

REQUEST FOR EXPRESSIONS OF INTEREST (CONSULTING SERVICES – FIRMS SELECTION)

Republic of Serbia

Serbia Accelerating Innovation and Growth Entrepreneurship (SAIGE)

Project ID No. P170185

Assignment Title: Legal Advisory Firm, Reference No. SER-SAIGE-CQ-CS-21-13

Serbia has received a loan from the World Bank (Bank), through the “Serbia Accelerating Innovation and Growth Entrepreneurship Project” (Project), to contribute to the country’s growth and competitiveness by improving (i) relevance and excellence of scientific research and (ii) innovative entrepreneurship and access to finance for enterprise growth.

Objective of the assignment

The objective of this assignment is to provide legal support to the IF in Enterprise Acceleration Program (EAP) design and implementation, including defining the operational details of the EAP, templates for the contracts the IF will use, a due diligence process in relation to co-investment mechanism and other legal support as necessary. The Legal Advisory Firm (Legal Advisory Firm, hereinafter: The Consultant) will cooperate and coordinate with the Legal Consultant hired within the Project Implementation Unit (PIU).

Scope of Work

The specific functions and responsibilities of the Consultant will be:

- Legal assistance in establishing and defining procedures and managing SAIGE-related operations of the IF;
- Assistance in structuring and defining IF’s operational policies in regards to the establishing and functioning of EAP, included but not limited to the Program Manual, financing and non-financing agreements with applicants and investors, and other supporting documents;
- Assistance in structuring the IF’s confidentiality and conflict of interest policy in accordance with the best international practices and Serbian regulations, with consideration to the SAIGE project documents;
- Regular screening of IP status for startups selected in the EAP and providing necessary recommendations when needed.
- Assistance in screening and evaluation of applications/projects with respect to corporate, business and IP issues, including but not limited to non-disclosure and data confidentiality agreements, know-how agreements, corporate documents, agreements defining various models of cooperation, licensing agreements and other agreements on economic exploitation of intellectual property rights, as well as other legal documents for applications/projects;

- Preparation and legal screening of the agreements between the IF and any other legal entities and individuals (natural persons), including but not limited to agreements with consultants, investors and other organizations of interest to the IF;
- Assistance and advice in structuring of legal agreements under acceleration program and Co-investment mechanism including all related transactions thereof;
- If needed, representing and advising the IF in negotiation processes and other relationships with legal entities and individuals (natural persons);
- If needed, advising regarding issues in the field of taxation, investment, state aid, and environmental law;
- If needed, representation of the IF in all dispute resolution matters related to the SAIGE project and the respective operations of the IF, including the representation before the national court and arbitration;
- Assistance in legal aspects of IF current and future financing instruments and operations.

Experience and Qualifications

The Consultant must possess following qualifications:

- The Consultant shall be an entity providing legal services, registered in the Republic of Serbia, with at least two contracts of a similar complexity in the last four years;
- The Consultant shall be capable to provide 3 key staff (all passed bar exam, at least one with general legal experience of minimum 15 years) with adequate qualifications for this contract (qualifications of key personnel will be jointly taken into consideration i.e. qualifications of key personnel as a group will be evaluated) as follows:
 - At least 3 years of experience in providing legal support in the field of equity investment. Experience with early-stage investment (angel or VC-type investments) will be a plus,
 - At least 5 years of experience for Firm’s staff in taxation according to Serbian law and best practices in Europe,
 - At least 5 years of experience for Firm’s staff in M&A according to Serbian law and best practices in Europe.
 - At least 5 years of experience in intellectual property according to Serbian law,
 - At least 5 years of experience in corporate law according to Serbian law and best international practices,
 - At least 5 years of experience in dispute resolution according to Serbian law.
- The Consultant must be insured from professional liability with minimum EUR 500.000.

The criteria are:

#	Criteria	Weight
1	Qualifications and competence for the Assignment and availability of key personnel	40
2	Specific experience of the Consultants related to the assignment	60

Timing and Duration

The expected time effort is approximately 100 working days in the period of around 3.5 years i.e. by September 30, 2024. (closing date of the Project). The assignment is envisaged to start in April 2021.

The detailed Terms of Reference for the above referenced consulting services is posted on the website of the Innovation Fund http://www.inovacionifond.rs/cms/files/ostale-nabavke/2021_02_22_SAIGE_ToR_Legal_Advisory_Firm_FINAL.pdf

The Central Fiduciary Unit (CFU) of the Ministry of Finance now invites eligible Legal Advisory Firms (“Consultants”) to indicate their interest in providing the Services.

The Legal Advisory Firm will be selected in accordance with the *Consultant’s Qualifications Based Selection (CQS)* method as set out in 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 and August 2018)* (“the Regulations”).

Interested and eligible Legal Advisory Firm for this position should send Expression of Interest in English by e-mail to the contact information listed below.

Consultants may associate with other firms to enhance their qualifications, but should indicate clearly whether the association is in the form of a joint venture and/or a sub-consultancy. In the case of a joint venture, all the partners in the joint venture shall be jointly and severally liable for the entire contract, if selected.

Expressions of interest from eligible firms/ joint ventures should specify the following relevant information:

- (i) Short introduction of the firm/joint venture;
- (ii) Core business;
- (iii) Qualifications in the field of the assignment (in case of a “joint venture”, such evidence is required for all members of the “joint venture”, while in case of a sub-consultancy, it is required only for the leading firm);
- (iv) Technical and managerial organization of the firm;
- (v) General qualifications and number of relevant key staff.

The attention of interested Consultants is drawn to paragraphs 3.14, 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 and August 2018)* (“the Regulations”) setting forth the World Bank’s policy on conflict of interest.

Further information can be obtained at the address below during office hours 09:00 to 15:00 hours.

Deadline for submission of expressions of interest is April 12, 2021, 12:00 hours, noon, local time.

Contact:	E-mail:	Address:
To:	ljljana.krejovic@mfin.gov.rs Ms Ljiljana Krejovic Procurement Specialist	Ministry of Finance Central Fiduciary Unit 3-5 Sremska St
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