

Request for Quotation
RFQ-J4All-N.2024.06
USAID /Serbia Justice for All Project
October 2024

Development Professionals, Inc. requests a quote for the *Identifying Opportunities to Improve Procedural Outcomes in Criminal Law*, as outlined below:

BACKGROUND

Development Professionals, Inc. (DPI), an international consulting company based in Arlington, Virginia, USA, is currently implementing the USAID/Serbia *Justice For All* Project. The Serbian Branch of DPI is operating in Serbia since 2017.

INSTRUCTIONS TO OFFERORS

With this RFQ, DPI is soliciting offers from qualified consultant companies, consortium or qualified individual consultants to provide services for *Identifying Opportunities to Improve Procedural Outcomes in Criminal Law*. The Justice for All project is a five-year initiative aimed, in part, at strengthening the legal system in Serbia by improving procedural outcomes for citizens in criminal and civil law, enhancing judicial decision-making, and rebuilding public trust in the judiciary. As part of Objective 2 of the project, in Year 2 one focus will be on analyzing procedural gaps in criminal law to enhance judicial efficiency, reduce delays, and improve access to justice for all citizens. The criminal law component will examine key procedural issues such as delays in pre-trial processes, inconsistent application of procedural rules, challenges/inconsistencies in evidence handling, and inadequate access to legal counsel during pre-trial stages. The goal is to identify areas in the current criminal law framework and practices that contribute to inefficiencies and/or result in suboptimal judicial outcomes, which ultimately lead to a decrease in public confidence in the legal system. Once these gaps are identified, the findings will be discussed within the broader legal community to generate feedback and refine recommendations aimed at improving court procedures and overall user experiences.

Publishing date: October 21, 2024

Offer Submission Deadline

Offers must be received no later than **November 15, 2024, by 16:00h CET Belgrade time.**

Submission of Offers

All offers must be submitted electronically to the following email address: imandic@sebiaJ4all.com

Please quote reference “*RFQ-J4All-N.2024.06 Identifying Opportunities to Improve Procedural Outcomes in Criminal Law*” in the subject of the email.

Questions and Clarifications

All questions and clarifications regarding this RFQ must be submitted in writing to imandic@serbiaJ4all.com no later than **November 8, 2024, Belgrade time**. All correspondence must provide a reference to the RFQ number. Responses to the questions and clarifications will be published by DPI-Serbia by November 11, 2024, Belgrade time. Questions and clarifications that may be of interest to other bidders will be circulated to all parties that submitted questions. **Phone calls to any staff members of the organization are strictly prohibited.**

Required Documentation

The offers must include the following:

- Duly filled and signed Annex 1: Bidder General Information or CV if individual consultant with list of references relevant for the assignment.

- Duly filled and signed Annex 2: Quotation Form.
- Track Record – list of clients or contractors for similar services within the last 3 years indicating description of contract scope, contract duration, contract value. The service provider's previous experience in delivering similar services should be clearly demonstrated. The bidder should provide names and contact information for up to three (3) entities that can provide feedback on the service provider's performance (reliability of service).
- Proposal with a detailed description of services offered to DPI-Serbia, number of personnel with required qualifications to be assigned for the provision of services required.

Source/Nationality/Origin

Only firms or individual consultants legally registered in the Republic of Serbia may submit an offer in response to this RFQ.

Quotations

Prices must be quoted per deliverable and the total amount should be presented for the fixed price contract. No taxes or fees are to be added. DPI is VAT-exempt, and VAT shall not be included in the offered price. Offers must clearly list all the items, indicate unit prices, quantities, and total price. Quotations must be expressed as fixed price, in USD. When calculating your financial offer, the offeror should include all anticipated costs for the assignment such as labor, travel, accommodation, and Defense Base Act insurance. Please be advised, DBA insurance is mandatory for all subcontractors at their expense. DBA insurance is 0.75% of labor costs. **The total price for the services quoted in response to this RFQ shall not exceed \$5,000 USD (five thousand US dollars).**

Validity Period

Offers must be valid for a minimum of ninety (90) calendar days after the offer deadline.

Negotiations

It is expected that awards will be made based on submitted offers. However, DPI reserves the right to conduct negotiations and request clarifications prior to awarding the contract.

Basis for Award

The award will be made to an offeror whose offer is compliant with RFQ instructions and is evaluated as the most advantageous for DPI. DPI may request interviews with select bidders as part of the decision-making process.

Terms and Conditions

The award is subject to DPI's standard terms and conditions. Please note that DPI standard payment terms are via bank transfer, ten (10) days upon receipt of the complete documentation after acceptance of the deliverables. No advance payments are possible.

TECHICAL REQUIREMENTS

SCOPE OF TECHNICAL ASSISTANCE:

The service provider will deliver comprehensive technical assistance to support the identification and resolution of procedural inefficiencies and gaps in criminal law. The process begins with a desk review to assess the current state of criminal law processes in Serbia, focusing on pre-trial delays, inadequate legal counsel access, and the inconsistent application of procedural rules and evidence handling. This review will help establish a foundation for identifying the most pressing procedural gaps and areas requiring attention.

Following the desk review, the service provider will conduct a thorough assessment of evidence handling practices, including the collection, management, and presentation of evidence in criminal cases; as well as the application of procedural rules. The goal is to identify inconsistencies and develop recommendations for standardizing these processes to ensure transparency, efficiency and consistency in judicial decisions. The service provider will also analyze barriers to accessing legal counsel during the pre-trial phase, with a focus on ensuring that all defendants have adequate representation, as well as examine the causes of pre-trial delays, proposing reforms to reduce these delays and improve procedural efficiency.

The findings and proposed recommendations will be shared with legal experts through public discussions to facilitate feedback and consensus-building. These discussions will help refine the recommendations, ensuring they are practical, feasible, and aligned with Serbia's legal framework. The service provider will then finalize the assessment report with recommendations, delivering a comprehensive set of proposals designed to enhance procedural outcomes and improve the quality of decision-making in criminal cases.

RESPONSIBILITIES AND TASKS:

Specific responsibilities and tasks include the following:

- **Desk Review, Procedural Gap Analysis and Draft Recommendations:**

Conduct a comprehensive desk review of Serbia's criminal law procedures, identifying key issues such as pre-trial delays, inconsistent access to legal counsel, and the inconsistent application of procedural rules and evidence handling practices. Perform a procedural gap analysis, comparing Serbia's legal practices with international best practices to highlight gaps that impact judicial efficiency and the quality of court user outcomes. Develop draft recommendations aimed at standardizing procedural case management, evidence handling, improving access to legal counsel, and reducing pre-trial delays, ensuring alignment with Serbia's legal framework while reflecting international best practices.

- **Facilitate Public Discussion:**

Organize and facilitate public discussions with legal experts to present the procedural gap analysis and proposed reforms. Gather feedback through collaborative dialogue to refine the recommendations and ensure they reflect the practical needs of Serbia's judicial system.

- **Finalization of Procedural Gap Analysis and Recommendations:**

Finalize the Procedural Gap Analysis and Reform Recommendations by incorporating feedback from stakeholders and legal experts. Ensure that the finalized recommendations are actionable, practical, and aligned with both Serbia's legal framework and international standards for procedural reforms.

EXPECTED DELIVERABLES:

The successful offer must provide the following deliverables:

- **Procedural Gap Analysis and Draft Recommendations Report:**

This report will provide a comprehensive review of the key procedural gaps in Serbia's criminal law system, focusing on pre-trial delays, inconsistent access to legal counsel, inconsistent application of procedural rules, and evidence handling. It will evaluate how evidence is currently collected, managed, and presented, identifying inconsistencies that cause inefficiencies or unfair outcomes. The report will also assess barriers to legal representation during pre-trial processes, particularly concerning accessibility and timeliness. Based on these findings, the report will propose standardized procedures for evidence handling to ensure transparency and consistency across the judicial system. Additionally, it will include draft recommendations aimed at improving access to legal counsel, reducing pre-trial delays, and creating a more equitable and efficient legal framework, ensuring the delivery of fair and timely justice.

- **Facilitate a 1-Day Workshop and Public Discussion Summary:**

1) *Facilitate a 1-Day Workshop:* Lead a 1-day workshop for an expert working group, consisting of judges, prosecutors, defense attorneys, and other key legal professionals. The workshop will serve as a platform to gather critical insights and feedback on the identified procedural gaps and proposed reforms in the criminal law system.

2) *Public Discussion Summary:* Prepare a comprehensive report summarizing the key insights and feedback gathered during the workshop and public discussions. The report will capture input from the expert legal community, highlighting recommendations from judges, prosecutors, and defense attorneys, and will contribute to the final refinement of the proposed procedural reforms.

- **Finalized Procedural Gap Analysis and Recommendations Report:**

The consultant should produce a final Procedural Analysis and Recommendations report, including a set of recommendations for procedural reforms in criminal law. These recommendations should incorporate feedback from the workshop and public discussions, ensuring they are grounded in the realities of Serbia's judicial system. The recommendations will aim to improve procedural outcomes by addressing pre-trial delays, ensuring equitable access to legal counsel, and standardizing evidence handling practices. The final goal should be to enhance judicial efficiency, improve fairness in criminal proceedings, judicial decision quality and rebuild public trust in the judiciary. The report should be provided in Serbian with a courtesy English translation.

Acceptance requirements

Project component leader for Objective 2 will be in charge for acceptance of the technical deliverables described above. Upon her written acceptance in DPI standard form, payments per deliverable will be implemented by the finance department.

Eligibility Criteria

Successful offerors must:

- Present Annex 1 and Annex 2 duly filled and signed as part of the application.
- Submit an offer in response to this RFQ before the mentioned deadline.
- Have at least 8 years of professional experience as a lawyer, with a strong background in criminal law reform and judicial procedural analysis. Extensive experience in developing comprehensive legal analyses, drafting strategic documents, and creating guidelines is essential. The provider should have a proven track record of working closely with courts and public prosecutor's offices, specifically on justice reform initiatives and the development of policy and regulatory frameworks. Experience in collaborating with judicial institutions to implement procedural improvements and reforms will be particularly valuable, as this role requires in-depth understanding of the operational and procedural challenges faced by the judiciary.

Selection Criteria

The DPI Serbia will rely on the following factors as a basis of selection of the Bidder:

- ✓ Qualifications.
- ✓ Quality of the proposal and overall proposed solution.
- ✓ Response time for urgent matters that impede the work of DPI Serbia as a whole.
- ✓ Response time for all matters that do not fit into the "urgent matters."
- ✓ Rates for services and deliverables submitted by the Bidder.

Annex 1: Bidder General Information

We, the undersigned, hereby offer to provide the services listed in conformity with the Technical Specifications and requirements of DPI Serbia as per **Request for Quotation No. RFQ-J4All-N.2024.06**.

Company/Consultant Name:	
Postal Address and Phone No:	
E-mail Address:	
Experience (yrs.):	
Previous Clients:	
Name and Title:	
Signature and Date:	

Annex 2: Quotation Form

We, the undersigned, hereby offer to provide the services listed in conformity with the Technical Specifications and requirements of DPI Serbia as per **Request for Quotation No. RFQ-J4All-N.2024.06**

All costs shall be expressed in USD without VAT

Deliverable	Fee per deliverable (including labor and DBA insurance)	Travel-related costs (hotel and per diem)	Other costs (Specify)	Total Cost of Deliverable
<p>Procedural Gap Analysis and Draft Recommendations Report - A comprehensive report identifying key procedural gaps in Serbia’s criminal law framework, focusing on pre-trial delays, legal counsel access, and evidence handling, with a set of recommendations, ensuring more efficient and fair criminal proceedings.</p>				
<p>Facilitate a 1-day workshop for expert working group in order to obtain the key insights and feedback gathered from public discussions with the legal expert community, including judges, prosecutors, and defense attorneys (Note: participant costs are not included); and prepare a comprehensive report summarizing the key insights and feedback gathered during the workshop and public discussions. The report will capture input from the expert legal community, highlighting recommendations from judges, prosecutors, and defense attorneys, and will contribute to the final refinement of the proposed procedural reforms.</p>				



Web: www.developmentpi.com
 Email: contact@developmentpi.com
 HQ: m
 Vienna, Virginia

Finalized Procedural Gap Analysis and Recommendations Report A Final Procedural Analysis and Recommendations report, including a set of recommendations set of recommendations for procedural reforms in criminal law, incorporating stakeholder feedback and focused on improving procedural outcomes and rebuilding public trust in the judiciary.				
Total Bid Cost				

Authorized Signature: _____

Name & Title of Signatory: _____

Date: _____