
- The opinions, assessments, recommendations, advices, guidelines, interpretations, information, notifications and other relevant acts and documents issued by the Commission for PPP;
- Link to the Registry of Public Contracts, maintained by the Ministry in charge for Finance, as electronic data base on portal of public procurements in the form of sub-portal;
- Links to the websites of the relevant international and local institutions and organizations;
- Models of the public calls, tender documentation, public contracts and other relevant PPP documentation;
- Manuals, guides and other publications for implementation of regulations governing PPP;
- Analytical and research papers and documents.

#### **4.2. General Functional Requirements**

##### **1) Input data validation**

The website must perform input data validation on the server side and clearly notify users of validation errors in case of:

- a. Mandatory fields that are not populated

- b. Fields with invalid content (e-mail address without @ sign, etc.)
- c. An alphanumeric field with invalid characters
- d. Numerical fields with text content or out-of-range values (negative numbers, etc.)
- e. Date fields with inconsequent or impossible values (end date before starting date, future dates in some cases, etc.)

In case of detected errors in input data fields, the website has to clearly mark the fields that do not pass validation, without losing content/values of correct fields.

## **2) Multi-language content**

The website must support the creation and administration of multi-lingual content, at least in the following languages and alphabets:

- a. Serbian Cyrillic
- b. Serbian Latin
- c. English

## **3) Content Management System (CMS)**

Content management and administration of the Commission for PPP website has to be conducted through a flexible and easy-to-use Content Management System (CMS), which has to fully support Unicode/UTF-16 encoding.

## **4) Website search and search keywords statistics**

The website has to support searching the content by key words, both for articles and attached documents.

The website administrator must be able to produce search statistics by keywords, in order to identify website visitors' interests.

The website also has to provide advanced search capabilities, where visitors can narrow the scope of a search, focus on particular content category, set date ranges, use logical operators (AND, OR) and other usual advanced search mechanisms.

## **5) Support for printing and export to PDF format**

The website has to provide buttons/links that lead to "printer friendly" versions of the page, as well as the capability to download articles, news, laws, by-laws, opinions, assessments etc. as PDF documents, which need to follow the original format of the HTML page as closely as possible.

## **6) WYSIWYG editor**

The website must provide content editors with a flexible and easy-to-use WYSIWYG editor which must support at least:

- a. Letter styles (bold, italics, underline, etc.)

- b. Different types, sizes and colors of font
- c. Inserting photos/images, including various alignments of images and text
- d. Bullets and numbering
- e. Different paragraph alignments (right, central, left and justified)
- f. Inserting hyperlinks
- g. Content preview before publishing

It is desirable that editor properly handle the cutting and pasting of pre-formatted RTF contents from other applications (Word etc.).

#### **7) Summary, keywords and related contents**

The website must enable the editor to define a summary (“digest”) of the text, which leads to the full article upon clicking the appropriate hyperlink (“Read more”).

Website editors must be able to define keywords and configure predefined content type (“news”, “announcement”, “law”, “bylaw”, “opinion” etc.) for articles and other electronic resources published through CMS, which can later serve for filtering and searching throughout the website.

#### **8) Column sorting**

When displaying tabular information with many items (e.g., more than 100 items), it is necessary to enable sorting by desired column to help users find desired information quicker.

#### **9) Website statistics**

The website should provide as detailed analytics and statistics of the visits to the website as possible. The minimal acceptable functionality is Google Analytics. It is recommended that the administrator can obtain detailed view/download statistics for every website resource (news, articles, laws, by-laws, etc.).

#### **10) Current position indicator and returning to front page**

The Commission for PPP website should always clearly indicate to a visitor where he or she is in the organizational structure and hierarchy.

The Commission for PPP logo, in the upper left corner of the website, should always act as a “Home” button and always lead to the front page, so a visitor does not have to repeatedly click “Back”.

#### **11) Audit trail**

Any content modification of the PPP website by the Commission must be logged into the website Security Audit Trail, which has to record at least the following information:

- a. ID of the changed resource
- b. Type of change (addition, modification, deletion)
- c. Functional context of the website where the change was initiated
- d. Username of person who initiated the change
- e. Timestamp of the change

The website administrator must be able to review the audit log on request, in a comfortable and easy to use manner (manual database queries are not a satisfactory level of functionality).

## **12) Compatibility with most popular web browsers**

The website must look and feel the same at least in the following web browsers:

- a. Mozilla Firefox
- b. Microsoft Internet Explorer
- c. Google Chrome

## **13) No browser plug-ins requirements on client side**

The Commission for PPP website must not require plug-ins on the client side (e.g., Adobe Flash, Microsoft Silverlight) in order to properly display content.

Only content types which naturally require client-side plug-ins and CODECs (video streaming, interactive process animations, etc.) may be an exception to this rule.

## **14) Modularity and flexibility**

The website must be designed in such manner that additional changes, extensions or removals of functionality affect other components as little as possible.

The website architecture should be designed to minimize the number of places requiring changes when new functionality has to be added or existing functionality has to be changed.

The website must be flexible, adaptable and easy to use in order for the Ministry in charge for Economy and Regional Development / the Republic Administration for General Affairs to further maintain it.

### **4.3. Hosting**

Website should be hosted by the Republic Administration for General Affairs or by EUnet LLC Belgrade, company for development of information systems, which provides hosting for website of the Ministry in charge for Economy and Regional Development.

### **4.4. Intellectual Property Rights**

USAID and/or Cardno EMG, as its implementing partner, will hold intellectual property rights, pursuant to the laws governing intellectual property, on the all elements of the website developed by the Consultant in the scope of this project and will be entitled to transfer it to the Ministry in charge for Economy and Regional Development, the Commission for PPP or third party at its sole discretion. All materials, work products and technical data that the Consultant develops under this Scope of Work, including, but not limited to software and documentation, shall be considered "Works for Hire". All rights and ownership of the software data, source code and derivative works produced pursuant to this Scope of Work are the property of the U.S. Government and Cardno EMG, and can be transferred and

assigned without restriction. Full source code, object code, technical documentation and permanent licensed right of use of the system developed under this Scope of Work might be transferred to the relevant public institution as beneficiary organization, prior to the closure of the USAID BEP.

## **II. Tasks**

In accordance with abovementioned, the Consultant should perform the following tasks:

- 1) Development of the concept of the website of the Commission for PPP (August 06, 2012);
- 2) Production of final version of the website of the Commission for PPP taking into consideration the feedback of the Commission for PPP and USAID BEP (until September 07, 2012).

## **III. Level of Effort**

The Consultant will have 25 days of engagement for completion of the tasks.

## **IV. Period of Performance**

Period of performance of this SoW is July 23, 2012, to September 07, 2012.

Maximum number of days under this LOE cannot exceed 25 days.

## **V. Deliverables**

Specific work products to be developed by Consultant include:

- 1) Development of the concept of the website of the Commission for PPP (August 06, 2012);
- 2) Production of final version of the website of the Commission for PPP taking into consideration the feedback of the Commission for PPP and USAID BEP (until September 07, 2012);
- 3) Final report, summarizing results of the consultants' engagement;
- 4) Participation in outreach activities, if needed.

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 Dragana Stanojević and Dušan Vasiljević of USAID Business Enabling Project (BEP) seven (7) days before of expiry of the deadlines set above. Consultant will make adjustments to the deliverable in line with BEPs' comments within a week after such comments have been provided.

**Applications including CV clearly showing adequate technical background and relevant work experience, along with references should be sent by e-mail to: [info@bep.rs](mailto:info@bep.rs), by June 29, 2012. Only short - listed candidates will be contacted.**