



REPUBLIC OF KENYA

**MINISTRY OF DEVOLUTION AND PLANNING
STATE DEPARTMENT OF DEVOLUTION**

**Kenya Devolution Support Programme for Results
(KDSP)**

**TENDER NO. MODP/SDD/KDSP/RFP/04/2016-2017
IFMIS NO. 396293**

**CONSULTANCY SERVICES TO IMPLEMENT
PUBLIC RELATIONS, COMMUNICATION AND EVENTS
MANAGEMENT STRATEGY FOR DEVOLUTION**

(RESERVED FOR WOMEN)

CLOSING/OPENING DATE: 30TH JANUARY, 2017

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INTRODUCTION

1. This standard Request for Proposals for selection of individual professional consultants has been prepared for use by public entities in Kenya. It has been found necessary for selection of individual consultants who are also regulated by their professional institutions or associations as opposed to selection of consultants who could be either individuals or body corporate.
2. This Request for proposals will be used for open tendering, restricted tendering or request for proposals.
3. The general conditions of contract in the Standard contract Form should not be modified and instead the special conditions of the contract may where necessary be modified by the procuring entity, for use, to reflect the unique circumstances of the particular assignment.

SECTION I



REPUBLIC OF KENYA

MINISTRY OF DEVOLUTION AND PLANNING

STATE DEPARTMENT OF DEVOLUTION

Kenya Devolution Support Programme (KDSP)

TENDER NOTICE

The Ministry of Devolution and Planning, State Department of Devolution (SDD) invites tenders from interested, eligible and competent firms to tender for the following consultancy services: -

Tender Number	Tender Description	Eligible Category	Closing Date and Time
MODP/SDD/KDSP/RFP/04/2016-2017 IFMIS NO. 396293	Consultancy Services to Implement Public Relations, Communication and Events Management Strategy for the State Department of Devolution (Reserved For Women)	Reserved for Women	30 TH January 2017 at 12.00 Noon

Interested bidders may access and download detailed tender documents and their corresponding Terms of Reference from the:

- i. IFMIS Supplier Portal: <http://supplier.treasury.go.ke> by citing the unique IFMIS Tender numbers for each of the tenders
- ii. The Ministry's Website www.devolutionplanning.go.ke.
- iii. **Tender portal:** <http://supplier.treasury.go.ke>, and click on "link to tenders"

Tenders **MUST** be submitted through IFMIS SUPPLIER PORTAL: supplier.treasury.go.ke. Bidders who may experience challenges in accessing and uploading their tender in the IFMIS Tender Portal should contact the IFMIS Department, Treasury Building on 5th Floor or Supply Chain Management Office on 1st floor, Teleposta towers, Wing C, Kenyatta Avenue, for assistance.

Duly completed tender documents (Hard Copy of exact replica of the one submitted in the IFMIS Portal) should be enclosed in a plain sealed envelope clearly marked with the tender name and tender number should be deposited in the tender box on 1st floor of Telposta Towers, Wing C, Kenyatta Avenue, Nairobi, Kenya during office hours (Weekdays 8.00 am to 5.00 pm) or be addressed to:

**Principal Secretary,
Ministry of Devolution and Planning,
State Department of Devolution,
P. O. Box 30004 – 00100.
NAIROBI, KENYA**

All tenders to be received on or before **30th January, 2017 at 12.00 noon** (East African Time). Bids will be opened immediately thereafter in the presence of the bidders or their representatives who choose to attend at the 6th floor boardroom, Telposta Towers, Kenyatta Avenue, Nairobi.

The financial proposal quoted should be inclusive of all Government taxes.

Tenderers should attach copies of the tax compliance certificate, Company Registration Certificate (Certificate of Incorporation/Registration), Access to Government Procurement Opportunity certificate (AGPO-Women).

The Government of the Republic of Kenya reserves the right to accept, terminate or reject any tender without assigning reasons for its decision thereof.

Principal Secretary
State Department of Devolution

SECTION II - INFORMATION TO CONSULTANTS

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SECTION II - INFORMATION TO CONSULTANTS

2.1 Introduction

- 2.1.1 The State Department of Devolution will select an individual consultant among those invited to submit proposals or those who respond to the invitation for proposals in accordance with the method of selection detailed under this section and consistent with the regulations.
- 2.1.2 The consultants are invited to submit a technical proposal and a financial proposal for consulting services required for the assignment stated in the letter of invitation (Section I)
- 2.1.3 In the assignment where the procuring entity intends to apply standard conditions of engagement and scales of fees for professional services, which scale of fees will have been approved by a relevant authority, a technical proposal only may be invited and submitted by the consultants. In such a case the highest ranked individual consultant in the technical proposals shall be invited to negotiate a contract on the basis of the set scale of fees. The technical proposals will be the basis for contract negotiations and ultimately for a signed contract with the selected individual consultant.
- 2.1.4 The consultants must familiarize themselves with local conditions as regards the assignment and take them into account in preparing their proposals. To obtain adequate information on the assignment and on the local conditions, consultants are encouraged to liaise with the procuring entity regarding any information that they may require before submitting a proposal.
- 2.1.5 The client will provide the inputs and services specified in the special conditions of contract needed to assist the individual consultant to carry out the assignment.
- 2.1.6 The cost of preparing the proposal and negotiating the contract including any visit to the procuring entity are not reimbursable as a direct cost of the assignment. The procuring entity is not bound to accept any of the proposals submitted.
- 2.1.7 The procuring entity's employees, committee members, board members and their relative (spouse and children) are not eligible to participate in the tender.

2.2 Clarification and amendment to the RFP documents

- 2.2.1 Individual consultant may request clarification of any of the RFP documents not later than Seven (7) days before the deadline for the submission of the proposals. Any request for clarification must be sent in writing by post, fax or email to the procuring entity's address indicated in the special conditions of contract. The procuring entity will respond by post, fax or email to such requests and will send written copies of the response (including an explanation of the query but without identifying the source of inquiry) to all individual consultants invited to submit proposals.
- 2.2.2 At any time before the deadline for submission of the proposals, the procuring entity may for any reason; either at its own initiative or in response to a clarification requested by an intended individual consultant amends the RFP. Any amendment shall be issued in writing, fax or email to all invited individual consultants and will be binding on them. The procuring entity may at its discretion extend the deadline for the submission of the proposals.
- 2.2.3 Clarification of tenders shall be requested by the tenderer to be received by the procuring entity not later than 7 days prior to the deadline for submission of tenders.

2.2.4 The procuring entity shall reply to and clarifications sought by the tenderer within 3 days of receiving the request to enable the tenderer to make timely submission of its tender.

2.3 Preparation of proposals

2.3.1 The individual consultant's proposal shall be written in English language.

2.3.2 In preparing the Technical proposal, the individual consultants are expected to examine the documents consisting the RFP in detail. Material deficiencies in providing the information requested may result in rejection of a proposal.

2.3.3 While preparing the Technical proposal, the individual consultant must give particular attention to the following:

- (a) If an individual consultant considers that he/she does not have all the expertise required for the assignment he/she may suggest in the proposals other individual(s) who will assist in the assignment but they will not be party to the contract for the purpose of the performance of the assignment. An individual consultant will not propose other individual consultants invited to submit proposals for the assignment. Any individual consultant in contravention of this requirement shall automatically be disqualified.
- (b) For all the staff who will be involved in the exercise of the proposals to consultant must indicate their responsibility in the assignment and also the staff time as necessary.
- (c) The curriculum vitae (CV) of the staff proposed must be submitted with the proposal.

2.3.4 The Technical proposal shall provide the following information;

- (a) The individual consultants CV and a brief of any recent experience of assignment of a similar nature. For each assignment the brief should indicate the profiles of staff involved, contract amount and the individual consultant's involvement.
- (b) Any comments or suggestions on the Terms of Reference and a list of service and facilities requested to be provided by the procuring entity.
- (c) A description of the methodology and work plan for performing the proposed assignment.
- (d) Any additional information requested in the special conditions of contract.

2.3.5 The Technical proposal shall be separate from the financial proposal and shall not include any financial information.

2.4 Financial proposal

2.4.1 In preparing the financial proposal, the individual consultants are expected to take into account the time required in completing the assignment as outlined in the RFP documents. The financial proposal will therefore be quoted in fees per day or month. The financial proposal may also include other costs as necessary, which will be considered as reimbursable.

2.4.2 The Financial proposal should include the payable taxes.

2.4.3 The fees shall be expressed in Kenya Shillings.

2.4.4 The Financial proposal must remain valid for 150 days after the submission date. During this period, the individual consultant is expected to keep available at his own cost any staff proposed

for the assignment. The procuring entity will make best efforts to complete negotiations within this period. If the procuring entity wishes to extend the validity period of the proposals, the consultants who do not agree, have the right not to extend the validity of their proposals.

2.4.5 The financial proposal must comply with the law governing the profession of the consultant.

2.5 Submission, Receipt and opening of proposals

2.5.1 The technical proposal and the financial proposal (if required) shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the individual consultants. The individual consultant must initial any such corrections.

2.5.2 For each proposal the individual consultants shall prepare the proposals in the number of copies indicated in the special conditions of contract. Each Technical proposal and financial proposal shall be marked "ORIGINAL" or "COPY" as appropriate. If there are any discrepancies between the original and the copies of the proposal, the original shall govern.

2.5.3 The original and all copies of the Technical proposal shall be placed in a sealed envelope clearly marked "TECHNICAL PROPOSAL", and the original and all copies of the financial proposal in a sealed envelope duly marked "FINANCIAL PROPOSAL". Both envelopes shall be placed in an outer envelope and sealed. This outer envelope shall bear the procuring entities address and other information indicated in the appendix to the instructions to consultants and clearly marked "DO NOT OPEN" before (**as indicated in Appendix to Information to consultants**).

2.5.4 The completed Technical and Financial proposals must be delivered at the submission address on or before the time and date of the submission of the proposals indicated in the appendix to the instructions to consultants. Any proposals received later than the closing date for submission of proposals shall be rejected and returned to the individual consultant unopened. For this purpose the inner envelope containing the technical and financial proposals will bear the address of the individual consultant submitting the proposals.

2.5.5 After the deadline for submission of proposals the outer envelope and the technical proposals shall be opened immediately by the opening committee. The financial proposals shall be marked with the individual consultants number allocated at the time of opening the outer envelope and the technical proposals but shall remain sealed and in the custody of a responsible officer of the procuring entity up to the time set for opening them.

2.6 Evaluation of the Proposal (General)

2.6.1 From the time the proposals are opened to the time of the contract award, if any individual consultant wishes to contact the procuring entity on any matter relating to his/her proposal, he/she should do so in writing at the address indicated in the appendix to the instructions to consultants. Any effort by an individual consultant to influence the procuring entity's staff in the evaluation of proposals companion proposals or awards of contract may result in the rejection of the individual consultant proposal.

2.6.2 The proposal evaluation committee shall have no access to the Financial Proposal, which in any case will remain sealed, until the technical evaluation is concluded or finalized.

2.7 Evaluation of Technical Proposals

2.7.1 The evaluation committee appointed by the procuring entity to evaluate the proposals shall carry out the evaluation of technical proposals following the criteria set out in the terms of reference based on the following points criteria

	<u>CRITERIA</u>	<u>POINTS</u>
(i)	Qualifications of the consultant	20
(ii)	Experience related to the assignment	30
(iii)	Methodology in response to the TOR	40
(iv)	Skills and competence	<u>10</u>
	Total points	100

2.7.2 Any proposal which will be examined and found not to comply with all the requirements for submission of the proposals will be declared non responsive. All the proposals found to have complied with all the requirements for submission of proposal shall be declared responsive by the evaluation committee

2.7.3 Each responsive proposal will be given a technical score (ST). Any technical proposal which fails to achieve the total minimum score indicated in the appendix to the information to tenderers shall be rejected at this stage and will not proceed to the next stage of evaluation. The respective financial proposal will be returned to the individual consultant unopened.

2.8 Opening and Evaluation of Financial Proposals

2.8.1 After completion of the evaluation of Technical proposals the procuring entity shall notify the individual consultants whose proposal did not meet the minimum technical score or were declared non responsive to the RFP and terms of reference. The notification will indicate that their financial proposals shall not be opened and will be returned to them unopened after the completion of the selection process and contract award. At the same time, the procuring entity shall simultaneously notify the consultants who have secured the minimum technical score that they have passed the technical qualifications and inform them the date and time set by the procuring entity for opening their financial proposal. They will also be invited to attend the opening ceremony if they wish to do so.

2.8.2 The financial proposals shall be opened by the procuring entity in the presence of the individual consultants who choose to attend the opening. The name of the individual consultant, the technical score and the proposed fees shall be read out aloud and recorded. The evaluation committee shall prepare minutes of the opening of the financial proposals.

2.8.3 The formulae for determining the financial score (SF) unless an alternative formula is indicated in the appendix to the information to tenderers shall be as follows:

$$Sf = 100 \times fm/f \text{ where}$$

Sf is the financial score
Fm is the lowest fees quoted and
F is the fees of the proposal under consideration.

The lowest fees quoted will be allocated the maximum score of 100

2.8.4 The individual consultants proposals will be ranked according to their combined technical score (st) and financial score (sf) using the weights indicated in the appendix to the instructions to consultants. Unless otherwise stated in the appendix to the instructions to consultants the formulae for the combined scores shall be as follows;

$$S = ST \times T\% + SF \times P\%$$

Where

S, is the total combined scores of technical and financial scores

St is the technical score

Sf is the financial score

T is the weight given to the technical proposal and

P is the weight given to the financial proposal

Note P + T will be equal to 100%

The individual consultant achieving the highest combined technical and financial score will be invited for negotiations.

2.9 Negotiations

2.9.1 Negotiations will be held at the same address indicated in the appendix to the information to consultants. The purpose of the negotiations is for the procuring entity and the individual consultant to reach agreements on all points regarding the assignment and sign a contract.

2.9.2 The negotiations will include a discussion on the technical proposals, the proposed methodology and work plan, staff and any suggestions made by the individual consultant to improve the Terms of reference. The agreed work plan and Terms of reference will be incorporated in the description of the service or assignment and form part of the contract.

2.9.3 The negotiations will be concluded with a review of the draft contract. If negotiations fail, the procuring entity will invite the individual consultant whose proposal achieved the second highest score to negotiate a contract.

2.10 Award of Contract

2.10.1 The contract will be awarded after successful negotiations. After negotiations are completed, the procuring entity will promptly notify the other individual consultants that they were unsuccessful and return the financial proposals of the individual consultants who did not pass technical evaluation.

2.10.2 The selected individual consultant is expected to commence the assignment on the date indicated in the appendix to the information to consultants or any other date agreed with the procuring entity.

2.11 Confidentiality

2.11.1 Information relating to evaluation of proposals and recommendations of contract award shall not be disclosed to the individual consultants who submitted the proposal or to other persons not

officially concerned with the process, until the winning individual consultant has been notified that he/she has been awarded the contract.

2.12 Appendix to information to consultants

Notes on the Appendix to Information to Consultants

1. The Appendix to information to consultants is intended to assist the State Department of Devolution in providing specific information in relation to corresponding claims in the information to consultants included in Section II and the appendix has to be prepared for each specific consultancy.
2. The State Department of Devolution specify in the Appendix to information to consultant and requirements specific to the circumstances of the State Department of Devolution, the assignment of the consultancy and the proposals evaluation criteria that will apply to the RFP Consultancy.
3. In preparing the appendix, the following aspects have been taken into consideration.
 - (a) The information that specifies or complements provisions of Section II to be incorporated.
 - (b) Amendments of Section II as necessitated by the circumstances of the specific consultancy to be also incorporated
 - (c) Section II should remain unchanged and any changes or amendments should be introduced through the appendix.

2.12.1 Appendix to Information to Consultants

The following information for procurement of consultancy services and selection of consultants shall complement or amend the provisions of the information to consultants, wherever there is a conflict between the provisions of the information to consultants and the provisions of the Appendix to Information to consultants, provisions of the Appendix herein shall prevail over those of the information to consultants.

Information To Consultants	Appendix to Information to consultants (ITC)
2.1 Introduction	<ul style="list-style-type: none"> (i). Request for proposal is open to interested local qualified individual consultant and firm. (ii). Consultant/firm are encouraged to familiarize themselves with the detailed term of reference to respond appropriately. (iii). No tender security is required (iv). No Performance security is required (v). The Government of the Republic of Kenya reserves the right to accept or reject the tender in whole or part without assigning reasons for its decision thereof.
2.2 Clarification and amendment	<ul style="list-style-type: none"> (i). Request for proposal MUST be addressed to, <ul style="list-style-type: none"> Principal Secretary, Ministry of Devolution and Planning, State Department of Devolution, P.O. Box 30004-00100, NAIROBI. Telephone +254-202217475 +254-202215245 (ii). All communication between the tenderer and the procuring entity shall be in writing (iii). The State Department of Devolution (SDD) may conduct verification/inspection exercise (due diligence) to verify/ascertain authenticity of the information and documents submitted by the tenderer. (iv). Interested firm may obtain further information and clarification on the tender from Head of Supply Chain Management Services office, State Department of Devolution (SDD) at Telposta Towers 1st floor, Wing C, Kenyatta Avenue, Nairobi
2.3 Preparation of Proposals	<ul style="list-style-type: none"> (i). Tenderer MUST not modify, substitute, alter/change the STANDARD TENDER DOCUMENT for Request for proposal. Tenderers are only required to attach the necessary documents to the standard tender

	<p>document.</p> <p>Any modifications, substitution, alterations/change of the STANDARD TENDER DOCUMENT will lead to disqualifications of the bid.</p> <p>(ii). Tenderer MUST submit detailed CV with detailed work experience, referees among others and relevant copies of the certificates of ALL the key and support staff to be involved in the consultancy.</p> <p>(iii). Tenderer MUST indicate the responsibilities of the staff to be involved in the assignment.</p> <p>(iv). The Tenderer MUST meet ALL the mandatory requirements to qualify for technical evaluation.</p> <p>(v). The Tenderer MUST submit the necessary and relevant information required as per Terms of Reference (ToR)</p> <p>(vi). The Tenderer MUST completely fill, sign and stamp the relevant documents.</p> <p>(vii). The Tenderer MUST ensure they comply with ALL the mandatory requirements.</p>
2.4 Financial Proposal	<p>(i). Financial proposal MUST be in Kenya Shillings.</p> <p>(ii). The Request for Proposal MUST be valid for 150 days from closing/opening date and time</p> <p>(iii). The financial proposal MUST include government taxes and all other expenses.</p> <p>(iv). The Tenderer MUST submit a detailed schedule of financial proposal indicating the deliverables.</p> <p>(v). The proposal with the highest combined (technical and financial) score shall be considered for award.</p>
2.5 Submission, Receipt and Opening of proposals	<p>(vi). Tenders MUST be submitted through IFMIS SUPPLIER PORTAL: supplier.treasury.go.ke.</p> <p>(vii). Duly completed tender documents (Hard Copy of exact replica of the one submitted in the IFMIS Portal) should be enclosed in a plain sealed envelope clearly marked with the tender name and tender number should be deposited in the tender box on 1st floor of Telposta Towers, Wing C, Kenyatta Avenue, Nairobi, Kenya during office hours (Weekdays 8.00 am to 5.00 pm). Bid document MUST be in TWO separate envelopes, TECHNICAL and FINANCIAL Proposals.</p> <p>viii). The TECHNICAL proposal MUST be in Original and Copy. The 'ORIGINAL' and 'COPY' must be marked clearly on the bid documents and must be placed in a sealed envelope clearly marked TECHNICAL PROPOSAL.</p> <p>NB. The STANDARD TENDER DOCUMENT for Request for Proposal must be part of TECHNICAL PROPOSAL.</p>

	<p>(ix). The FINANCIAL proposal MUST be in Original and Copy. The ‘ORIGINAL’ and COPY’ must be marked clearly on the bid documents and must be placed in a sealed envelope clearly marked FINANCIAL PROPOSAL.</p> <p>(x). Both envelopes of the TECHNICAL AND FINANCIAL PROPOSALS shall be placed in an outer envelope and sealed and the envelope shall bear the tender number and name.</p> <p>(xi). The outer envelope bearing TECHNICAL and FINANCIAL PROPOSAL shall be deposited in the State Department of Devolution Tender Box located at Teleposta Towers, 1st Floor, Wing C, along Kenyatta Avenue, outside Supply Chain Management offices, during normal working hours (8am to 5pm, East Africa Time), on 30TH JANUARY, 2017 at 12.00 Noon (East African Time).</p> <p>(xii). Request for proposal bid documents submitted after the deadline shall NOT be accepted.</p> <p>(xiii). Bidders/representatives are free to attend the Request for Proposal bid opening exercise at the State Department of Devolution Board Room No. 660 situated at 6th floor, Telposta Towers, along Kenyatta Avenue, Nairobi on the closing/opening date and time.</p> <p>(xiv). Only the TECHNICAL PROPOSAL will be opened on the closing/opening date and time.</p> <p>(xv). Only financial proposals of the tenderers who pass technical evaluation shall be opened.</p> <p>(xvi). Those bidders who will not qualify at the technical evaluation level will have their financial bids returned unopened.</p> <p>(xvii). Bulky Request for proposal bid documents that will not fit in the tender box shall be received at the Head of Supply Chain Management Office at State Department of Devolution 1st Floor, Wing C, along Kenyatta Avenue, Nairobi during normal working hours (8am to 1pm and 2pm to 5pm East African Time).</p> <p>(xviii). The Tenderer MUST submit a copy of the respective Access to Government Procurement Opportunity (AGPO) certificate. –Women</p>
2.6 Evaluation of the Proposal (General)	<p>(i). The evaluation shall be carried out as per the detailed Evaluation Criteria set in the Request for Proposal tender documents.</p> <p>(ii). The evaluation will be carried out in three stage evaluation process;</p>

	<p>(a) Preliminary stage: - Proposal must meet all the mandatory requirements stage to proceed to the next stage.</p> <p>(b) Technical Stage: - Proposal must attain a minimum of 70% score to proceed to the next stage.</p> <p>(c) The formula in the ITC shall be used together with the weights allocated for the financial proposal. The firm with the highest combined score shall be awarded the tender.</p>
2.7 Evaluation of Technical Proposals	<p>(i) Evaluation shall be carried out in strict adherence to the Terms of Reference</p> <p>(ii) Evaluation shall be carried out in line with the detailed evaluation criteria set out in the Request for Proposal documents.</p> <p>(iii) Technical Proposal that attain a minimum of 70% score shall be considered responsive and shall proceed to the next stage.</p>
2.8 Opening and evaluation of financial Proposals	<p>(i) Only Technical Proposal that attained a minimum of 70% score at technical evaluation be shall be considered at this stage and opened.</p> <p>(ii) Invited Bidders/representative will be free to attend the financial proposal opening exercise.</p> <p>(iii) The weight allocated to the technical score is 0.7 and 0.3 for the financial score. The firm with the highest combined score shall be awarded the tender.</p>
2.9 Negotiations	The consultant submitting the highest combined (technical and financial) score shall be invited for negotiations
2.10 Award of Contract	The consultant will commence the obligation of the contract immediately after negotiations or as may be agreed upon at contract signing.
2.11 Confidentiality	The clients and consultancy firm shall ensure confidentiality during contract period.

2.12.2 MANDATORY REQUIREMENTS

S/No.	REQUIREMENTS
1.	Submission of Request for Proposal document in the right format (Original and Copy format)
2.	Tenderer <u>MUST</u> not modify, substitute, alter/change the STANDARD TENDER DOCUMENT for Request for proposal.
3.	The tenderer <u>MUST</u> submit copies of Certificate of incorporation/Registration,
4.	Tenderer <u>MUST</u> submit copy of Valid Tax compliance certificate
5.	The Tenderer <u>MUST</u> duly fill completely, sign and stamp Form of Tender.
6.	The Tenderer <u>MUST</u> duly fill completely, sign and stamp Confidential Business Questionnaire Form.
7.	The Tenderer <u>MUST</u> duly fill completely, sign and stamp Anti-corruption declaration commitment/Pledge
8.	The Tenderer <u>MUST</u> submit a copy of the respective Access to Government Procurement Opportunity (AGPO) certificate. –Women
9.	All pages in the bid document should be numbered

NB: - Tenderers MUST meet ALL the mandatory requirements to qualify for Detailed Technical Evaluation.

SPECIAL CONDITIONS OF THE CONTRACT

1. The Price quoted **MUST** remain **FIXED** during the contract period
2. The Accounting officer may at any time terminate the procurement proceedings without entering into the contract.

SECTION III- TERMS OF REFERENCE (TOR)

Notes on the preparation of the Terms of Reference

The terms of reference are the initial statement to the consultants, of the services to be performed and should therefore be clear and precise and should contain the following sections;

- (a) Background information
- (b) Objectives of the assignment
- (c) Scope of work or services of the assignment
- (d) Training requirements (where applicable)
- (e) Reporting systems and time schedules
- (f) Personnel, facilities and other requirements to be provided by the procuring entity and
- (g) Terms of payment

TERMS OF REFERENCE
CONSULTANCY SERVICES TO IMPLEMENT PUBLIC RELATIONS,
COMMUNICATION AND EVENTS MANAGEMENT STRATEGY FOR
DEVOLUTION
(RESERVED FOR WOMEN)

1. Introduction

The three State Departments of the Ministry of Devolution and Planning largely provide leadership, coordination and an enabling environment for national planning, management of the devolution affairs, emergency and humanitarian assistance and community mobilization.

Specifically the Ministry of Devolution and Planning is mandated under Section 121 of the County Government Act 2012, to provide capacity building support and technical assistance to County Governments to empower them to provide effective and efficient services to citizens. Civic education, public participation and access to information are key principles necessary for the successful management of Counties.

The Ministry has developed a three year Information, Education and Communication Strategy that seeks to fill the communication gaps in area of civic education, public participation and public communication at both the National and County Government levels. The Ministry has also developed a Devolution Policy that provides policy direction to the players in the devolved system of government.

Further the Ministry is taking lead on the localization of the Sustainable Development Goals (SDGs), planning frameworks including the Medium Term Plan III, Guidelines for County Integrated Development Plans (CIDPs), Monitoring and Evaluation Policy among other key areas of strategic leadership.

Given these critical functions, the Ministry of Devolution and Planning now seeks to employ the services of a communication and public relations firm to implement its IEC strategy for 12 months with particular emphasis on:

- a) Creating positive media presence and public relations for the Ministry and its activities;
- b) Raising awareness of the Ministry functions, activities and achievements
- c) Supporting the Ministry's projects and programmes
- d) Managing all public relations and communication pertaining to the Ministry

2. Overall Objective

The overall objective of this consultancy is to raise the public profile of the Ministry of Devolution and Planning nationally

1. **Specific objectives**

- a) To improve the internal and external communication of the Ministry of Devolution and Planning;
- b) To create and sustain positive awareness of the functions, activities and achievements of the Ministry and
- c) To win public support and participation in MODP's programmes and activities.

3. Scope of Services

The firm will implement the IEC implementation plan which will support the overall Ministry strategic marketing and communications plan for the year. The scope of services to be rendered include but are not limited to:

- a. Implementation of a comprehensive Media Relations Strategy;
- b. Identification and Training of journalists on effective reporting on devolution matters;
- c. Training MoDP staff on media relations;
- d. Implementation of a comprehensive Digital/Social Media Strategy;
- e. Implementation of a comprehensive Public Relations Strategy, event planning and management; and
- f. Instituting and implementing a clear Monitoring and Evaluation strategy and framework to track progress and measures of success in relation to implementation of IEC strategy.

To achieve this, the firm will undertake the following activities:

a) Implementation of a comprehensive, communication strategy

The firm will be responsible for reviewing the Ministry's communication and information needs and developing action plans for its improvement and implementing the action plans.

b) Media Relations

The firm will liaise with the media to ensure that the functions and activities of the ministry are effectively covered and receive wider publicity, especially in the mainstream media. It will also identify journalists or columnists who report on devolution matters and work with communications officers in the ministry to organize training for these journalists to effectively report on devolution matters.

c) Brand and Reputation management

The firm will review the Ministry's positioning, develop and implement an overarching as well as a programmatic brand strategy. The brand strategy will be agreed upon through consultation and clearly documented for reference. The firm will work at positioning the Ministry to ensure it maintains a positive image.

d) Media Monitoring

The firm will monitor all mass media including: newspapers and magazines, social media, websites, TV stations and radio stations for all mentions and coverage of the Ministry and related activities. The firm will also monitor all advertising campaigns to ensure that the procured services are run as per the media schedule.

e) Translation of materials produced in the Ministry

The firm will be responsible for translating all IEC materials from the Ministry into Kiswahili to ensure that this information can be used by a wide range of audiences.

4. Deliverables

a) Implementation of the Ministry's IEC Strategy

This will include:

- i. Comprehensive action plan including a clearly defined strategy for increasing the visibility of the Ministry;
- ii. Details of media channels and tools that will be employed;
- iii. A comprehensive Public Relations Plan;
- iv. Articles carried by the media identified;
- v. Output monitoring report;
- vi. A social media strategy for the Ministry

b) Brand and Reputation Management

- i. Brand Audit report;
- ii. Reputation analysis report;
- iii. Brand positioning report;
- iv. Communication Plan;
- v. Corporate Identity System;
- vi. Brand ID standards manual to guide the use and application of the brand
- vii. Development of a Website and an online system

c) Media Monitoring

- i. Monthly report showing newspapers and magazine clippings and links to video and audio on devolution matters;
- ii. A monthly report, analyzing Ministry perceptions and coverage. This report should also include online mentions.
- iii. Post event/campaign report.

d) Translation of communication material

- i Translation of all Information Education and Communication (IEC) materials into Kiswahili.

e) Reporting and Communication

The firm will be required to report to and communicate with the Ministry for all work to be performed under the Contract as follows:

- i. Provide comprehensive communication report on a quarterly basis;
- ii. Provide performance-monitoring reports for Public Relations and digital campaigns, as required.
- iii. Facilitate and maintain regular communication with the Ministry and immediately notify the Ministry of any issues or concerns related to any work performed under the Contract, as they arise.

5. Obligations of the Firm

The firm shall be responsible for the provision of all the personnel and technical resources to carry out the services; and shall make own arrangements for transport, accommodation, insurance, utilities, taxes and statutory obligations.

6. Obligations of the Client

The client shall be responsible for the sourcing of venues for meetings, desk review materials and any other necessary information to support the carrying out of the contract.

7. Duration

The assignment is expected to be for a period of 12 months from the signing of the contract.

8. Reporting and management of the assignment

The firm shall report to the Principal Secretary, State Department of Devolution.

9. Qualifications

This assignment requires a firm with skills and expertise on communication matters. The team leader should have the following qualifications:

- a) Must have a master's degree in communication, development studies, public sector administration, law or any other relevant field;
- b) Must have a minimum of five years demonstrable experience working with a variety of stakeholders including government partners, donors, sub national government officials, media, public relations, think-tanks, policy makers,
- c) Experience in training public sector in media and communication;
- d) In addition, the team leader must be a member of a relevant professional association such as Chartered Institute of Marketing (CIM), Marketing Society of Kenya (MSK), Public Relations Society of Kenya (PRSK) or Chartered Institute of Public Relations (CIPR)
- e) Excellent written, editorial and verbal communication skills
- f) Sound understanding of devolution in Kenya is an added advantage
- g) A team player with excellent interpersonal skills.

10. Requirement for the Firm

- i. Provide the qualifications and CV of at least five support staff with established track record in the following: communication, outreach, knowledge management, video and graphic development and editing, proofreading, and copy editing and knowledge and experience in social media management.
- ii. The firm should have carried out at least three (3) similar assignments in the recent past.
- iii. The firm must submit the Access to Government Procurement Opportunities (AGPO) Certificate for Women).

11. Technical Evaluation Criteria

The following schedule shows the criteria and scores to be used in technical evaluation.

Criteria	Points	Score
1. Specific experience of the consultant related to the assignment: a. At least three similar assignments within the last two years b. Experience with public sector organizations	20%	15 5
2. Adequacy of the proposed work plan and methodology in responding to the terms of reference: a. Understanding of the TOR b. Proposed Methodology c. Detailed Work plan	40%	5 30 5
3. Qualifications and competence of the key staff for the assignment: a. Team Leader (CV and qualifications in response to TOR) b. Experience and qualification of additional staff proposed for the assignment	35%	25 10
4. Training: a. Training proposal and program	5%	5
TOTAL		100

Only Technical Proposals that attain a minimum of 70% score shall be considered responsive and shall proceed to the next stage (financial evaluation).

SECTION IV - TECHNICAL PROPOSAL (TP)

Notes on the Preparation of Technical Proposal

The technical proposal shall be prepared and submitted by the consultants.

It shall contain the following:-

- (a) Submission letter
- (b) Particulars of the consultant and ALL support staff including Detailed Curriculum vitae (CV) and copies of the certificates
- (c) Comments and suggestions of the consultant on the terms of reference, personnel, facility, and other requirements to be provided by the procuring entity.
- (d) Description of the methodology and work plan for performing the assignment
- (e) Any proposed staff to assist in the assignment and their experience
- (f) Consultancy services activities time schedule.

SECTION V - FINANCIAL PROPOSAL (FP)

Notes on the Preparation of Financial Proposal

The financial proposal shall be prepared and submitted by the consultants. It shall contain the following.

- (a) Submission letter indicating total fees
- (b) Summary of costs
- (c) Detailed payment schedules and expected completion.
- (d) Breakdown of fees per activity
- (e) Breakdown of reimbursable costs/expenses per activity
- (f) Miscellaneous expenses
- (g) Form of Tender

6.2 CONFIDENTIAL BUSINESS QUESTIONNAIRE

You are requested to give the particular indicated in Part 1 and either Part 2(a), 2(b), or 2(c) Whichever applies to your type of business

You are advised that it is a serious offence to give false information on this Form.

Part _____ General:

Business Name

Location of business premises

Plot No. Street/Road

Postal Address Tel. No.Fax Email

Nature of business

Registration Certificate No.

Maximum value of business which you can handle at any one time Kshs...

Name of your bankers Branch

Part 2(a) – Sole Proprietor:

Your name in full Age

Nationality Country of origin

Citizenship details.....

Party 2(b) – Partnership

Give details of partners as follows

	Name	Nationality	Citizenship Details	Shares
1.
2.
3.
4.
5.

Part 2(c) – Registered Company:

Private or public

State the nominal and issued capital of the company –

Nominal Kshs..

Issued Kshs.....

Give details of all directors as follows

	Name	Nationality	Citizenship Details	Shares
1.
2.
3.
4.
5.

Date.....Signature of Tenderer

If a citizen, indicate under “Citizenship Details” whether by Birth, Naturalization or Registration

6.3 ANTI-CORRUPTION DECLARATION COMITMENT/ PLEDGE

(Sections 62 of the PPAD Act, 2015)

I/We/Messrs.....

of Street, Building, P O Box.....

.....

Contact

Phone

E mail.....

Declare that Public Procurement is based on a free and fair competitive Tendering process which should not be open to abuse.

I/We

declare that I/We will not offer or facilitate, directly or indirectly, any inducement or reward to any public officer, their relations or business associates, in connection with

Tender/Tender No

for or in the subsequent performance of the contract if I/We am/are successful and I/We am/are not debarred from participating in procurement proceedings.

Authorized Signature.....

Name.....

Title of Signatory.....

6.4 INDIVIDUAL PROFESSIONAL CONSULTANTS

(Lump-sum payment)

The contract form shall be completed by the procuring entity after the award of the contract and negotiation of the contract. It will be signed by both parties pursuant to the information to consultants clause 2.10.2

This Agreement, [hereinafter called “the Contract”) is entered into this _____ [insert starting date of assignment], by and between.

_____ [Insert Client’s name] of [or whose registered office is situated at] _____ [insert Client’s address] (hereinafter called “the Client”) of the one part AND

_____ [Insert Consultant’s name] of [or whose registered office is situated at] _____ [insert Consultants address] (hereinafter called “the Consultant”) of the other part.

WHEREAS the Client wishes to have the Consultant perform the services [hereinafter referred to as “the Services”, and

WHEREAS the Consultant is willing to perform the said Services,

NOW THEREFORE THE PARTIES hereby agree as follows:-

1. **Services**
 - (i) The Consultant shall perform the Services Specified in Appendix A, “Terms of Reference and Scope of Service, “which is made an integral part of this Contract.
 - (ii) The Consultant shall provide the personnel listed Appendix B, “Consultant’s Personnel,” to perform the Services.
 - (iii) The Consultant shall submit to the Client the reports in the form and within the time periods specified in Appendix C, “ Consultant’s Reporting Obligations.”

(Appendices A, B, and C to be prepared as appropriate)

2. **Term** The Consultant shall perform the Services during the period commencing on _____ [insert starting date] and through to _____ [insert completion date], or any other period(s) as may be subsequently agreed by the parties in writing.

3. **Payment**
- A. **Ceiling**
 For Services rendered pursuant to Appendix A, the Client shall pay the Consultant an amount not to Exceed _____ [insert amount]. This amount has been established based on the understanding that it includes all the Consultant's costs and profits as well as any tax obligation that may be imposed on the Consultant.
- B. **Schedule of Payments**
 The schedule of payments is specified below (Modify in order to reflect the output required as described in Appendix C.)
- Kshs. _____ upon the Client's receipt of the Draft report, acceptable to the Client; and
- Kshs. _____ upon the Client's receipt of the Final report, acceptable to the Client.
- Kshs. _____ Total
- C. **Payment Conditions**
 Payment shall be made in Kenya Shillings unless otherwise specified not later than thirty (30) days following submission by the Consultant of invoices in duplicate to the Coordinator designated in Clause 4 here below. If the Client has delayed payments beyond thirty (30) days after the due date hereof, simple interest shall be paid to the Consultant for each day of delay at a rate three Percentage points above the prevailing Central Bank of Kenya's average rate for base lending.
4. **Project Administration**
- A. **Coordinator**
 The Client designates _____ [insert name] as Client's Coordinator; the Coordinator will be responsible for the Coordination of activities under this Contract, for acceptance and approval of the reports and of other deliverables, by the Client and for receiving and approving invoices for payment.
- B. **Reports**
 The reports listed in Appendix C, "Consultant's Reporting Obligations," shall be submitted in the Course of the assignment and will constitute the

basis for the payments to be made under paragraph 3.

5. **Performance Standards** The Consultant undertakes to perform the Services with the highest standards of professional and ethical competence and integrity. The Consultant shall promptly replace any employees assigned under this Contract that the Client considers unsatisfactory.
6. **Confidentiality** The Consultant shall not, during the term of this Contract and within two years after its expiration Disclose any proprietary or confidential Information relating to the Services, this Contract Or the Client's business or operations without the Prior written consent of the Client.
7. **Ownership of Material** Any studies, reports or other material, graphic, software or otherwise prepared by the Consultant for the Client under the Contract shall belong to and remain the property of the Client. The Consultant may retain a copy of such documents and software.
8. **Consultant Not to be Engaged in certain Activities** The Consultant agrees that during the term of this Contract and after its termination the Consultant and any entity affiliated with the Consultant shall be disqualified from providing goods, works or services (other than the Services and any continuation thereof) for any project resulting from or closely related to the Services.
9. **Insurance** The Consultant will be responsible for taking out any appropriate insurance coverage.
10. **Assignment** The Consultant shall not assign this Contract or sub-contract any portion of it without the Client's prior written consent.
11. **Law Governing Contract and Kenya Language** The Contract shall be governed by the laws of Kenya and the language of the Contract shall be English language
12. **Dispute Resolution** Any dispute arising out of the Contract which cannot be amicably settled between the parties shall be referred by either party to the arbitration and final decision of a person to be agreed

between the parties. Failing agreement to concur in the appointment of an Arbitrator, the Arbitrator shall be appointed by the chairman of the Chartered Institute of Arbitrators, Kenya branch, On the request of the applying party.

For the Client

For the Consultant

Full name _____

Full name _____

Title _____

Title _____

Signature _____

Signature _____

Date _____

Date _____

6.5 REQUEST FOR REVIEW FORM

FORM RB 1

REPUBLIC OF KENYA
PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

APPLICATION NO.....OF.....20.....

BETWEEN

.....APPLICANT

AND

.....RESPONDENT (*Procuring Entity*)

Request for review of the decision of the..... (*Name of the Procuring Entity*) of
.....dated the...day of20.....in the matter of Tender
No.....of20...

REQUEST FOR REVIEW

I/We.....,the above named Applicant(s), of address: Physical
address.....Fax No.....Tel. No.....Email, hereby request the Public
Procurement Administrative Review Board to review the whole/part of the above mentioned
decision on the following grounds , namely:-

- 1.
- 2.

By this memorandum, the Applicant requests the Board for an order/orders that: -

- 1.
- 2.

etc

SIGNED(Applicant)

Dated on.....day of/...20...

FOR OFFICIAL USE ONLY

Lodged with the Secretary Public Procurement Administrative Review Board on
day of20.....

SIGNED
Board Secretary