



REQUEST FOR PROPOSALS (RFP)

TENDER NO.: KWS/RFP/AFD/75/2013-2014

**CONSULTANCY TO CARRY OUT A STUDY ON TOURISM
DEVELOPMENT IN NORTHERN KENYA**

CLOSING DATE AND TIME

23RD APRIL 2014 AT 12 NOON

P.O. BOX 40241 – 01000 NAIROBI, TEL 254-20-6000800, ISDN +254-0203992000/1000

**MOBILE +254-735 663 421, +254-726 610 508 Email kws@kws.go.ke website
www.kws.go.ke**

LETTER OF INVITATION

Dear Sir/Madam:

RE: CONSULTANCY TO CARRY OUT A STUDY ON TOURISM DEVELOPMENT IN NORTHERN KENYA

TENDER NO: KWS/RFP/AFD/75/2013-2014

The Republic of Kenya has received financing from the Agence Française de Développement (AFD) towards the cost of the Northern Kenya Biodiversity Conservation (NKBCP) Project (Marsabit). The funded activities are implemented by a Project implementation Unit (PIU) under the Kenya Wildlife Service (KWS) which is a state corporation.

NKBCP is a project funded by AFD, Fonds Français pour l'Environnement Mondial (FFEM) and the Government of Kenya (GoK) to address the substantial threats to the unique ecosystem of Mount Marsabit National Reserve and its surrounding ecosystem. The project was officially declared effective on Tuesday 23rd July 2013 after fulfilling all the conditions of effectiveness for an implementation period of five years (2013-2018).

The total cost of the project is € 12.64 million with a co-financing of € 8.0 million from (AFD), € 2.41 million from the (GOK) and (€ 1.5 million) from (FFEM). The contracting authority will be the Ministry of Finance with Kenya Wildlife Service (KWS) having the overall responsibility for the implementation and execution of the AFD financed activities working with other partners including Forest Service (KFS), relevant Non Governmental Organizations' (NGO's) and the local communities. The Northern Rangeland Trust (NRT) will have the overall responsibility for the implementation of the FFEM financed activities

Thus, the overall goal of the project is to achieve sustainable use of natural resources while at the same time optimizing ecological service functions, particularly water, grazing and energy provision in the area of northern Kenya that centers on Marsabit forest and its ecological and economic connections and the adjacent community conservancies of Songa Shurr and Jaldesa.

The Kenya Wildlife Service hereby invites competent and eligible consulting firms to submit technical and financial proposals to carry out a study on **tourism development in Northern Kenya**. The objective of this consultancy is to develop a tourism development plan for the Northern Kenya tourism circuit through a detailed analysis of the tourism chain. The Tourism Plan will develop a "business" approach, analyzing markets, investment needs and expected returns (profitability).

To be eligible for evaluation, interested firms should submit together with their Technical and Financial proposals, the following documents to demonstrate their technical and proven experience in similar assignments:

1. Company profile brochure (business name, physical address, contact numbers and contact person)

2. Statutory registration documents (i.e. certificate of incorporation/registration, copies of PIN, VAT registration, tax compliance certificate.
3. Information clearly showing technical ability and experience in carrying out similar assignment (s) in the last 3 years
4. Qualification and experience of key staff (provide names and detailed CVs and copies of certificates of key staff expected to undertake the assignment, indicating their qualifications, experience and competence in Tourism management.
5. Letter of recommendation by at least 3 major clients,
6. Financial ability (i.e. audited accounts for 2 years (2011-2012) or certified bank statements for the last six months.

Tender documents detailing the requirements may be down loaded by prospective bidders free of charge from the Kenya wildlife service website: kws.go.ke.

The proposal documents comprising of one (1) original and one (1) copy shall be sealed in two inner envelopes marked “ORIGINAL” and “COPIES” and enclosed in an outer plain sealed envelope clearly marked “Proposal for consultancy **to carry out a study on tourism development in Northern Kenya**” **KWS/RFP/AFD/75/2013-2014**, addressed to

Director, Kenya Wildlife Service P. O. Box 20241-00100, Nairobi and placed in the Tender Box at the KWS Headquarters in Langata at the main reception. The plain sealed envelope should indicate the Tender Reference name without identifying the sender, so as to reach KWS not later than **12:00 Noon on 23/4/2014**. Bids will be opened immediately thereafter in the presence of bidders or their representatives who choose to attend at KWS boardroom.

This Request for Proposal (RFP) includes the following documents:

	Letter of Invitation
	Terms Of Reference
	Instructions to Bidders
	Data Sheet
	Technical Proposal – Standard Forms
	Financial Proposal – Standard Forms
	Standard Form of Contract

HEAD-SUPPLY CHAIN MANAGEMENT

TERMS OF REFERENCE

1.0 INTRODUCTION

Mount Marsabit is of critical importance to sustaining life not only within the forest, but also in the surrounding areas including Marsabit town. The forest and the surrounding areas harbour a diverse range of ecosystems and associated biodiversity. However, it is the ecosystem service functions (water provision, climate regulatory, carbon storage roles) and ecosystem good provision (fuel wood, grazing, medicinal plants) that are particularly important to the people living in the area. There are 11,000ha of Marsabit forest remaining (down from over 18,363ha in 1973). The rate of deforestation is estimated to be 180 ha per year.

The primary drivers of deforestation are: i) conversion of forest to agricultural land (particularly to the east of the forest), ii) deforestation through over abstraction of fuel wood (currently fuel wood abstraction rates are 16,382 tonnes per year), iii) over-grazing by domestic livestock (up to 50,000 heads of livestock entered the forest during the drought of 2009). There is concern that if the current deforestation rates continue unabated, the remaining 11,000 will be lost within six decades.

It is with the desire to intervene and reverse this vicious degradation cycle that the Northern Kenya Biodiversity Conservation Project (Marsabit) was conceived and formulated by the Government of Kenya (GOK). Project implementation is for a period of five years (2013-2018).

1.1 Northern Kenya Biodiversity Conservation Project Goals and Objectives

The project will work to overcome these threats, their root causes and the barriers to effective management of the protected areas in the area. Thus, the overall goal of the project is to achieve sustainable use of natural resources while at the same time optimizing ecological service functions, particularly water, grazing and energy provision in the area of northern Kenya that centers on Marsabit forest and its ecological and economic connections.

This goal will be specifically achieved through a network of protected areas and community conservancies that are managed effectively, adaptively and collaboratively through partnerships that include government and nongovernment actors, and local communities. The project will adopt five principal components in order to contribute to achieving this goal. These are:

1.2 Project Components

- I. **Policy and legislative framework**---The expected outcome of this component is the enabling policy and legislative framework for conservation in Kenya is implemented in Northern Kenya, and institutional cooperation, collaboration and coordination leads to effective conservation and natural resource management.
- II. **Ecosystem conservation**--The expected outcome of this component is: the critical ecosystem service functions of the Marsabit forest are secured while alternative sources of energy, water and grazing are sought, developed, delivered and managed.
- III. **Natural resources management**-- The expected outcome of this component is: For the people dependent on forest ecosystem goods and services, alternative sources of energy, water and grazing are sought, developed, delivered and managed
- IV. **Connectivity**--The expected outcome of the component is: the biological connections between Marsabit and its surrounding areas are secured and thereafter maintained
- V. **Payment for Ecosystem Services**- The expected outcome of the component is Payment for Ecosystem Services (PES) is generating revenues that are contributing to covering the costs of conservation.

2.0 Tourism Development

Tourism represents one of the major national development sectors in Kenya. In 2012, it directly contributed 4.4 percent to the Kenyan GDP and 4 percent of total employment in Kenya. The general tourism economy, which captures backward and forward linkages,

contributes 11.6 per cent of GDP. The sector also contributes almost 23 per cent in foreign exchange earnings and employs about 253,000 people in the modern wage sector (World Trade and Tourism Council, 2007). In northern Kenya, tourism is an emerging sector hitherto largely untapped. At present, tourism plays only a small part in the Marsabit Conservation Complex and the larger Northern Kenya Circuit.

KWS is implementing the AFD & FFEM-funded-Northern Kenya Wildlife Conservation Project. To realize the project goal, one of the project components is the fostering of an enabling **Policy and legislative framework**. Development of **Tourism Development Plan in Northern Kenya** will be one of the activities to be achieved in this component.

2.1 Objectives

The project intends to develop a tourism development plan for the Northern Kenya tourism circuit through a detailed analysis of the tourism chain. The Tourism Plan will develop a “business” approach, analyzing markets, investment needs and expected returns (profitability). A plan that park managers, conservancies, private entrepreneurs can implement to attract tourism into the Northern Kenya circuit. This Tourism Development Plan for Northern Kenya will be the basis for the later development of a detailed Tourism Development Plan for the Marsabit Area.

The assignment will aim to undertake the following;

- To provide a framework and strategic directions for stakeholders in the tourism industry to address issues, such as but not limited to, accessibility (transportation and infrastructure), planning and product development, investment and human resources development;
- To develop a strategy and identify programs that will make tourism a catalyst and engine in protecting the environment, preservation of culture and heritage, local economic development, and poverty alleviation through local enterprise development;
- Undertake an identification and categorization of tourism revenue generation opportunities
- Provide an inventory of opportunities through feasibility analysis, market research and in conformance to KWS mandate;

- Develop a strategy and plan for the next five (5) years from the identified tourism product development opportunities.

Northern Kenya circuit in this consultancy will refer to the Counties of Marsabit, Isiolo, Samburu, Turkana, Wajir and Mandera.

2.2 Scope of Work

To achieve the objectives of this consultancy the following shall be undertaken by the consultant:

- Identify, collect and review relevant literature;
- Define a consultative process and mechanism for the preparation of the Tourism Development Plan taking into consideration the involvement of key leaders, organizations and entities in the public and private sector both at the national and local levels;
- Assess and review the northern Kenya circuit tourism implementation for the past years, including the various plans developed by the relevant government and private sector agencies;
- Review the work and projects undertaken by various organizations, including international organizations, at the local level in the areas of tourism planning, product development, marketing and promotions, regulation and licensing, standards, manpower development, and investments;
- Review the already existing tourism investments and facilities in the Northern Area
- Realize a SWOT Analysis of the development of tourism in Northern Kenya, including a market-analysis
- Develop a 5-year strategic tourism development plan, that includes:
 - identification of activities and infrastructure needs
 - business plan
 - roles and responsibilities of the main stakeholders
- In particular, the consultant will:
 - Identify the infrastructure needs/gaps in various tourism areas in the entire circuit, including roads, airports, water supply, sanitation, and power, among others;

- Recommend institutional mechanism for the shared responsibilities of national and county governments as well as the private sector in the implementation of the tourism development plan;
- Recommend funding sources to implement the plan, including multi- and bilateral organizations, official development assistance, and public-private sector.
- Emergent and long-term trends on tourism circuits development;
- Current approaches to tourism development and marketing options for nature based tourism.

3.0 PIU Provisions and Facilitation

In order to undertake the above it is expected that the consulting firm will familiarize itself with the project's log frame and develop an understanding of the project objectives, outputs, activities, interventions and approaches.

The consultant will work closely with the PIU (project implementation unit), KWS National Marketing Department, private tourist operators and other relevant stakeholders.

During the consultancy the project shall undertake the following,

1. Mobilize respective Stakeholders for the exercise;
2. Provide relevant data and information necessary to undertake/facilitate the assignment;
3. Assign relevant staff to work with the consulting team during the assignment;
4. Provide office space during fieldwork for consulting firm to process work and compile reports.
5. Facilitate consultative meetings.
6. Provide all the necessary documents and references which will be handed back, to the project not later than one month after submission of the final report

4.0 Outputs and Deliverables

To conduct the study the consulting firm is required to prepare a comprehensive report detailing the tourism development strategy for the Northern circuit. At the end of the contract

period the consultant will deliver to the project team at the address specified in the contract regulations:

The consulting firm shall provide to the client the following outputs:

1. Three copies of the inception workshop report which will capture an elaborate methodology and work plan for the study.
2. Draft Northern Kenya Tourism development plan report;
3. Workshop report on validation of the Northern Kenya Tourism development findings to stakeholders
4. Produce acceptable final report and submit 6 well bound copies and 6 CDs.

NB: The consulting firm will make their own transport arrangements.

5.0 Time Frame

The consultant(s) should complete the assignment and submit the final report and presentation to the PIU within ninety (90) working days from the date of signing of the contract.

Qualification & Experience:

The consulting firm will have tourism sector specialists with the following experience and competences,

- Relevant undergraduate and postgraduate education background in Tourism, environment, Natural resource management and research.
- At least 5 years experience in the review, appraisal and development of tourism development plans preferably in the Northern Kenya area.
- A good understanding/exposure of the tourism sector including the policy and legislative framework, market chain analysis and diversification, Marketing, revenue diversification, infrastructure investment among others.
- Considerable experience in national or sectoral strategy development.
- Good understanding of the cross cutting linkages between tourism development services and the wider economy
- Ability to work with a broad range of stakeholders including local communities
- Ability to work as a team member
- Time management and organizational skills, with the ability to undertake multiple tasks

INSTRUCTION TO BIDDERS

2.0 General Terms and Conditions

2.1 Scope

The Invitation to Bid (RFP) document is for the procurement of consultancy services for “conducting a Project Completion Report for tourism development plan for the Northern Kenya tourism circuit”, as specified in the data sheet. Consultants must comply fully with the requirements set out in this document.

2.2 Eligibility

Participation in this tender process is through public bidding to organizations/ institutions/firms and individuals from Kenya on equal terms, subject to the restrictions and conditions outlined below.

2.2.1 Restrictions

Organizations or individuals who are prohibited from participation or who may have been suspended by KWS, on grounds of incompetence or “non delivery” of services will not be considered.

If the information provided by the bidder to support an application, especially regarding past performance and references is falsified, such application will be disqualified from consideration.

Any organization in which KWS or any of its’ employees is involved or have ownership, directorship or vested interests, shall not be allowed to propose, submit bids or participate in any way.

Organizations or individuals may be excluded from the evaluation and award of contract if they;

- a. Are bankrupt, or are being wound up, or whose affairs are being administered by court, or who have entered into an arrangement with creditors, or who have suspended business activities or who are subject to an injunction against running business by a court of law;
- b. Are subject of proceedings for declaration of bankruptcy, or of an order for compulsory winding up or administration by court, or of an arrangement with creditors, or of any other similar proceedings;
- c. Have been convicted of an offence concerning their professional conduct by a court of law, or found guilty of grave professional misconduct; and
- d. Have not fulfilled obligations relating to payments of taxes or statutory contributions.

All bidders/ consultants are required to sign the bidders Declaration form contained in Appendix 4

2.3 Conflict of Interest

Conflict of interest is described as;

1. Any event(s) influencing the capacity of a candidate, bidder or contractor to give an objective and impartial professional opinion, or preventing him at any moment, from giving priority to the interests of KWS.
2. Receipt or granting of any consideration relating to possible contracts in the future or conflict with other commitments, past, present, of a candidate, bidder or contractor, or any conflict with their own interests.

These restrictions also apply to subcontractors and employees of the candidate, bidder or contractor.

2.4 Request for Clarification

Any request for clarification must be received by KWS- Supply Chain Management in writing as specified in the data sheet (clause 1.3). If KWS either on its own initiative or in response to a request from a bidder provides additional information on the proposal document, such information will be sent in writing to all bidders.

2.5 Amendment of RFP Documents

At any time prior to the deadline for submission of proposals, KWS, for any reason, whether at its own initiative or in response to a clarification requested by prospective bidders may modify the RFP documents by amendment.

All prospective bidders will be notified of the amendment in writing and it will be binding on them. KWS may, at its discretion, extend the deadline, if deemed necessary to allow bidders reasonable time to take the amendment into account.

3.0 Preparation of Proposal

Technical Proposal

3.1 The Consultants proposal shall be written in English language.

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 may result in rejection of a proposal.

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

- (i) 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.
- (ii) It is desirable that the majority of the key professional staff proposed be available throughout the contract period
- (iii) Proposed professional staff must, as a minimum, have the experience indicated
- (iv) Alternative professional staff shall not be proposed and only one Curriculum Vitae (CV) may be submitted for each position.

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 Client.
- (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
- (vi) Estimates of the total staff input (professional and support staff staff-time) needed to carry out the assignment and the time proposed for each professional staff team member.

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

Financial Proposal

3.6 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 D). It lists all costs associated with the assignment including;

(a) remuneration for staff (in the field and at headquarters), and; (b) reimbursable expenses (if any), transportation, services and equipment (vehicles, office equipment, furniture, and supplies), office rent, insurance, printing of documents, surveys, and training, if it is a major component of the assignment. If appropriate these costs should be broken down by activity.

3.7 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.

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

3.9 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.

3.10 The Proposal must remain valid for 90 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. KWS will make an effort to complete negotiations within this period. If the KWS 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.

a. Submission, Receipt, and Opening of Proposals

4.1 The original proposal (Technical Proposal and Financial Proposal) 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.

4.2 For each proposal, the consultants shall prepare the number of copies indicated. 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.

4.3 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 clearly marked “**FINANCIAL PROPOSAL**” and warning: “**DO NOT OPEN WITH THE TECHNICAL PROPOSAL**”. Both envelopes shall be placed into an outer envelope and sealed. This outer envelope shall bear the submission address and other information indicated and be clearly marked, “**DO NOT OPEN, EXCEPT IN PRESENCE OF THE EVALUATION COMMITTEE.**”

4.4 The completed Technical and Financial Proposals must be delivered at the submission address on or before closure date. Any proposal received after the closing time for submission of proposals shall be returned to the respective consultant **unopened**.

4.5 After the deadline for submission of proposals, the Technical Proposal shall be opened immediately by the evaluation committee. The Financial Proposal shall remain sealed and deposited with a responsible officer of the client department until all submitted proposals are opened publicly.

5.0 Proposal Evaluation General

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

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

Evaluation of Technical Proposals

5.3 The evaluation committee appointed by the Client shall evaluate the proposals on the basis of their responsiveness to the Terms of Reference, and applying the evaluation criteria below;

	The number of points given under each of the evaluation criteria are:	<u>Points Given</u>
(1)	Specific Experience of the consulting firm in the same field that of the assignment and on similar projects Experience in PCR of similar project	<u>30</u> 30
(2)	Adequacy of the proposed work plan and methodology in responding to the TOR	<u>35</u>
a.	Understanding of the TOR	5
b.	Overall quality of proposal	5
c.	Quality of methodology proposed	
	(c.1) Technical approach	20
	(c.2) Quality of work plan	3
	(c.3) Organization and staffing	2
(3)	Qualifications and competence of the key staff for the assignment	<u>35</u>
	Total:	100

Each responsive proposal will be given a technical score (S_t). A proposal shall be rejected at this stage if it does not respond to important aspects of the Terms of Reference.

5.4 Any proposal that does not attain a minimum threshold of 70 points at the technical evaluation stage will be rejected and thus will not be considered for financial evaluation

Public Opening and Evaluation of Financial Proposals

5.4 After Technical Proposal evaluation, the Client 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 be returned after completing the selection process. The Client 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. The opening date shall not be sooner than seven (7) days after the notification date. The notification may be sent by registered letter, or electronic mail.

5.5 The Financial Proposals shall be opened publicly in the presence of the consultants' representatives who choose to attend.

5.6 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 Client shall prepare minutes of the public opening.

5.7 The evaluation committee will determine whether the financial proposals are complete (i.e. whether the consultants have costed all the items of the corresponding Technical Proposal and correct any computational errors. The cost of any unpriced item 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.

5.8 While comparing proposal prices between local and foreign firms participating in a selection process in financial evaluation of Proposals, firms incorporated in Kenya where indigenous Kenyans own 51% or more of the share capital shall be allowed a 10% preferential bias in proposal prices. However, there shall be no such preference in the technical evaluation of the tenders. Proof of local incorporation and citizenship shall be required before the provisions of this sub-clause are applied. Details of such proof shall be attached by the Consultant in the financial proposal.

5.9 The formulae for determining the Financial Score (S_f) shall, be as follows:-

$S_f = 100 \times \frac{F_m}{F}$ where S_f is the financial score; F_m 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 ($T= 0.75$): P = the weight given to the Financial Proposal ($P=0.25$); $T + P = 1$). 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 (S) will be invited for negotiations.

6. Negotiations

6.1 Negotiations will be held with successful firm with the aim of reaching an agreement on all points and sign a contract.

6.2 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 Client and firm will then work out final Terms of Reference, staffing and 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.

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

6.4 Having selected the firm on the basis of, among other things, an evaluation of proposed key professional staff, the Client expects to negotiate a contract on the basis of the experts named in the proposal. Before contract negotiations, the Client will require assurances that the experts will be actually available. The Client 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.

6.5 The negotiations will conclude with a review of the draft form of the Contract. To complete negotiations the Client and the selected firm will sign the agreed Contract. If negotiations fail, the Client will invite the firm whose proposal received the second highest score to negotiate a contract.

7.0 Award of Contract

7.1 The Contract will be awarded following negotiations. After negotiations are completed; the Client 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.

7.2 The selected firm is expected to commence the assignment upon signing the contract.

8.0 Confidentiality

8.1 Information relating to evaluation of proposals and recommendations on 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.

8.2 “The tenderer represents that it has not engaged in any practice likely to influence the projects implementation process at the Borrowers expense and in particular that there was not and shall not be any collusion. The tenderer represents that the negotiation, procurement and performance of the contract has not given rise to and shall not give rise to corruption as defined in the United Nations convention against corruption dated October 31, 2003.”

Appendix 1: DATA SHEET

Clause Ref:	1. General
1.1	<ol style="list-style-type: none"> 1 Name of Client: The procuring entity is KWS, 2 Recipient: The services shall be delivered to the KWS. 3 Method of procurement: Open tender
1.2	The name and reference number of the Invitation to Bid is: CONSULTANCY TO CARRY OUT A STUDY ON TOURISM DEVELOPMENT IN NORTHERN KENYA: Tender No: KWS/RFP/AFD/75/2013-2014
1.3	<p>Clarifications</p> <ol style="list-style-type: none"> 1. Requests for clarification quoting the tender number and title must be received 7 days before the deadline of the tender. Clarification requests received after this date shall not be responded to. Responses to queries shall be sent out to all bidders. 2. Clarifications on any aspect of this RFP including the detailed terms of reference must be addressed and submitted to the KWS- Supply Chain Management Department on official letterhead only by fax, registered mail or hand delivered to the address and contacts below. 3. The address and contact for submitting proposals and requesting clarifications is as follows: <p style="text-align: center;"> The Director Kenya Wildlife Service P O Box 40241-00100 Nairobi, Kenya </p>
	2.0 Preparation of Proposals
2.1	The currency specified for this proposal is Kenya Shillings.
2.2	The proposal(s) must remain valid for 90 days from date of submission.
2.3	The bidder shall submit one (1) original and one (1) copy of its proposal.
	3.0 Submission of Proposals
3.1	Proposals must be received and deposited in the tender box before 12 Noon Kenyan Time (GMT +3) on 23 rd April 2014 at the address indicated in 1.3 above.
3.2	<p>Bidders must submit the original and one (10 copy of the technical Proposal as well as the original of the Financial Proposal and 1 copy. In both cases the proposals must be printed in indelible ink and neatly bound. The original copy must be clearly marked "Original" and copies marked clearly as "Copy".</p> <p>The Technical and Financial Proposals must be separately sealed in two separate envelopes, clearly marked "Technical Proposal" and "Financial Proposal". The two</p>

	separate envelopes must be enclosed in a single outer envelope, which shall bear the name and address of the bidder, the proposal title and reference number (as per clause 1.2 above) and labeled “ not to be open except in the presence of the Tender Opening Committee. ”																											
3.3	Submission of proposals by electronic mail or facsimile is not allowed.																											
3.4	<p>Opening of technical and financial proposals</p> <ol style="list-style-type: none"> 1. Opening of the technical proposal shall be undertaken immediately following the proposals submission. Bidders or their authorized representatives are allowed to attend and observe the technical proposal opening if they so choose. The bidders’ or their representatives shall sign a register of attendance. 2. The bidders’ names and the presence or absence of Bidder’s Declaration, Integrity Pact and other such details as the KWS, at its discretion, may consider appropriate will be announced at the opening. 3. The opening of financial proposals shall be undertaken only for bidders whose technical proposals meet the minimum technical score as detailed in clause 4.2 below. 4. Bidders who do not meet the minimum technical score shall not proceed to the financial evaluation stage and shall have their unopened financial proposals returned to them. 																											
	4.0 Evaluation and comparison of Proposals																											
4.1	Currency: The currency for evaluation process will be Kenya Shillings																											
4.2	<p>Proposal evaluation and criteria and process</p> <p>In assessing the proposals submitted, the tender committee will carry out a three-stage Quality and cost-Based Selection process as follows:</p> <ol style="list-style-type: none"> 1. Technical evaluation <ol style="list-style-type: none"> (a) The technical evaluation will be based on a scoring system marked out of a maximum of 100 marks. Only proposals that score at least 70 marks in this technical evaluation will be deemed to be “technically responsive” and eligible for Stage 2. Marks will be awarded according to the following matrix: <table border="1" style="margin-left: 40px;"> <thead> <tr> <th></th> <th>The number of points given under each of the evaluation criteria are:</th> <th><u>Points Given</u></th> </tr> </thead> <tbody> <tr> <td>(1)</td> <td>Specific Experience of the consulting firm in the same field that of the assignment and on similar projects Experience in PCR of similar project</td> <td style="text-align: center;"><u>30</u> 30</td> </tr> <tr> <td>(2)</td> <td>Adequacy of the proposed work plan and methodology in responding to the TOR</td> <td style="text-align: center;"><u>35</u></td> </tr> <tr> <td></td> <td>a. Understanding of the TOR</td> <td style="text-align: center;">5</td> </tr> <tr> <td></td> <td>b. Overall quality of proposal</td> <td style="text-align: center;">5</td> </tr> <tr> <td></td> <td>c. Quality of methodology proposed</td> <td></td> </tr> <tr> <td></td> <td> (c.1) Technical approach</td> <td style="text-align: center;">20</td> </tr> <tr> <td></td> <td> (c.2) Quality of work plan</td> <td style="text-align: center;">3</td> </tr> <tr> <td></td> <td> (c.3) Organization and staffing</td> <td style="text-align: center;">2</td> </tr> </tbody> </table> 		The number of points given under each of the evaluation criteria are:	<u>Points Given</u>	(1)	Specific Experience of the consulting firm in the same field that of the assignment and on similar projects Experience in PCR of similar project	<u>30</u> 30	(2)	Adequacy of the proposed work plan and methodology in responding to the TOR	<u>35</u>		a. Understanding of the TOR	5		b. Overall quality of proposal	5		c. Quality of methodology proposed			(c.1) Technical approach	20		(c.2) Quality of work plan	3		(c.3) Organization and staffing	2
	The number of points given under each of the evaluation criteria are:	<u>Points Given</u>																										
(1)	Specific Experience of the consulting firm in the same field that of the assignment and on similar projects Experience in PCR of similar project	<u>30</u> 30																										
(2)	Adequacy of the proposed work plan and methodology in responding to the TOR	<u>35</u>																										
	a. Understanding of the TOR	5																										
	b. Overall quality of proposal	5																										
	c. Quality of methodology proposed																											
	(c.1) Technical approach	20																										
	(c.2) Quality of work plan	3																										
	(c.3) Organization and staffing	2																										

(3)	Qualifications and competence of the key staff for the assignment	<u>35</u>
	Total:	100

2. Financial evaluation

The financial evaluation will allocate the least-cost, qualified bidder (i.e. the bidder with the lowest cost quotation among those who attain a score of at least 70 marks in the overall technical evaluation) with a maximum financial score of 30 marks. Other qualifying bidders will then have their financial scores reduced in proportion to their excess over minimum qualifying cost quotation.

The formula

$$S_f = \frac{F_M}{F} \times 100$$

shall be used where:

F = Price of proposal under consideration

S_f = Financial score

F_m = Lowest priced financial proposal

3. Total proposal score (S)

A total proposal score will then be ascribed to each qualifying bidder, as the sum of:

- Technical score; and
- Financial score as calculated above.

Finally, bidders will be ranked by total proposal score and the highest scoring bidder overall will be selected as the successful bidder. Where, the highest scoring bidder is unable to confirm availability for the work, the next highest combined scoring bidder will be selected as the successful bidder.

Appendix 2: - TECHNICAL PROPOSAL – STANDARD FORMS

These forms shall include;

- i) Technical Proposal submission form.
- ii) Firm's references.
- iii) Comments and suggestions of consultants on the Terms of Reference and on data, services and facilities to be provided by the Client.
- iv) Description of the methodology and work plan for performing the assignment.
- v) Team composition and task assignments.
- vi) Format of curriculum vitae (CV) for proposed professional staff.
- vii) Time schedule for professional personnel.
- viii) Activity (work) schedule.

(i) TECHNICAL PROPOSAL SUBMISSION FORM

[_____ *Date*]

To: _____ [*Name and address of Client*]

Ladies/Gentlemen:

We, the undersigned, offer to provide the consultancy services for _____
_____ [*Title of consulting services*] in accordance with your
Request for Proposal dated _____ [*Date*] 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 you receive.

We remain,

Yours sincerely,

_____ [*Authorized Signature*]

_____ [*Name and Title of Signatory*]

_____ [*Name of Firm*]

_____ [*Address*]

(ii) FIRM'S REFERENCES

**Relevant Services Carried Out in the Last 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
Name of Client:	Firm/Entity(profiles): No. of Staff:
Address:	No of Staff-Months; Duration of Assignment:
Start Date (Month/Year): Completion Date (Month/Year):	Approx. Value of Services (Kshs)
Name of Associated Consultants. If any:	No of-Months of Professional Staff provided by Associated Consultants:
Name of 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; _____

COMMENTS AND SUGGESTIONS OF CONSULTANTS ON THE TERMS OF REFERENCE AND ON DATA, SERVICES AND FACILITIES TO BE PROVIDED BY THE CLIENT.

On the Terms of Reference:

- 1.
- 2.
- 3.
- 4.
- 5.

On the data, services and facilities to be provided by the Client:

- 1.
- 2.
- 3.
- 4.
- 5.

(iv) DESCRIPTION OF THE METHODOLOGY AND WORK PLAN FOR PERFORMING THE ASSIGNMENT

(v) TEAM COMPOSITION AND TASK ASSIGNMENTS

1. Technical/Managerial Staff

Name	Position	Task

2. Support Staff

Name	Position	Task

(vi) 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 authorised representative of the firm]

Full name of staff member: _____

Full name of authorized representative: _____

(vii) TIME SCHEDULE FOR PROFESSIONAL PERSONNEL

Weeks (in the Form of a Bar Chart)

Name	Position	Reports Due/ Activities	1	2	3	4	5	6	7	8	9	10	11	12	Number of weeks

Reports Due: _____

Activities Duration: _____

Signature: _____
(Authorized representative)

Full Name: _____

Title: _____

Address: _____

(viii) ACTIVITY (WORK) SCHEDULE

(a). Field Investigation and Study Items

[1st, 2nd, etc, are weeks from the start of assignment)

	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	
Activity (Work)									

(b). Completion and Submission of Reports

Reports	Date
1. Inception Report	
3. Draft Report	
4. Final Report	

Appendix 3: - FINANCIAL PROPOSAL – STANDARD FORMS

These forms shall include;

- i) Financial Proposal submission form.
- ii) Summary of costs.
- iii) Breakdown of price per activity.

- iv) Breakdown of remuneration per activity.
- v) Re-imbursables per activity.
- vi) Miscellaneous expenses.

(i) FINANCIAL PROPOSAL SUBMISSION FORM

_____ [Date]

To: _____

[Name and address of Client]

Ladies/Gentlemen:

We, the undersigned, offer to provide the consulting services for (_____) *[Title of consulting services]* in accordance with your Request for Proposal dated (_____) *[Date]* and our Proposal. Our attached Financial Proposal is for the sum of (_____) *[Amount in words and figures]* inclusive of the taxes.

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

We remain,

Yours sincerely,

_____ *[Authorized Signature]*
 _____ *[Name and Title of Signatory]*
 _____ *[Name of Firm]*
 _____ *[Address]*

(ii) SUMMARY OF COSTS

Costs	Currency(ies)	Amount(s)
Subtotal		
Taxes		
Total Amount of Financial Proposal		_____

(iii) BREAKDOWN OF PRICE PER ACTIVITY

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

(iv) BREAKDOWN OF REMUNERATION PER ACTIVITY

Activity No: _____ Name: _____				
Names	Position	Input (Staff months, days or hours as appropriate	Remuneration Rate	Amount
Regular staff				
(i)				
(ii)				
Consultants				
Grand Total				_____

--	--	--	--	--

(v) REIMBURSABLES PER ACTIVITY

Activity No: _____ Name: _____

No.	Description	Unit	Quantity	Unit Price	Total Amount
1.					
2.					
3.					
4.					

(vi). MISCELLANEOUS EXPENSES

Activity No. _____ Activity

Name: _____

No.	Description	Unit	Quantity	Unit Price	Total Amount
1.					
2.					
3.					
4.					

Appendix 4: BIDDER DECLARATION

We/I the undersigned....., in the capacity of.....for [*name of the company/firm/individual*] certify that the bidder is not in any of the following situations;

1. Bankruptcy; are the subject of proceedings for a declaration of bankruptcy, or of an order for compulsory winding up or administration by court, or of any other similar proceedings
2. Payments to us have been suspended in accordance with the judgment of a court other than judgment declaring bankruptcy and resulting, in accordance with our national laws, in the total or partial loss of the right to administer and dispose off our property;
3. Legal proceedings have been instituted against us involving an order suspending payments and which may result, in accordance with our national laws, in a declaration of bankruptcy or in any other situation entailing the total or partial loss of the right to administer and dispose of our property;
4. Are being wound up, or our affairs are being administered by court, or have entered into an arrangement with creditors, or have suspended business activities or are subject to an injunction against running business by a court of law;
5. Have been convicted by a final judgment of any crime or offence concerning our/my professional conduct;
6. Are guilty of serious misrepresentation with regard to information required for participation in an invitation to tender or execution of a tender already awarded;
7. Are in breach of contract on another contract with the government of Kenya or other local or international contracting authority or foreign government.
8. Are convicted of an offence concerning our/my professional conduct by a court of law, or found guilty of grave professional misconduct; and
9. Is in default of obligations relating to payments of taxes or statutory contributions.

If the bidder is in any of the above listed situations, kindly attach documents giving details of situation.

Names in Full [.....]

Duly authorized to sign this bid on behalf of (bidder's name):

[.....]

Place and date: [.....]

Stamp of the firm/ company: