

Terms of reference for the engagement of
Locally contracted expert
on TCT Support in transposition of revised ITS Directive and Delegated Regulation on
Real-time travel information

1. Background

The Transport Community is an international organisation in the field of mobility and transport. It has 36 participants – the European Union Member States represented by the European Commission, the Southeast European Parties (the Republic of Albania, Bosnia and Herzegovina, Kosovo*, Montenegro, the Republic of North Macedonia, and the Republic of Serbia - hereinafter referred at collectively as “regional partners”) and the three observing participants (Georgia, Republic of Moldova and Ukraine). Transport Community is working on integrating Western Balkans’ transport markets into the EU by assisting the regional partners in adopting and implementing the EU legislation in the transport field and supporting projects connecting the region with the EU.

The organisation was founded with a Treaty¹ Establishing the Transport Community, signed on 9 October 2017 by all partners (Council Decision (EU) 2019/392).

The aim of the Treaty, therefore, is the creation of a Transport Community in the fields of road, rail, inland waterway, and maritime transport as well as the development of the transport network between the European Union and the Western Balkan Parties. The Transport Community shall be based on the progressive integration of transport markets of the South East European Parties into the European Union transport market based on the relevant acquis, including in the areas of

technical standards, interoperability, safety, security, traffic management, social policy, public procurement and environment, for all modes of transport excluding air transport. For this purpose,

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence

¹ <https://www.transport-community.org/wp-content/uploads/2022/10/treaty-en.pdf>

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this Treaty sets out the rules applicable between the Contracting Parties under the conditions set out hereinafter. These rules include the provisions laid down by the acts specified in **Annex I**².

The Western Balkans have committed to aligning their transport policies and systems with EU standards as part of their integration process. The ITS Directive (EU) 2023/2661 and its related Delegated Regulations (EU) set the framework for deploying Intelligent Transport Systems (ITS) in road transport. The region has transitioned from deploying Intelligent Transport Systems (ITS) without initially establishing the legal basis or a strategic framework. Presently, most of Regional Partners have adopted ITS strategies, while in Serbia the ITS Strategy is expected to be adopted by the end of 2025. Ongoing and upcoming projects across the region involve the implementation of Traffic Control Centers for roads in nearly all partners, Vessel Traffic Management and Information Systems for waterborne transport in Albania and Montenegro, River Information Services for inland waterways in Serbia and Bosnia and Herzegovina, and the incorporation of the European Rail Traffic Management System in all rail projects.

2. Description of the assignment

The Republic of Serbia, as a signatory of the Transport Community Treaty is committed to aligning its transport legislation with the evolving EU acquis. In this context, particular focus is placed on the digital transformation of the transport sector, including the deployment of Intelligent Transport Systems (ITS).

In 2023, the EU adopted Directive (EU) 2023/2661 on the framework for the deployment of ITS in the field of road transport and for interfaces with other transport modes, which replaces Directive 2010/40/EU. Furthermore, Delegated Regulation (EU) 2022/670 establishes specific provisions for the provision of Real-Time Traffic Information (RTTI) services.

The Transport Community's Next Generation Road Action Plan 2025 - 2027, the Growth Plan for the Western Balkans, the Green Agenda, and the 2024 revision of the TEN-T Regulation, which

integrates Serbia into the Western Balkans–Eastern Mediterranean European Transport Corridor, further underscore the strategic importance of fast-tracking ITS transposition and implementation.

² <https://www.transport-community.org/wp-content/uploads/2024/07/annex-1.pdf>

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The **overall objective** is to provide targeted technical assistance to support the **transposition of the revised ITS Directive and Delegated Regulation on RTTI** into the national legal and institutional framework of the Republic of Serbia, ensuring compliance with EU requirements and alignment with regional transport priorities.

The **specific objectives** are to:

- Support the drafting of national legal texts and secondary legislation necessary to transpose Directive (EU) 2023/2661 and Delegated Regulation (EU) 2022/670;
- Provide recommendations on institutional arrangements, roles, and responsibilities required for effective implementation and enforcement;
- Contribute to the harmonisation of Serbia's ITS framework with the Transport Community's Next Generation Road Action Plan and the Reform Agenda;
- Strengthen the Ministry's technical and strategic capacity in ITS deployment, with a focus on real-time traffic and travel data services.

3. Scope of work

The expert will work under the supervision of the **Ministry of Construction, Transport and Infrastructure (the end beneficiary)**, in close coordination with other competent institutions and stakeholders, if any. The assignment will consist of the following tasks:

Task 1: Legal and Institutional Assessment (4 days)

- Analyse the current, or any draft prepared, of the Serbian legal and institutional framework relevant to:
 - Directive (EU) 2023/2661 on ITS;
 - Delegated Regulation (EU) 2022/670 on RTTI.
- Identify gaps, overlaps, and review institutional responsibilities and assess administrative capacities.

Task 2: Preparation of Table of Concordance (6 days)

Prepare a detailed Table of Concordance mapping:

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- Each article of Directive (EU) 2023/2661 to Serbian legal provisions;
- Each article of Delegated Regulation (EU) 2022/670 is applied to Serbian laws and technical frameworks.
- Highlight gaps and legal obligations requiring transposition or adaptation.

Task 3: Drafting of National Legal Texts (10 days)

- Draft national legal texts (laws or secondary legislation) and/or amendments required to:
 - Transpose Directive (EU) 2023/2661 in its entirety;
 - Ensure compliance with Delegated Regulation (EU) 2022/670, including provisions on data availability, quality, and access.
- Ensure compatibility with Serbia's legal drafting standards and administrative procedures.
- Include explanatory notes or justification tables as required for internal review.

All the above tasks should be completed to ensure consistency with national transport strategies and key EU and regional documents, including:

- EU Transport Policy and ITS framework;
- Transport Community Treaty and its Road Action Plan;
- Green Agenda for the Western Balkans;
- Economic and Investment Plan for the Western Balkans;
- Growth Plan for the Western Balkans and the Reform Agenda agreed with Serbia;
- TEN-T Regulation (2024 revision).

4. Deliverables

The expected deliverables are:

1. Assessment Report

- Content: Analysis of the current legal and institutional framework relevant to ITS in Serbia; identification of gaps and inconsistencies with:
 - Directive (EU) 2023/2661 on the deployment of ITS;
 - Delegated Regulation (EU) 2022/670 on RTTI;
 - Institutional responsibilities and implementation barriers.
- Length: Approx. 5–10 pages (excluding annexes).

2. Table of Concordance – Directive (EU) 2023/2661

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- Content: Article-by-article mapping to existing Serbian legislation; identification of provisions requiring transposition or amendment.

3. Table of Concordance – Delegated Regulation (EU) 2022/670

- Content: Article-by-article mapping to Serbian legal and technical frameworks; identification of provisions requiring transposition or amendment.

4. Draft National Legal Texts

- Content: Draft primary and/or secondary legal acts and amendments to transpose the Directive and ensure compliance with the Delegated Regulation.

5. Policy Alignment Note

- Content: Justification of how the drafted legal framework aligns with:
 - National transport strategy;
 - EU ITS policy and TEN-T Regulation (EU) 2024/1672;
 - Transport Community ITS Action Plan, Green Agenda, and Growth Plan for the Western Balkans (2024).
- Length: Approx. 2–4 pages.

6. Final Report

- Content: Consolidated summary of activities, findings, stakeholder consultations, deliverables produced, and final recommendations.
- Annexes: Assessment Report, both Tables of Concordance, Draft Legal Texts, and Policy Alignment Note, minutes of the meetings organised with the beneficiary and other stakeholders should be attached to the report.
- Length: Approx. 5–8 pages (main report, excluding annexes).

5. Qualifications and exclusion criteria

- a. Education: A university degree (minimum 4 years) in Law, Transport Engineering, Transport Planning, or a closely related field is required.

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- b. Postgraduate education in EU Law, Transport Policy, or ITS-related fields will be considered an asset.
- c. Any professional/civil servants working in the end-beneficiary institution are ineligible to apply.

6. Work experience

- a) A minimum of **seven (7) years of professional experience** in one or more of the following areas:
 - Transport legislation and policy development;
 - Legal harmonisation with EU acquis, particularly in the field of transport;
 - Transposition of EU directives or regulations.
- b) At least **one relevant reference activity in the past five (5) years** related to:
 - Transposition of EU transport legislation;
 - Drafting legal texts or regulatory frameworks in line with EU directives or delegated acts.
- c) Demonstrated **familiarity with the EU ITS framework**, including specific knowledge of:
 - **Directive (EU) 2023/2661** on Intelligent Transport Systems;
 - **Delegated Regulation (EU) 2022/670** on the provision of RTTI services.
- d) Prior experience working in the **Western Balkans** or neighbouring EU/EU pre-accession countries is considered an **asset**.

As proof of points a) and b), a reference letter confirming the criteria above should be included.

7. Languages

- Proficiency in English and the Serbian language.
- The Final Mission Report shall be submitted to the TCT Secretariat in English.

8. Timing and Location

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- The assignment foresees work from home/online or in person meetings in the Ministry of Construction, Transport and Infrastructure of Serbia (end beneficiary). The assignment is expected to start in July/August 2025.

9. Remunerations

The assignment foresees up to 160 working hours or 20 working days of engagement for the expert with a maximum value of EUR 5,000. The payment will be made in one instalment after completing all the tasks and submitting payment documents as stated in the contract.

The final outputs will be subject to the TCT secretariat and the end beneficiary, with quality control and approval before payment is executed.

Note: No other costs will be covered besides the expert cost per day.

10. Financial Offer

The financial offer should be shown in a form showing the price per working day of 8 hours.

The offer with the lowest price will be scored with a maximum of 20 points.

11. Selection and Award criteria

Selection will be done based on work experience.

Work experience	Minimum score	Maximum score
A minimum of seven (7) years of relevant experience in legal harmonisation, EU transport acquis, or ITS transposition.	20, for at least seven (7) years of relevant experience legal harmonisation, EU transport acquis, or ITS transposition. Every additional year, the score will be 2 points up to the maximum score.	30
At least one (1) reference activity in the past 5 years	20 for at least one (1) reference for activity	30

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related to the transposition of EU legislation, particularly ITS legislation and framework such as Directive (EU) 2023/2661 and Delegated Regulation (EU) 2022/670	conducted in the past 5 years related to the transposition of EU legislation, particularly ITS legislation and framework such as Directive (EU) 2023/2661 and Delegated Regulation (EU) 2022/670 Every additional reference will be scored 2 points up to the maximum score.	
Experience in aligning national frameworks with EU and strategic documents	0	10
Experience in working in the Western Balkan environment or EU/ EU pre-accession countries	10	10
Total	40	80

The abovementioned work experience will be scored based on the information provided in the CV and the reference letters as per point 6) of this ToR.

The total maximum score for the selection criteria is 80. The total maximum score for the financial offer is 20.

The offer with the highest score, combining work experience and offered price, will be proposed for the assignment, and the contract shall be signed.

No subcontracting is allowed for the assignment.