



**LAO PEOPLE'S DEMOCRATIC REPUBLIC**  
**PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY**

**MINISTRY OF PUBLIC WORKS AND TRANSPORT**  
**DEPARTMENT OF ROADS**

Ref. No. 18876 / DOR  
Date : 20 July 2023

**REQUEST FOR EXPRESS OF INTEREST**  
**INTERNATIONAL LEGAL ADVISOR ON THE FORMULATION OF DRY PORT TARIFF REGULATION**  
**FOR SUB-COMPONENT 2.1, REFERENCE NO. ICS-038**

The Government of Lao Peoples Democratic Republic (GoL) has applied for financing support from the World Bank's (WB) International Development Association (IDA) to implement the Southeast Asia Regional Economic Corridor and Connectivity (SEARECC) with a project duration of six (6) years starting from middle of year 2022 and intends to apply part of the proceeds for consulting services. The Ministry of Public Works and Transport (MPWT) is the lead implementing agency of the SEARECC. The proposed of SEARECC seeks to improve the domestic and regional transport connectivity and logistics facilities, with associated policy reforms for increased economic activities along selected transport corridors in Northern Lao PDR. The project scope includes improvement of transport connectivity and logistics services in Lao PDR, trade facilitation, border crossing control management, and agriculture trade along the NR2 corridor and five provinces in the corridor catchment area. National Road 2 (NR2), 295 km long and a part of ASEAN highway No. 13. SEARECC consists of five (5) components as follow: (1) Lao PDR and Regional Connectivity Enhancement, (2) Logistics Services Development and Vorder-Crossing Management, (3) Strengthening Institutional Capacity and Regulatory Framework in Agriculture, Transport, and Investment Planning, (4) Project Management and (5) Contingency Emergency Response.

The SEARECC Project now intends to engage an International Legal Advisor on the Formulation of Dry Port Tariff Regulation to assist the MPWT in the following activities : (a) support the Department of Transport in drafting of ministerial regulation on dangerous goods transport management (b) conduct capacity buildings and trainings to the working group and relevant parties (c) provide the recommendation for further development for Lao PDR on road transport of dangerous goods, e.g., media for raising awareness for carriers, necessary regulatory frameworks and persons involved in transport of dangerous goods by road and implementation procedures and etc. This shall be a Lumpsum Contract with over a period of 6 months, it is anticipated to commence in September 2023, the full ToR for the assignment can be found at the following website [www.mpwt.gov.la](http://www.mpwt.gov.la), [www.ppmf.mof.gov.la](http://www.ppmf.mof.gov.la) or can be sent to candidates upon written request to the e-mail address below.

Interested Consultant should provide information (CV, Expression of Interest, other supporting information, if any) demonstrating that s/he has the required qualifications and relevant experience to perform the Services. In order to qualify for this position, the candidates shall meet the following experience and competence requirements:

- At least a Master degree in Transport Planning, or Logistics Management or additional degree in economics or business administration is preferential, or any relevant discipline;
- At least 15 years of relevant work experience in transport, logistics, terminal or port management or in similar assignments as a legal consultant, transport/port service tariff structure or similar positions with major donor funded projects, particularly with World Bank funded projects, will be an advantage;
- Knowledge on transport planning, and transport regulatory frameworks;

- Strong experience and network of contacts in the region trade and transport facilitation;
- Good knowledge of spoken and written English and Good communication skills;
- Ability to conduct socialization events and present in English at workshops or other meetings with national or international counterparts;
- Willingness to travel as needed;
- Flexibility and ability to work and deliver high-quality production time.

The attention of interested consultants is drawn to Section III, paragraphs, 3.14, 3.16, and 3.17 of the World Bank's "Procurement Regulations for IPF Borrowers" 4<sup>th</sup> edition of November 2020 ("Procurement Regulations"), setting forth the World Bank's policy on conflict of interest. A Consultant will be selected in accordance with the Competitive Selection of Individual Consultants method set out in the Procurement Regulations.

Expressions of interest must be delivered in a written form to the address below (in person, or by mail, or by fax, or by e-mail) by 09 August 2023, 16:00 O'clock Lao time (submissions via email are also acceptable). Only shortlisted candidates will be contacted.

Department Planning and Finance, Ministry of Public Works and Transport  
Lanexang Avenue, Phonhxai Village, Saysettha District, Vientiane Capital, Lao PDR.

Attention : Ms. Vanh Dilaphanh  
Director General of Department of Planning and Finance ( DPF - MPWT )  
Email : proc.dpf.mpwt@gmail.com with Cc : k\_litta@yahoo.com, dilaphanhnana@yahoo.com, bounta\_ov@yahoo.com, bottaphanith@yahoo.com and xaysomnuk.s@gmail.com.

Yours sincerely,



**Mr. Litta Khattiya**

Director General, Department of Roads (DOR - MPWT)  
Head of SEARECC Project Procurement Committee



**LAO PEOPLE'S DEMOCRATIC REPUBLIC**  
**PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY**

**SOUTHEAST ASIA REGIONAL ECONOMIC CORRIDOR AND CONNECTIVITY (SEARECC)**  
**( PROJECT ID No. P176088; IDA CREDIT No. 7102-LA )**

**TERMS OF REFERENCE (TOR)**  
**INTERNATIONAL LEGAL ADVISOR ON THE FORMULATION OF DRY PORT TARIFF REGULATION**  
**FOR SUB-COMPONENT 2.1, REFERENCE No. ICS-038**

**1. Background**

The Ministry of Public Works and Transport (MPWT); Ministry of Agriculture and Forestry (MAF); Ministry of Industry and Commerce (MOIC); Ministry of Public Security (MOPS); Ministry of Planning and Investment (MPI), Ministry of Health (MOH) and Ministry of Finance (MOF) of Lao PDR have received financing support from the World Bank's (WB) International Development Association (IDA) to implement the Southeast Asia Regional Economic Corridor and Connectivity (SEARECC) with a project duration of six (6) years starting from 4<sup>th</sup> quarter of year 2022.

The Southeast Asia Regional Economic Corridor and Connectivity (SEARECC) seeks to improve the domestic and regional transport connectivity and logistics facilities, with associated policy reforms for increased economic activities along selected transport corridors in Northern Lao PDR. The project scope includes improvement of transport connectivity and logistics services in Lao PDR, trade facilitation, border crossing control management, and agriculture trade along the NR2 corridor and five provinces in the corridor catchment area: Phongsaly, Luangnamtha, Oudomxay, Xayabouly, and Luangprabang. NR2, 295 km long and a part of ASEAN highway no 13, consists of NR2-West (145 km) connecting with the Thai border at Huai Kone via NR4A and NR2-East (150 km) connecting with the Vietnamese border at Tay Trang, Dien Bien Phu province. As a major road corridor, it crosses the new Lao-China rail corridor in Muang Xai, creating the potential for multimodal transport connectivity for both north-south and east-west routes connecting Laos, Vietnam, Thailand, Myanmar, and China. The development of NR2 provides linkages to Thailand, Vietnam, and China, which can help achieve Lao PDR's aspiration to become a land-linked country. The proposed project will help to attract more investment, boost more cross-border trade, and generate more employment in the surrounding areas.

The Project Development Objective (PDO) are to improve regional and domestic trade and climate resilient transport connectivity along an East-West corridor in Southeast Asia, and to provide immediate and effective response in case of an Eligible Crisis or Emergency. The proposed PDO-level results indicators are:

- A. Improved regional and domestic transport connectivity
1. Travel time along the selected sections of the NR2 corridor
  2. Number of people provided with improved, climate resilient road access
  3. Beneficiaries expressing satisfaction with transport connectivity (percentage)

B. Improved cross-border trade efficiency

4. Average cross-border processing time at selected Laos-Vietnam and Laos-Thailand border checkpoints
5. Time taken for SPS certification in agricultural trade

SEARECC consists of five (5) components as follow: (1) Lao PDR and Regional Connectivity Enhancement, (2) Logistics Services Development and Border-Crossing Management, (3) Strengthening Institutional Capacity and Regulatory Framework in Agriculture, Transport, and Investment Planning, (4) Project Management and (5) Contingency Emergency Response.

## **2. Objectives of the Assignment**

The main objectives are to

- Support capability of relevant government officials in Lao PDR to implement the National Logistics Strategy, Land Transport Law, Multimodal Transport Law, and Decree on Dry Port;
- Provide capacity buildings to DoT officials and relevant ministries involved on dry port management and dry port service tariff calculation through series of seminars and workshops.

## **3. Scope of Works/ Specific Tasks**

The consultant shall work closely with Department of Transport, MPWT to ensure smooth and effective coordination as well as the efficiency of all activities. The scope and steps of work are foreseen as followed:

For Task 1 the consultant shall support the Department of Transport in drafting of ministerial regulation on Dry Port Tariff Regulation, including;

- Review of existing regulations related to road transport of on consolidation centre, truck terminal, dry port management and dry port authority in Lao PDR;
- Provide a benchmark of service tariff for ports, ICDs, and dry ports in regional and neighbouring countries for at least 5 countries;
- Review of international good practices of logistics centers, consolidation centers, multimodal terminals, dry ports, inland container depots;
- Review of regulations regarding port and dry port authority of regional and neighbouring countries;
- Field data collection (where necessary) to support drafting the regulation.
- Draft of ministerial regulation on dry port service tariff structure in Lao PDR context and in line regional practices of neighbouring countries;

The consultant shall attend and present the results and draft regulation in the meetings at DoT office, Ministry of Public Work and Transport, Vientiane Capital at least 5 sessions with up to 2-3 days each, and engage regular coordination with DoT on the scope of work.

For this review on dry ports/ logistics centers, the review and recommendations should include

- institutional arrangements and roles of the public and private sector
- the governance of the private sector investment to ensure it is a multi-user facility for the benefit of the common good
- potential revenue sharing mechanisms
- other aspects of the public-private operating model of dry ports/ logistics centers as required

For task 1, the consultant will need to:

- Define the facilities and services to be charged for. This includes all of the services that are provided by the dry port. It is also important to consider the different types of users of these services, such as trucks, rail and cargo owners.
- Identify the users of each of these facilities and services. This will help to determine how the tariffs should be structured. For example, if a particular service is only used by a small number of users, it may be more efficient to charge a flat rate for that service.
- Identify the nature and extent of any constraints which may affect the pricing process. This includes factors such as competition from other dry ports, other government regulations, and the need to maintain a certain level of service quality.
- Define a pricing structure (type of charge, basic unit). This includes the type of charge, such as a flat rate or a per-unit charge. It also includes the basic unit, such as the number of containers or the amount of cargo.
- Estimate dry port operational costs. This includes all of the costs of providing dry port services, such as labour, fuel, and maintenance.

For Task 2 the consultant shall conduct capacity buildings and trainings to the working group and relevant parties;

- One training on the overall concept and understanding of the tariffs structure model,
- Two training on the result and proposed dry port service tariff calculation for national working group,
- One Training for government officers from DoT and related institutions on new regulations.

The consultant shall prepare training handbooks and conduct trainings in Vientiane Capital in total 3 sessions with up to 1-3 days each and engage in on-line consultation on a regular basis.

The consultant shall provide the recommendation for further development for Lao PDR on dry port service tariff structure, e.g., gap analysis of transport/logistics regulatory framework; raising awareness on the implementation of the regulations. The recommendation shall be included in the final report.

#### **4. Expectation of Results**

International Legal Consultant on Dry Port Tariff Structure will be required to deliver the following tasks:

- Draft ministerial regulation on dry port service tariff structure available;
- At least 10 governmental officers trained on calculating dry port service tariff structure;
- Materials/ media for raising awareness & technical guidance for parties involved.

The deliverables and time duration are summarized in the table below:

-	Required Deliverable and/or Output	Duration
Task 1	1 <sup>st</sup> draft regulation	3.5 months after commencement
	2 <sup>nd</sup> draft regulation	1 months after receiving comments on the 1 <sup>st</sup> draft
	Final draft (in English and Lao)	1 months after receiving comments on the 2 <sup>nd</sup> draft
Task 2	Capacity building workshops	3 months after commencement for the national working group
		5 months after commencement for the provincial public works and transport.
Task 3	Final Report	Last month before contract end

#### **5. Duty Station, Duration of the Assignment and Deliverables**

The consultant will work with the assigned officials of Sub-Component 2.1 and 2.2 of the Ministry of Public Works and Transport in Vientiane Capital and report to the Director-General of the DOT, MPWT, or the authorized representative from DOT-MPWT.

The consultant is required to provide his own laptop computer and any other specialized equipment as required. A desk may be provided at DoT if requested, and subject to availability.

**Term of Engagement:** This is a Lump-sum Contract with over a period of 6 months. It is anticipated to commence in September 2023.

The consultant shall submit the reports to project team as following:

- Detailed work plan – 2 weeks after meeting with project team;
- Progress Report – month end or as per requested from DoT;
- Final report - after all activities have been completed.

## **6. Consultant Selection Criteria and Expertise**

The following provision is suggested in regards to the qualifications and skills required. The International Expert on Dry Port Tariff Structure should have, at a minimum the following criteria:

- At least a Master degree in Transport Planning, or Logistics Management or additional degree in economics or business administration is preferential, or any relevant discipline;
- At least 15 years of relevant work experience in transport, logistics, terminal or port management or in similar assignments as a legal consultant, transport/port service tariff structure or similar positions with major donor funded projects, particularly with World Bank funded projects, will be an advantage;
- Knowledge on transport planning, and transport regulatory frameworks;
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