



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

MINISTRY OF PUBLIC WORKS AND TRANSPORT
DEPARTMENT OF ROADS

Ref. No. 18871 / DOR
Date : 20 July 2023

REQUEST FOR EXPRESS OF INTEREST
INTERNATIONAL LEGAL ADVISOR ON THE FORMULATION DANGEROUS GOODS TRANSPORT
REGULATION FOR SUB-COMPONENT 2.1, REFERENCE NO. ICS-039

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 dangerous goods transport** 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 Lump-sum Contract with over a period of approximately one year with a possible extension, 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, www.ppmmd.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:

- Master's degree in Transport Planning, or Logistics Management or additional degree in economics or Chemicals/Social and Environment is preferential, or law, or any relevant discipline;
- 10 years' experience on dangerous goods, chemical risk management, hazardous substances management;
- At least 1 similar assignment performed in the past 5 years; such experience under a WB / ADB project is an asset.
- Strong technical background in providing various consultancy works in the field of dangerous goods, chemical risk management;

- Strong knowledge and experience on ADR, and certified ADR DGSA is preferable;
- Strong network with public and private sector;
- 5 Years' experience on regional context especially in the field of dangerous goods transport;
- Advance proficiency in English both in report writing and speaking;
- Excellent communication and intercultural skills;
- Possessing professional mannerism, sense of responsibility and accountability, especially in timely delivery.

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" 4th 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, Phonxai 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, dilaphanhana@yahoo.com, bounta_ov@yahoo.com, bottaphanith@yahoo.com and xaysomnuk.s@gmail.com.

Yours sincerely,



Mr. Litta Khattiva

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 DANGEROUS GOODS TRANSPORT
REGULATION FOR SUB-COMPONENT 2.1, REFERENCE NO. ICS-039

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 4th 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 Vorder-Crossing Management, (3) Strengthening Institutional Capacity and Regulatory Framework in Agriculture, Transport, and Investment Planning, (4) Project Management and (5) Contingency Emergency Response.

2. Background and Rationale

The management of dangerous goods transport is one of the crucial components to foster the economic development and human wellbeing in the ASEAN region and the Greater Mekong Sub-region (GMS). To facilitate the cross-border transport of dangerous goods, the contracting parties signed and ratified the agreements based on the international standards through ASEAN Protocol 9 Dangerous Goods and GMS Cross Border Transport Agreement (CBTA)'s Annex 1 Carriage of Dangerous Goods. Both a.m. agreements refer to UN Recommendations on the transport of dangerous goods (UN RTDG) and Agreement concerning the international carriage of dangerous goods by road (ADR).

Since Lao P.D.R. is a member country of both ASEAN and GMS countries, it has to follow and issue national regulations based on the ADR to ensure the safe and sound management of dangerous goods transport in the country and facilitate the movement of dangerous goods between member countries. Furthermore, it has to set up appropriate mechanism to implement the ADR through raising public awareness, trainings of authorities and participants involved, assigning competent authorities to perform certain tasks (e.g. inspection & certification of vehicles and containment system), as well as law enforcements, as appropriate.

Department of Transport (DoT), Ministry of Public Works and Transport, Lao PDR is currently preparing to issue relevant regulations to be in line with the regional agreements and to organize appropriate workshop capacity buildings to concerned government officials in Vientiane Capital, Lao P.D.R.

3. Objective of the Assignment

The main objectives are to:

- Support capability of relevant government officials in Lao PDR led by the Ministry of Public Works and Transport to implement following the ratification of ASEAN Protocol 9 and GMS Annex 1 which address Cross-Border Transport of Dangerous Goods through issuing of national laws/regulations in line with the ADR,
- Provide capacity building to DoT officials and relevant ministries involved on the road transport of dangerous goods through series of seminars and workshops.
- Work closely with other International Organization and consultant's and represent MPWT at meetings as required

4. Scope of Work/Specific Tasks

The consultant shall work closely with the Department of Transport project team in Vientiane, Lao PDR 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(s) on dangerous goods transport management, including:

- Review of existing regulations related to road transport of dangerous goods in Lao PDR;
- Review of regulations regarding transport of dangerous goods by road under multilateral agreements, , ASEAN, GMS and, neighbouring countries, especially Thailand and Vietnam;
- Drafting of ministerial regulation(s) relevant to the Lao PDR context and in line with ADR and practices of neighbouring countries.

The consultant shall attend and present the results and draft regulation in the meetings at DoT office, Ministry of Public Works and Transport, Vientiane Capital at least 5-7 sessions with up to 2-3 days each, and engage in on-line consultation on a regular basis.

The management of dangerous goods transport should also cover the storage and handling of dangerous goods in logistics centers/ dry ports/ border crossing facilities, in view of the explosive accidents that have occurred globally in storage areas.

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

- Two Trainings on ADR/ASEAN and GMS General Awareness for national working group and provincial level;
- 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.

For Task 3, the consultant shall 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. The recommendation shall be included in the final report.

5. Deliverables

International Legal Advisor on the formulation of the Dangerous Goods Transport Regulations will be required to deliver the following tasks:

- Draft ministerial regulation(s) on "Safe transport of dangerous goods by road in Lao PDR" available,
- At least 10 governmental officers trained on DG transport by road based on ADR,
- 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 st draft regulation	4 months after commencement
	2 nd draft regulation	2 months after receiving comments on the 1 st draft
	Final draft (in English and Lao)	2 months after receiving comments on the 2 nd draft
Task 2	Capacity building workshops	3 months after commencement for the national working group
		7 months after commencement for the provincial public works and transport.
Task 3	Final Report	Last month before contract end

6. Duty Station, Duration of the Assignment and Deliverables

The consultant will work with the assigned officials of Department of Transport (DoT) and Sub-Component 2.1 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 and 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 approximately one year. 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 as per requested from DoT;
- Final report - after all activities have been completed.

7. Consultant Selection Criteria and Expertise

The following provision is suggested in regards to the qualifications and skills required. The Consultant should have, at a minimum the following criteria:

- Master's degree in Transport Planning, or Logistics Management or additional degree in economics or Chemicals/Social and Environment is preferential, or law, or any relevant discipline ;
- 10 years' experience on dangerous goods, chemical risk management, hazardous substances management;
- At least 1 similar assignment performed in the past 5 years; such experience under a WB / ADB project is an asset.
- Strong technical background in providing various consultancy works in the field of dangerous goods, chemical risk management;
- Strong knowledge and experience on ADR, and certified ADR DGSA is preferable;
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