

**COUNTY GOVERNMENT OF BUNGOMA**



**MINISTRY OF GENDER, CULTURE, YOUTH AND SPORTS.**

**REQUEST FOR PROPOSAL**

**FOR**

**THE DEVELOPING AND FORMALIZING A STANDARD  
GENDER MAINSTREAMING POLICY, DISABILITY  
MAINSTREAMING POLICY, CULTURE AND HERITAGE  
POLICY, YOUTH EMPOWERMENT POLICY AND GROUP  
REGISTRATION POLICY FOR PROMOTING SOCIO-  
ECONOMIC EMPOWERMENT OF YOUTH, WOMEN AND  
VULNERABLE GROUPS IN THE SOCIETY BY ALL  
DEPARTMENTS AT THE COUNTY GOVERNMENT OF  
BUNGOMA.**

**IFMIS NEGOTIATION RFP NO. 774811-2019-2020.**

**February, 2020.**

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## SECTION I: INVITATION TO TENDER

**TENDER REFERENCE NUMBER: NEGOTIATION NO. 774811-2019-2020.**

**TENDER DESCRIPTION:** DEVELOPING AND FORMALIZING A STANDARD GENDER MAINSTREAMING POLICY, DISABILITY MAINSTREAMING POLICY, CULTURE AND HERITAGE POLICY, YOUTH EMPOWERMENT POLICY AND GROUP REGISTRATION POLICY FOR PROMOTING SOCIO-ECONOMIC EMPOWERMENT OF YOUTH, WOMEN AND VULNERABLE GROUPS IN THE SOCIETY BY ALL DEPARTMENTS AT THE COUNTY GOVERNMENT OF BUNGOMA.

The County Government of Bungoma through the Ministry of Gender, Culture, Youth and Sports invites bidders to submit tenders from eligible firms for the developing and formalizing a standard gender mainstreaming policy, disability mainstreaming policy, culture and heritage policy, youth empowerment policy and group registration policy for promoting socio-economic empowerment of youth, women and vulnerable groups in the society by all departments at the County Government of Bungoma.

A complete set of Request for Proposal documents/ tender documents containing detailed information may be obtained by downloading from the County website: the **county website** [www.bungoma.go.ke](http://www.bungoma.go.ke) or **Public Procurement Information Portal** <https://tenders.go.ke> free of charge. Prices quoted should be inclusive of all taxes and must be in Kenya shillings and shall remain valid for a period of **120 days** from the closing date. Completed Request for Proposal documents marked “Technical Proposal” and “Financial Proposal” should be uploaded on the IFMIS portal on or before **Friday 28<sup>th</sup> February, 2020 AT 12.00 noon Local time.** The Technical Proposal will be opened immediately upon closing date indicated in the IFMIS system. The Financial Proposal for bidders meeting the technical requirements will be opened upon finalization of the Technical Proposal Evaluation.

Further information as pertains to this tender may be obtained during working hours (Monday to Friday) between 9:00 am and 5:00 pm using the following address ;

**THE COUNTY CHIEF OFFICER  
GENDER AND CULTURE**

## QUALIFICATION FOR TENDERING (MANDATORY)

1. Attach Copy of Certified Certificate of incorporation/Business Registration Certificate.
2. Technical Proposal submission Form **MUST BE** duly Filled, signed and stamped by the applicant or their authorized representative
3. Attach Valid Tax compliance certificate issued by Kenya Revenue Authority (KRA)
4. Attach Certified Copy of CR 12 for limited companies.
5. Attach Copy of National Id/Passport for the Directors as per CR12
6. Confidential business questionnaire **MUST BE** duly Filled, signed and stamped by the applicant or their authorized representative
7. Attach audited accounts for the previous three years. (FY 2015/2016, 2016/2017, 2017/2018). As minimum requirement the bidder's net worth should be positive.
8. Serialization of the tender document in the format of 1, 2, 3, 4.....
9. Attach correctly filled sworn Anti-corruption Affidavit.
10. Financial proposal containing priced schedules. Prices to be quoted inclusive of all taxes
11. The standard forms must be duly filled, stamped/sealed and signed by authorized persons in format provided.
12. Tender Security of Kshs.300,000 will be required for this tender

Dully completed tender documents to be uploaded on the IFMIS portal addressed to:-

**COUNTY CHIEF OFFICER  
MINISTRY OF GENDER AND CULTURE.  
COUNTY GOVERNMENT OF BUNGOMA  
P.O BOX 437-50200  
BUNGOMA.**

Late bids shall be rejected.

Canvassing will lead to automatic disqualification from the tendering process.

**N/B THE TENDER DOCUMENTS SHOULD BE IN ITS ORIGINAL FORMAT**

**THE COUNTY CHIEF OFFICER  
GENDER AND CULTURE**

## SECTION II - INFORMATION TO CONSULTANTS (ITC)

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## **2.1 Introduction**

**2.1.1** The County Government of Bungoma will select a firm among those invited to submit a proposal, in accordance with the method of selection detailed in the appendix.

**2.1.2** The consultants are invited to submit a Technical Proposal and a Financial Proposal, as specified in the Appendix “ITC” for consulting services required for the assignment named in the said Appendix. The proposal will be the basis for contract negotiations and ultimately for a signed contract with the selected firm.

**2.1.3** The consultants must familiarize themselves with local conditions and take them into account in preparing their proposals. To obtain first-hand information on the assignment and on the local conditions, consultants are encouraged to liaise with the Client regarding any information that they may require before submitting a proposal.

**2.1.4** The County Government of Bungoma will provide the inputs specified in the Appendix “ITC”, assist the firm in obtaining licenses and permits needed to carry out the services and make available relevant project data and reports.

**2.1.5** Please note that (i) the costs of preparing the proposal and of negotiating the Contract, including any visit to the County Government of Bungoma are not reimbursable as a direct cost of the assignment; and (ii) the Client is not bound to accept any of the proposals submitted.

**2.1.6** The County Government of Bungoma employees, committee members, board members and their relatives (spouse and children) are not eligible to participate.

**2.1.7** The County Government of Bungoma shall allow the tenderer to review the tender document free of charge before purchase.

## **2.2 Clarification and Amendment of RFP Documents**

**2.2.1** Consultants may request a clarification of any of the RFP documents only up to seven [7] days before the proposal submission date. Any request for clarification must be sent in writing by paper mail, cable, telex, facsimile or electronic mail to the Procuring Entity address indicated in the Appendix "ITC". The County Government of Bungoma will respond by cable, telex, facsimile or electronic mail 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 invited consultants who intend to submit proposals.

**2.2.2** At any time before the submission of proposals, The County Government of Bungoma may for any reason, whether at its own initiative or in response to a clarification requested by an invited consultant(s), amend the RFP. Any amendment shall be issued in writing through addenda. Addenda shall be sent by mail, cable, telex or facsimile to all invited consultants and will be binding on them. The County Government of Bungoma may at its discretion extend the deadline for the submission of proposals.

### **Preparation of Technical Proposal.**

**2.3.1** The Consultants proposal shall be written in English language

**2.3.2** In preparing the Technical Proposal, consultants are expected to examine the documents constituting this RFP in detail. Material deficiencies in providing the information requested shall result in rejection of a proposal.

**2.3.3** While preparing the Technical Proposal, consultants must give particular attention to the following:



1. If a firm considers that it does not have all the expertise for the assignment, it may obtain a full range of expertise by associating with individual consultant(s) and/or other firms or entities in a joint venture or sub-consultancy as appropriate. Consultants shall not associate with the other consultants invited for this assignment. Any firms associating in contravention of this requirement shall automatically be disqualified.
2. For assignments on a staff-time basis, the estimated number of professional staff-time is given in the Appendix. The proposal shall however be based on the number of professional staff-time estimated by the firm.
3. It is desirable that the majority of the key professional staff proposed be permanent employees of the firm or has an extended and stable working relationship with it.
4. Proposed professional staff must as a minimum, have the experience indicated in Appendix, preferably working under conditions similar to those prevailing in Kenya.
5. Alternative professional staff shall not be proposed and only one Curriculum Vitae (CV) may be submitted for each position.

**2.3.4** The Technical Proposal shall provide the following information using the attached Standard Forms; (i) A brief description of the firm's organization and an outline of recent experience on assignments of a similar nature. For each assignment the outline should indicate *inter alia*, the profiles of the staff proposed, duration of the assignment, contract amount and firm's involvement.

(ii) Any comments or suggestions on the Terms of Reference, a list of services and facilities to be provided by The Procuring Entity.

(iii) A description of the methodology and work plan for performing the assignment.

(iv) The list of the proposed staff team by specialty, the tasks that would be assigned to each staff team member and their timing.

(v) CVs recently signed by the proposed professional staff and the authorized representative submitting the proposal. Key information should include number of years working for the firm/entity and degree of responsibility held in various assignments during the last five (5) years.

(vi) Estimates of the total staff input (professional and support staff staff-time) needed to carry out the assignment supported by bar chart diagrams showing the time proposed for each professional staff team member.

(vii) Any additional information requested in Appendix "A".

**2.3.5** The Technical Proposal shall not include any financial information.

## **2.4 Preparation of Financial Proposal**

**2.4.1** In preparing the Financial Proposal, consultants are expected to take into account the requirements and conditions outlined in the RFP documents. The Financial Proposal should follow Standard Forms (Section V). It lists all costs associated with the assignment including; (a) remuneration for staff (in the field and at headquarters), and; (b) reimbursable expenses such as subsistence (per diem, housing), transportation (international and local, for mobilization and demobilization), services and equipment (vehicles, office equipment, furniture, and supplies), office rent, insurance, printing of documents, surveys, training, and follow-up support, if it is a major component of the assignment. Where appropriate these costs should be broken down by activity.

**2.4.2** The Financial Proposal should clearly identify as a separate amount, the local taxes, duties, fees, levies and other charges imposed under the law on the consultants, the sub-consultants and their personnel, unless Appendix “A” specifies otherwise.

**2.4.3** Consultants shall express the price of their services in Kenya Shillings.

**2.4.4** Commissions and gratuities, if any, paid or to be paid by consultants and related to the assignment will be listed in the Financial Proposal Submission Form.

**2.4.5** The Proposal must remain valid for **120 days** after the submission date. During this period, the consultant is expected to keep available, at his own cost, the professional staff proposed for the assignment. The Procuring Entity will make its best effort to complete negotiations within this period.

## **2.5 Submission, Receipt, and Opening of Proposals**

**2.5.1** The original proposal (Technical Proposal and the Financial Proposal; see Paragraph.

1.2) shall be prepared in indelible ink. It shall contain no interlineations or **overwriting**, except as necessary to correct errors made by the firm itself. Any such corrections must be initialed by the persons or person authorized to sign the proposals.

2.5.2 For each proposal, the consultants shall prepare the number of copies indicated in Appendix "A". Each Technical Proposal and Financial Proposal shall be submitted 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 completed Technical and Financial Proposals must be uploaded on the IFMIS system as stated in the Appendix "ITC".

2.5.4 After the deadline for submission of proposals, the Technical Proposal shall be opened immediately by the opening committee. The Financial Proposals for bidders meeting the technical requirements will be opened upon finalization of the Technical Proposal Evaluation.

## **2.6 Proposal Evaluation General**

2.6.1 From the time the bids are opened to the time the Contract is awarded, if any consultant wishes to contact the County Government of Bungoma on any matter related to his proposal, he should do so in writing at the address indicated in the Appendix "ITC". Any effort by the firm to influence the County Government of Bungoma in the proposal evaluation, proposal comparison or Contract award decisions may result in the rejection of the consultant's proposal.

2.6.2 Evaluators of Technical Proposals shall have no access to the Financial Proposals until the technical evaluation is concluded.

## **2.7 Evaluation of Technical Proposal**

2.7.1 The evaluation committee appointed by the County Government of Bungoma shall evaluate the proposals on the basis of their responsiveness to the Terms of Reference, applying the evaluation criteria as follows:

- (i) Specific experience of the consultant related to the assignment (5-10)
- (ii) Adequacy of the proposed work plan and methodology in responding to the terms of reference (20-40)
- (iii) Qualifications and competence of the key staff for the assignment (30-40)
- (iv) Suitability to the transfer of Technology Programme (Training) (0-10)

**Total Points**

**100**

Each responsive proposal will be given a technical score (St). A proposal shall be rejected at this stage if it does not respond to important aspects of the Terms of Reference or if it fails to achieve the minimum technical score indicated in the Appendix "ITC".

Each responsive proposal will be given a technical score (St). A proposal shall be rejected at this stage if it does not respond to important aspects of the Terms of Reference, meet the mandatory requirements or if it fails to achieve the minimum technical score indicated in the Appendix "ITC". The consultant may be asked as part of their evaluation to demonstrate their proposal or arrange a visit to an institution where similar services have been provided. This will be at the discretion of the procuring entity. A tenderer must score a minimum of 70% to qualify.

## **2.8 Public Opening and Evaluation of Financial Proposal**

2.8.1 After Technical Proposal evaluation, the procuring entity shall notify those consultants whose proposals did not meet the minimum qualifying mark or were considered non-responsive to the RFP and Terms of Reference, indicating that their Financial Proposals will **NOT BE** Opened after completing the selection process. The procuring entity shall simultaneously notify the consultants who have secured the minimum qualifying mark, indicating the date and time set for opening the Financial Proposals and stating that the opening ceremony is open to those consultants who choose to attend.

2.8.2 The Financial Proposals shall be opened publicly in the presence of the consultants' representatives who choose to attend. The name of the consultant, the technical scores and the proposed prices shall be read aloud and recorded when the Financial Proposals are opened. The procuring entity shall prepare minutes of the public opening.

2.8.3 The evaluation committee will determine whether the financial proposals are complete (i.e. whether the consultant has costed all the items of the corresponding

Technical Proposal .The cost of any un priced items shall be assumed to be included in other costs in the proposal. In all cases, the total price of the Financial Proposal as submitted shall prevail.

2.8.4 The formulae for determining the Financial Score (Sf) shall, unless an alternative Formulae is indicated in the Appendix "ITC", be as follows: -

$Sf = 100 \times FM/F$  where Sf is the financial score; FM is the lowest priced financial proposal and F is the price of the proposal under consideration. Proposals will be ranked according to their combined technical (*St*) and financial (*Sf*) scores using the weights (*T*=the weight given to the Technical Proposal; *P* = the weight given to the Financial Proposal;  $T + p = 1$ ) indicated in the Appendix. The combined technical and financial score, S, is calculated as follows: -  $S = St \times T \% + Sf \times P \%$ . **The firm achieving the highest combined technical and financial score will be invited for negotiations.**

2.8.5 The tender evaluation committee shall evaluate the tender within **21 days** from the date of opening the tender.

2.8.6 Contract price variations shall not be allowed for contracts not exceeding one year (12 months).

2.8.7 Where contract price variation is allowed, the variation shall not exceed 10% of the original contract price.

2.8.8 Price variation requests shall be processed by the procuring entity within 30 days of receiving the request.

## **2.9 Negotiations**

**2.9.1** Negotiations will be held at the same address as “address to send information to the Client” indicated in the Appendix “ITC”. The aim is to reach agreement on all points and sign a contract.

**2.9.2** Negotiations will include a discussion of the Technical Proposal, the proposed methodology (work plan), staffing and any suggestions made by the firm to improve the Terms of Reference. The procuring entity and the firm will then work out final Terms of Reference, staffing and bar charts indicating activities, staff periods in the field and in the head office, staff-months, logistics and reporting. The agreed work plan and final Terms of Reference will then be incorporated in the “Description of Services” and form part of the Contract. Special attention will be paid to getting the most the firm can offer within the available budget and to clearly defining the inputs required from the client to ensure satisfactory implementation of the assignment.

**2.9.3** Unless there are exceptional reasons, the financial negotiations will not involve the remuneration rates for staff (no breakdown of fees).

**2.9.4** Having selected the firm on the basis of, among other things, an evaluation of proposed key professional staff, and the procuring entity expects to negotiate a contract on the basis of the experts named in the proposal. Before contract negotiations, the procuring entity will require assurances that the experts will be actually available. The procuring entity will not consider substitutions during contract negotiations unless both parties agree that undue delay in the selection process makes such substitution unavoidable or that such changes are critical to meet the objectives of the assignment. If this is not the case and if it



is established that key staff were offered in the proposal without confirming their availability, the firm may be disqualified.

**2.9.5** The negotiations will conclude with a review of the draft form of the Contract.

To complete negotiations the procuring entity and the selected firm will initial the agreed Contract. If negotiations fail, the procuring Entity will invite the firm whose proposal received the second highest score to negotiate a contract.

**2.9.6** The procuring entity shall appoint a team for the purpose of the negotiations.

#### **2.10 Award of Contract**

**2.10.1** The Contract will be awarded following negotiations. After negotiations are completed, the procuring entity will promptly notify other consultants on the shortlist that they were unsuccessful and return the Financial Proposals of those consultants who did not pass the technical evaluation.

**2.10.2** The selected firm is expected to commence the assignment on the date and at the location specified in Appendix "A".

**2.10.3** The parties to the contract shall have it signed within 30 days from the date of notification of contract award unless there is an administrative review request.

**2.10.4** The County Government of Bungoma may at any time terminate procurement proceedings before contract award and shall not be liable to any person for the termination.

**2.10.5** The County Government of Bungoma shall give prompt notice of the termination to the tenderers and on request give its reasons for termination within 14 days of receiving the request from any tenderer.

**2.10.6** To qualify for contract awards, the tenderer shall have the following:

- a) Necessary qualifications, capability experience, services, equipment and facilities to provide what is being procured.
- b) Legal capacity to enter into a contract for procurement
- c) Shall not be insolvent, in receivership, bankrupt or in the process of being wound up and is not the subject of legal proceedings relating to the foregoing.
- d) Shall not be debarred from participating in public procurement.

### **2.11 Confidentiality**

2.11.1 Information relating to evaluation of proposals and recommendations concerning awards shall not be disclosed to the consultants who submitted the proposals or to other persons not officially concerned with the process, until the winning firm has been notified that it has been awarded the Contract.

### **2.12 Corrupt or fraudulent practices**

2.12.1 The County Government of Bungoma requires that the consultants observe the highest standards of ethics during the selection and award of the consultancy contract and also during the performance of the assignment. The tenderer shall sign a declaration that he has not and will not be involved in corrupt or fraudulent practices.

2.12.2 The County Government of Bungoma will reject a proposal for award if it determines that the consultant recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question.

2.12.3 Further a consultant who is found to have indulged in corrupt or fraudulent practices risks being debarred from participating in public procurement in Kenya.

## Appendix to Information to Consultants (ITC)

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, the provisions of the appendix herein shall prevail over those of the information to consultants.

INFORMATION TO CONSULTANTS REFERENCE	PARTICULARS OF APPENDIX TO INFORMATION TO CONSULTANTS
2.1.1	The name of the Client is: The County Government of Bungoma The method of selection is: <b>Least Cost selection method</b>
2.1.2	1. The name and description of the assignment is: <b>DEVELOPING AND FORMALIZING A STANDARD GENDER MAINSTREAMING POLICY, DISABILITY MAINSTREAMING POLICY, CULTURE AND HERITAGE POLICY, YOUTH EMPOWERMENT POLICY AND GROUP REGISTRATION POLICY FOR PROMOTING SOCIO-ECONOMIC EMPOWERMENT OF YOUTH, WOMEN AND VULNERABLE GROUPS IN THE SOCIETY BY ALL DEPARTMENTS AT THE COUNTY GOVERNMENT OF BUNGOMA.</b>
2.1.3	The name, address and telephone numbers of the Client's official(s) is: <b>COUNTY CHIEF OFFICER MINISTRY OF Gender and Culture. COUNTY GOVERNMENT OF BUNGOMA P.O BOX 437-50200 BUNGOMA.</b>
2.1.4	The County Government of Bungoma employees, committee members, board members and their relatives (spouse and children) are not eligible to participate. Further former employees, committee members and board members who have left the County within the last one year are not eligible to participate in this request for proposal.
	Tender Security of Kshs.300,000 will be required for this tender
	Proposal documents should be uploaded in the IFMIS portal before Friday <b>28<sup>th</sup> February , 2020 at 12.00 noon Local time</b>

	Proposals must be submitted no later than Friday <b>28<sup>th</sup> February , 2020 AT 10.30 A.M at exactly 10.00 a.m Local time</b>
	The address to send information to the Client is: County Government of Bungoma, P.O Box 437-50200 Bungoma. Former Municipal Building along Moi Avenue, Telephone 055-2030144,
	The opening date for Financial proposals will be communicated to Bidders meeting the minimum technical qualifying mark. The date will be convenient to the parties and will put into consideration the urgency of the services.

## 2.7.1 EVALUATION CRITERIA TO BE USED TO EVALUATE THE PROPOSALS

The received RFP will be evaluated in stages as detailed below:

1. Stage 1: Compliance with Mandatory Requirements;
2. Stage 2: Compliance with Technical requirements
3. Stage 3: The Financial Evaluation

### Stage 1: Compliance with the Mandatory Requirements (MR)

The first stage of the evaluation will involve determination of responsiveness to the mandatory requirements {**Confirmation on compliance with mandatory requirements**} the submission of the following mandatory items will be required in the **determination of the completeness of the bid and bidders responsiveness**. Bids that don't contain all the information required will be declared non response and shall not be evaluated further.} Of the Request to proposals that will include;

No	Requirements	YES/NO
MR1	Provision of documentary evidence of the company's Certified certificate of incorporation/Registration	
MR 2	Provision of a copy of the company's valid tax compliance certificate issued by KRA valid up-to at least the date of tender opening	
MR 3	Provide a signed statement that the bidder is not barred from participating in Public Procurement	
MR 4	Duly filled Confidential Business Questionnaire as provided in the Tender Document	
MR5	Financial proposal containing priced schedules. Prices to be quoted inclusive of all taxes	
MR6	The standard forms must be duly filled, stamped/sealed and signed by authorized persons in format provided.	
MR7	Serialization of the tender document in the format of 1, 2, 3, 4.....	
MR8	Correctly filled sworn Anti-corruption Affidavit.	
MR9	Copy of certified CR12 for Limited companies	
MR10	Copies of National Identity cards for Directors as per the CR12	
MR11	Attach audited accounts for the previous three years. As minimum requirement the bidder's net worth should be positive. (FY 2015/2016, 2016/2017, 2017/2018)	

MR12	Tender Security of Kshs.300,000 will be required for this tender	
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**Stage 2: Compliance with the Technical Requirements**

Proposals meeting all the mandatory requirements will be subjected to technical evaluation based on the criteria given below:

Bidders are required to score at least 70% to qualify for further evaluation under the commercial/financial evaluation criteria.

**Table 2. Technical Evaluation Criteria**

Criteria	Weight (%)	Max. Pt
Technical (70 %)		
Demonstrate knowledge and experience in dealing with Gender mainstreaming policy, disability mainstreaming Policy, culture and heritage Policy, Youth empowerment policy and group registration policy and/or legal issues especially in the regional context. a) Lead consultant to provide documents for evidence of two previous work done.....15 b) Proof of documents for one previous work done attached .....10 c) No proof of documents for previous work done .....0	15	15
RELEVANT QUALIFICATIONS a) The lead consultant should have a Post -graduate diploma or its equivalent in relevant fields as per the assignment under consideration, Law, criminology, Human rights, political science, Development studies, Humanities or any other relevant discipline (attach certificates).....25 b) The lead consultant with a degree or its equivalent in relevant fields as per the assignment under consideration, Law, criminology, Human rights, political science, Development studies, Humanities or any other relevant discipline (attach certificates).....15 c)The lead consultant with a diploma or its equivalent in relevant fields as per the assignment under consideration, Law, criminology, Human rights, political science, Development studies, Humanities or any other relevant discipline (attach certificates).....10 d) No certificates of proof of qualifications attached .....0	25	25
WORK EXPERIENCE a) Demonstrated 5 Years relevant work experience and skills in facilitation/consultation and coordination skills among relevant stakeholders on a regional context .....15 b) 3 years relevant work experience .....10	15	15

c) 2 years relevant work experience .....	5	
d) No work experience .....	0	
Methodology, activities, Work plan, experience and skills in development of Standard Procedures policies.	15	15
Financial (30 %)	30	30
<i>Total</i>	100	100

**Only bidders scoring seventy percent (70%) and above in the technical evaluation will have their financial bids opened for financial evaluation.**

**Note: Current Ratio (Liquidity) = Current Assets/Current Liabilities**

Only bidders scoring seventy percent (70%) and above in the technical evaluation will have their financial bids opened for financial evaluation.

**The third and final stage will be carried out as per clause 2.8.4. The weight to be assigned for Technical score (t) will be 80% while Financial score (p) will be 20%. The firm achieving the highest combined technical and financial score will be invited for negotiations.**

The assignment is expected to commence after the signing of the contract.

The Evaluation Committee will determine whether the financial proposals are complete.

The cost of any un priced items shall be assumed to be included in other costs in the proposal. In all cases, the total price of the Financial Proposal as submitted shall prevail.

The formulae for determining the financial score (SF) shall be as follows: Sf

= 100 x fm/f, **where; fm** = the lowest fees quoted, and f = the fees of the proposal under consideration.

The formulae for determining the Financial Score (Sf) shall be as follows: -

Sf = 100 X FM/F where Sf is the financial score; Fm is the lowest priced financial proposal and F is the price of the proposal under consideration.

Proposals will be ranked according to their combined technical ( $S_t$ ) and financial ( $S_f$ ) scores using the weights ( $T$ =the weight given to the Technical Proposal;  $P$  = the weight given to the Financial Proposal;  $T + p = 1$ ). The combined technical and financial score,  $S$ , is calculated as follows: -  $S = S_t \times T\% + S_f \times P\%$ . The firm achieving the **highest** combined technical and financial score will be invited for negotiations.

T – Weighting for technical score – 80

P – Weighting for Financial Score – 20

### **C financial/ commercial evaluation**

1. The winning bidder will be the lowest bidder to be weighted out of 30% maximum among those whom will have passed the mandatory and technical evaluation as outlined in {a&b} above except where the bidder has not satisfied all other requirements stated in the bid document.
2. The financial evaluation may include arithmetic corrections after negotiations as may be deemed appropriate and where necessary and **{if considered}** shall take into account any financial discounts stated in the bid document.

### **D. Terms of References**

1. The consultant shall be required to demonstrate capacity to develop policies.
2. Hold technical stakeholders forum with the Department's officials and technical staff.
3. Define the Vision and mission of policy in line with the Department's mandate.
4. Undertake a needs assessment (baseline survey) to determine policy content.
5. The consultant shall be expected to design, format and print the number of copies of the policies as shall be indicated in the service level agreement once determined to be successful and contracted.
6. The consultant shall be expected to uphold the highest level of integrity in the discharge of his or her duties.
7. Publish the policies



### **E. Key Deliverable**

1. Submission of final approved policies in sufficient number of hard copies that is aligned to the functions and mandate of the County Functions.
2. The consultant shall also be expected to deliver three {3} readable DVDs containing the final copy of the policies and procedures manual.

### **SECTION III: - TERMS OF REFERENCE**

#### **Objective:**

The objective is to engage a consultant to develop and formalize a Standard gender mainstreaming policy, disability mainstreaming policy, culture and heritage policy, Youth empowerment policy and Group registration policy for promoting socio-economic empowerment of youth, women and vulnerable groups in the society by all departments at the County Government of Bungoma.

#### **Scope of Work & Expected Outputs.**

The scope of work and expected outputs/deliverables will be:

1. Collect, review & analyze all the necessary documents to fully substantiate all stages of policies.
2. Collect, review & analyze all the necessary documents to fully understand the administrative framework for the policies.
3. Collect, review and analyze the national and county level approach for application and enforcement of policies.
4. Carry out stakeholder analysis to bring out the roles and responsibilities of key players and institutions that play a vital role in gender mainstreaming policy, disability mainstreaming policy, culture and heritage policy, Youth empowerment policy and Group registration policy processes and develop recommendations to strengthen linkages between the departments.
5. Based on the processes mentioned above and in consultation with the Ministry Project Team, prepare a comprehensive list of contents to be included in the policies to ensure that all the required contents are included.
6. Facilitate two working group consultations (organized by Ministry of gender, culture) and present the draft policies to the key stakeholders including representatives from the 45 wards. Produce a well-written and comprehensive policies highlighting; Current responses by key stakeholders in strengthening responses and performance.

Recommendations to strengthen linkages between departments involved in the processes and enforcement of the policies through the Resource Directory of all the relevant

departments in the line Ministry with focal points. A detailed presentation has to be made by the consultant after the completion of the policies on the salient features of the policies at a known place.

### **Expected Deliverables /Outputs:**

1. Submission of final approved policies in sufficient number of hard copies that is aligned to the functions and mandate of the County Functions.
2. The consultant shall also be expected to deliver three {3} readable DVDs containing the final copy of the policies and procedures manual.

### **Methodology**

The consultant will strictly follow the work plan and time schedule agreed with the line ministry in undertaking the contract assignment.

- a) An appropriate methodology will have to be determined by the consultant in consultations with the line ministry.
- b) The consultant will work in close collaboration with the line ministry Project Team;
- c) The consultant will undertake to collect all the required information from various sources, including Government departments, Ministries and other relevant sources;
- d) The line ministry shall facilitate in collection of the data/information with required official letters and contact with focal person(s) wherever required (in areas of concern);
- e) The consultant will undertake the review, assessment and judgment of the data/information in close consultation with the line ministry;
- f) The consultant will facilitate in presentations and coordination of the stakeholder workshops/consultations organized as per the agreed work schedule.
- g) The consultant will undertake a mix of in-county and distance mode of working (in regional counties) based on the agreed work-plan and methodology.
- h) The consultant is expected to use own computer and other equipment required for the task.

### **Project Administration & Duration of Work**

1. Project administration will be done by the coordinators from the Ministry of Gender, Youth/the Head of line ministry Project Team

2. The duration of contract shall be for a maximum of six working months between 1<sup>st</sup> March 2020– 30<sup>th</sup> September, 2020.
3. The consultant will work closely with the line ministry Project team and will from time to time submit and share the progress of activities as agreed.

**Required Expertise & Qualifications.**

- 1) The consultant should have a post-graduate or equivalent qualification in relevant fields as per the assignment under consideration, Law, Criminology, Human rights, Political Science, Development Studies, Humanities or any other relevant discipline.
- 2) Demonstrated 3-5 years of prior work experience in dealing with gender mainstreaming policy, disability mainstreaming policy, culture and heritage policy, Youth empowerment policy and Group registration policy and/or legal issues as well as skills in facilitating working group consultations.
- 3) Demonstrated experience in developing Policies.

**Scope of Financial Proposal and Schedule of Payments**

- a) The consultant will be offered a lump sum fee inclusive of travel costs
- b) The payments will be made in installments based upon outputs/deliverables specified in the ToR (under payment schedule) and certification of satisfactory work as per work plan and endorsed by Ministry of Gender, Youth, culture and sports. Payment Schedule is as follows:
  - c) 20% on signing the contract and submission of a blueprint including methodology for drafting the Policies (in English).
  - d) 40% on completion of two working group consultations and submission of consultation report (in English).
  - e) 40% on submission of final Policies (incorporating all the input from the key stakeholders) (in English).

## CRITERIA FOR SELECTION OF CONSULTANTS

**Table 2. Technical Evaluation Criteria**

Criteria	Weight (%)	Max. Pt
Technical (70 %)		
Demonstrate knowledge and experience in dealing with Gender mainstreaming policy, disability mainstreaming Policy, culture and heritage Policy, Youth empowerment policy and group registration policy and/or legal issues especially in the regional context. a) Lead consultant to provide documents for evidence of two previous work done.....15 b) Proof of documents for one previous work done attached .....10 c) No proof of documents for previous work done .....0	15	15
RELEVANT QUALIFICATIONS a) The lead consultant should have a Post -graduate diploma or its equivalent in relevant fields as per the assignment under consideration, Law, criminology, Human rights, political science, Development studies, Humanities or any other relevant discipline (attach certificates).....25 b) The lead consultant with a degree or its equivalent in relevant fields as per the assignment under consideration, Law, criminology, Human rights, political science, Development studies, Humanities or any other relevant discipline (attach certificates).....15 c) The lead consultant with a diploma or its equivalent in relevant fields as per the assignment under consideration, Law, criminology, Human rights, political science, Development studies, Humanities or any other relevant discipline (attach certificates).....10 d) No certificates of proof of qualifications attached .....0	25	25
WORK EXPERIENCE a) Demonstrated 5 Years relevant work experience and skills in facilitation/consultation and coordination skills among relevant stakeholders on a regional context .....15 b) 3 years relevant work experience .....10 c) 2 years relevant work experience ..... 5 d) No work experience ..... 0	15	15
Methodology, activities, Work plan, experience and skills in development of Standard Procedures policies.	15	15
Financial (30 %)	30	30
<i>Total</i>	100	100

## **SECTION IV - TECHNICAL PROPOSAL**

4.1 Technical proposal submission form

4.2 Firms references

4.3 Description of the methodology and work plan for performing the assignment

4.4 Team composition and Task assignments

4.5 Format of curriculum vitae (CV) for proposed Professional staff

**4.1. TECHNICAL PROPOSAL SUBMISSION FORM**

[ Date] .....

**TO THE COUNTY CHIEF OFFICER  
MINISTRY OF GENDER AND CULTURE.  
COUNTY GOVERNMENT OF BUNGOMA  
P.O BOX 437-50200  
BUNGOMA.**

**Ladies/Gentlemen:**

we, the undersigned, offer to provide the consulting services **for** the developing and formalizing a standard gender mainstreaming policy, disability mainstreaming policy, culture and heritage policy, youth empowerment policy and group registration policy for promoting socio-economic empowerment of youth, women and vulnerable groups in the society by all departments at the county government of Bungoma.

In accordance with your Request for Proposal dated and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal, and a Financial Proposal sealed under a separate envelope.

We understand you are not bound to accept any Proposal that you receive. We remain,

Yours sincerely,

.....[Authorized Signature]:  
.....[Name and Title of Signatory]  
.....[Name of Firm]  
.....[Address:]

**4.2. FIRM'S REFERENCES**

**Relevant Services Carried Out in the Last Three-Five Years  
That Best Illustrate Qualifications**

Using the format below, provide information on each assignment for which your firm either individually, as a corporate entity or in association, was legally contracted.

Assignment Name:	Country
Location within Country:	Professional Staff provided by Your Firm/Entity(profiles):
Name of Client:	Clients contact person for the assignment.
Address:	No of Staff-Months; Duration of Assignment:
Start Date (Month/Year):	Completion Date (Month/Year):
Name of Associated Consultants. If any:	No of Months of Professional Staff provided by Associated Consultants:
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed	
Narrative Description of project:	
Description of Actual Services Provided by Your Staff:	

Firm's Name:

Name and title of signatory;

*(May be amended as necessary)*



**4.3 DESCRIPTION OF THE METHODOLOGY AND WORK PLAN FOR PERFORMING THE ASSIGNMENT.**

#### 4.4 TEAM COMPOSITION AND TASK ASSIGNMENT

##### 1. Technical/Managerial Staff

Name	Position	Task

##### 1. Support Staff

Name	Position	Task

**4.5 FORMAT OF CURRICULUM VITAE (CV) FOR PROPOSED PROFESSIONAL**

**STAFF**

Proposed Position:

.....

Name of Firm:

.....

Name of Staff:

.....

Profession:

.....

Date of Birth:

.....

Years with Firm: .....Nationality:.....

Membership in Professional Societies:.....

Detailed Tasks Assigned:

.....

.....

**Key Qualifications:**

*[Give an outline of staff member's experience and training most pertinent to tasks on assignment. Describe degree of responsibility held by staff member on relevant previous assignments and give dates and locations].*

.....

.....

**Education:**

*[Summarize college/university and other specialized education of staff member, giving names of schools, dates attended and degree[s] obtained.]*

.....  
.....  
.....

**Employment Record:**

*[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments.]*

.....  
.....  
.....

**Certification:**

I, the undersigned, certify that these data correctly describe me, my qualifications, and my experience.

Date.....

*[Signature of staff member]*.....

*Date;* .....

[Signature of authorized representative of the firm]

Full name of staff member: .....

Full name of authorized representative.....

## **SECTION V: - FINANCIAL PROPOSAL**

### Notes on preparation of Financial Proposal

- 1) The Financial proposal prepared by the consultant should list the costs associated with the assignment. These costs should cover the resource person's facilitation costs, subsistence, transportation, services. The costs should be broken down to be clearly understood by the procuring entity.
- 2) The Financial proposal shall be in Kenya Shillings or any other currency allowed in the request for proposal and shall take into account the tax liability and cost of insurances specified in the request for proposal. **The costs will be per session.**
- 3) The financial proposal should be prepared using the Standard forms provided in this part.
- 4) The costs quoted **WILL NOT INCLUDE** expenses for participants' accommodation or related services.

## **SECTION V - FINANCIAL PROPOSAL STANDARD FORMS**

### **Table of Contents**

5.1 Financial proposal submission Form.

5.2 Summary of costs.

5.3 Reimbursable expenses.

**5.1 FINANCIAL PROPOSAL SUBMISSION FORM**

Date.....

**To The County Chief officer Gender and Culture**

**County Government of Bungoma**

**P.O. Box 437-50200**

**Bungoma, Kenya**

Ladies/Gentlemen;

We, the undersigned, offer to provide the consulting services for designing, preparation and printing of procurement policies and procedures manual for the County Government of Bungoma in accordance with your Request for Proposal dated .....and our Proposal. Our attached Financial Proposal is for the sum of Kenya shillings\_\_\_\_\_

\_\_\_\_\_ *[Amount in words and figures]* inclusive of the taxes.

We remain,

Yours sincerely,

\_\_\_\_\_ *[Authorized Signature]*

\_\_\_\_\_ *[Name and Title of Signatory]:*

\_\_\_\_\_ *[Name of Firm]*

\_\_\_\_\_ *[Address]*

### 5.2. Summary of Costs

Cost	Taxes	Total Amount(s)

### 5.3. Breakdown of Price per Activity

Activity NO.:	Description:
Price Component	Amount(s)
Remuneration	
Reimbursable	
Miscellaneous Expenses	
Subtotal	



**SECTION VI: SAMPLE CONTRACT FOR CONSULTING SERVICES -SMALL  
ASSIGNMENTS -LUMP-SUM PAYMENTS  
CONTRACT FORM**

This Agreement, [hereinafter called “the Contract”) is entered into this / by and between County Government of Bungoma{Ministry of Gender and Culture} whose registered office is situated at **Moi Avenue Bungoma Town** (hereinafter called “the Client”) of the one part  
AND

of [or whose registered office is situated at] 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 Services,” which is made an integral part of this Contract.
- (ii)The Consultant shall provide the personnel listed in 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.”

- 2. **Term** The Consultant shall perform the Services during the period commencing on and continuing through to, 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. This amount has been established based on the understanding that it includes all of 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 a copy of this

Contract signed by the Consultant; 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 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 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

Title: Title: \_\_\_\_\_

Full name; \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

FOR THE CONSULTANT

Title: Title: \_\_\_\_\_

Full name; \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**CONFIDENTIAL BUSINESS QUESTIONNAIRE**

You are requested to give the particulars indicated in Part 1 and either Part 2 (a), 2(b) or 2(c) whichever applied to your type of business. You are advised that it is a serious offence to give false information on this form.

**Part 1 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  
.....

**Part 2 (b) – Partnership**

Given details of partners as follows

Name	Nationality	Citizenship details	Shares
1. ....			
2. ....			
3. ....			
4. ....			

**Part 2 (c) – Registered Company**

Private or Public

State the nominal and issued capital of company

Nominal Kshs. Issued Kshs.

Given details of all directors as follows

Name Nationality Citizenship details Shares

1. ....

2. ....

3. ....

4. ....

Date.....Signature of Candidate.....

**LETTER OF NOTIFICATION OF AWARD**

County Government of Bungoma  
P.O. Box 473-50200  
Bungoma, Kenya

To \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: Tender No.

Tender Name

This is to notify that the contract/s stated below under the above mentioned tender have been awarded to you.

1. Please acknowledge receipt of this letter of notification signifying your acceptance.
2. The contract/contracts shall be signed by the parties within 30 days of the date of this letter but not earlier than 14 days from the date of the letter.
3. You may contact the officer(s) whose particulars appear below on the subject matter of this letter of notification of award.

*(FULL PARTICULARS)*

SIGNED FOR ACCOUNTING OFFICER

**DECLARATION FORM**

To \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_

The tenderer i.e. (name and address) \_\_\_\_\_ declare the following:

- a) Has not been debarred from participating in public procurement.
- b) Has not been involved in and will not be involved in corrupt and fraudulent practices regarding public procurement.

\_\_\_\_\_

Title

Signature

Date

(To be signed by authorized representative and officially stamped)