NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY
P.O. Box 67839-00200
Popo Rd. off Mombasa Road, NAIROBI
Email: dgnema@nema.go.ke, Website: www.nema.go.ke

REQUEST FOR PROPOSALS FOR THE PROVISION OF CONSULTANCY SERVICES FOR DEVELOPMENT OF AN ENVIRONMENT AND SOCIAL POLICY FOR ADAPTATION FUND PROGRAMME IN KENYA

TENDER NO.NEMA/RFP/005/2018-2019

CLOSING DATE AND TIME:

19TH FEBRUARY, 2019 AT 11.00AM

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INTRODUCTION

SECTION I : LETTER OF INVITATION

TO: **Date: 29/01/2019**

Dear Sir/Madam,

RE: CONSULTANCY SERVICES FOR DEVELOPMENT OF AN ENVIRONMENT AND SOCIAL POLICY FOR ADAPTATION FUND PROGRAMME IN KENYA

TENDER NO.NEMA/RFP/005/2018-2019

1.1 The National Environment Management Authority (NEMA) invites proposals for provision of consultancy services for **Consultancy services for development of an Environment and Social policy for Adaptation Fund Programme in Kenya**

1.2 The Request for Proposals (RFP) includes the following documents;

Section I	-	Letter of Invitation
Section II	-	Information to Consultants
		Appendix to Information to Consultants
Section III	-	Terms of References
Section IV	-	Technical Proposal
Section V	-	Financial Proposal
Section VI	-	Standard forms

1.3 Upon receipt, please inform us

(a) that you have received the letter of invitation

(b) whether or not you will submit a proposal for the assignment

Yours sincerely

CHIEF PROCUREMENT OFFICER

FOR: DIRECTOR GENERAL

SECTION II – INFORMATION TO CONSULTANTS (ITC)

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SECTION II: - INFORMATION TO CONSULTANTS (ITC)

2.1. Introduction

2.1.1 The National Environment Management Authority is established under Environmental Management and Co-ordination Act, Cap 387. The Authority has a wide mandate of exercising general supervision and coordination over all matters relating to the environment and to be the principal instrument of the Government of Kenya in the implementation of all policies relating to the environment.

2.1.2 The Adaptation Fund was established under the Kyoto Protocol of the UN Framework Convention on Climate Change, and has committed US$ 462 million in 73 countries since 2010 to climate adaptation and resilience activities. The Adaptation Fund finances climate adaptation projects and programmes for vulnerable communities in developing countries that are Parties to the Kyoto Protocol. The Adaptation Fund launched a Readiness Programme for Climate Finance in 2014.

2.1.3 This programme includes a component aimed at strengthening the capacity of accredited National Implementing Entities (NIEs) to identify, mitigate and manage environmental and social risks as well as gender-related issues as they design, implement and effectively manage concrete adaptation projects and programmes. The Fund's Environmental and Social Policy (ESP), approved in November 2013 and revised in March 2016, ensures that projects and programmes supported by the Fund promote positive environmental and social benefits, and mitigate or avoid adverse environmental and social risks and impacts.

2.1.4 NEMA as the National Implementing Entity (NIE) of the Adaptation Fund for Kenya has secured Technical Assistance (TA) grant to build their capacity in environmental and social risk as well as gender-related risk management by tapping into external expertise through short-term consultancies. This capacity will target NEMA Adaptation Fund Programme titled "The Integrated Programme to Build Resilience to Climate Change and Adaptive Capacity of Vulnerable communities in Kenya".

2.1.5 The programme is designed to enhance resilience and adaptive capacity to climate change for selected communities in 14 Counties in Kenya. It is designed to respond to effects of Climate Change and covers sectors such as water management, food security, agroforestry, coastal and mangrove ecosystems and disaster risk reduction. This programme is an amalgamation of several climate change adaptation projects designed to address five thematic areas namely: food security, water management, coastal management, disaster risk reduction and knowledge management.

2.1.6 The consultants are invited to submit a Technical Proposal and a Financial Proposal, or a Technical Proposal only, as specified in the Appendix "ITC" for consulting services required for the assignment named in the said Appendix. A Technical Proposal only may be submitted in assignments where the Client intends to apply standard conditions of engagement and scales of fees for professional services which are regulated as is the case with Building and Civil Engineering Consulting services. In such a case the highest ranked firm of the technical proposal shall be invited to negotiate a contract on the basis of scale fees. The proposal will be the basis for Contract negotiations and ultimately for a signed Contract with the selected firm.

2.1.7 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 and to attend a pre-proposal conference where applicable. Consultants should contact the officials named in the Appendix "ITC" to arrange for any visit or to obtain additional information on the pre-proposal conference. Consultants should ensure that these officials are advised of the visit in adequate time to allow them to make appropriate arrangements.

2.1.8 The procuring entity 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.

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

2.1.10 The procuring entity's employees, committee members, board members and their relative (spouse and children) are not eligible to participate.

2.1.11 The price to be changed for the tender document shall not exceed Kshs.1,000/=

2.1.12 The procuring entity 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 Client's address indicated in the Appendix "ITC". The Client 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.

2.2.1 At any time before the submission of proposals, the Client may for any reason, whether at his own initiative or in response to a clarification requested by an invited firm, 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 Client may at his discretion extend the deadline for the submission of proposals

2.3 Preparation of a 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 may result in rejection of a proposal.

2.3.3 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) 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.

iii) It is desirable that the majority of the key professional staff proposed be permanent employees of the firm or have an extended and stable working relationship with it.

iv) Proposed professional staff must as a minimum, have the experience indicated in Appendix, preferably working under conditions similar to those prevailing in Kenya.

v) 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 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 during the last ten (10) 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) A detailed description of the proposed methodology, staffing and monitoring of training, if Appendix "A" specifies training as a major component of the assignment.

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

i) Remuneration for staff (in the field and at headquarters), and

ii) 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, and training, if it is a major component of the assignment. If 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 60 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 Client will make his best effort to complete negotiations within this period. If the Client wishes to extend the validity period of the proposals, the consultants shall agree to the extension.

2.5 Submission, Receipt, and Opening of Proposals

2.5.1 The original proposal (Technical Proposal and, if required, Financial Proposal; see para. 1.2) shall be prepared in indelible ink. It shall contain no interlineation 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 marked **"ORIGINAL"** or **"COPY"** as appropriate. If there are any discrepancies between the original and the copies of the proposal, the original shall govern.

2.5.3 The original and all copies of the Technical Proposal shall be placed in a sealed envelope clearly marked "**TECHNICAL PROPOSAL**," and the original and all copies of the Financial Proposal in a sealed envelope 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 in the Appendix “ITC” and be clearly marked, **“DO NOT OPEN, EXCEPT IN PRESENCE OF THE OPENING COMMITTEE.”**

2.5.4 The completed Technical and Financial Proposals must be delivered at the submission address on or before the time and date stated in the Appendix “ITC”. Any proposal received after the closing time for submission of proposals shall be returned to the respective consultant unopened.

2.5.5 After the deadline for submission of proposals, the Technical Proposal shall be opened immediately by the opening committee. The Financial Proposal shall remain sealed and deposited with a responsible officer of the Client department up to the time for public opening of financial proposals.

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 Client 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 Client 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 Client 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 firm Related to the Assignment (30 points)

NEMA wishes to engage a qualified and experienced firm or individual to execute the assignment on consultancy contract basis. The selected consultant or consultancy firm shall have a proven track record and existence in planning and design of Environment and/or Social policy. The firm shall have good knowledge and understanding in working with public institutions in implementation of Environment and/or Social policy in Kenya or within the region. Reference/award letters/contracts/LPOs from the said organizations shall be attached as proof of having carried out the assignment.

ii) Adequacy of the proposed work plan and methodology in responding to the Terms of Reference (40 Points)

The firm shall give details on the approach and methodology to ensure development of the Environment and/or Social policy. A clear work plan should be provided. Bidders must demonstrate a clear understanding of NEMA's operations, the TORs of the assignment and clearly indicate how the objectives will be achieved.

iii) Qualifications and competence of the key staff for the assignment (30 points)

- The Consultant will present a lead consultant and one other who will be involved in the assignment. The lead consultant must provide a description of relevant assignments of a similar nature conducted within the last five years which should include number of institutions communication strategy developed for.

- The consultant must be a holder of Master's degree in development studies, Social development, environment management or related discipline, and at least 5 years proven experience undertaking environmental assessment, gender mainstreaming or related assessments. The other consultant will have a minimum 3 years' experience in development studies, Social development, environment management or related discipline, and at least 3 years proven experience undertaking environmental assessment, gender mainstreaming or related assessments
- Signed CVs and copies of academic and professional certificates of all the staff to be assigned should be attached.

A detailed evaluation criteria arising from the above is on Page 16-17

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

2.7.3 Each responsive proposal will be given a technical score (St). 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".

2.8 Public Opening and Evaluation of Financial Proposal

2.8.1 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, cable, telex, facsimile or electronic mail.

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 Client 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 and correct any computational errors. The cost of any unpriced 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 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.

2.8.5 The formulae for determining the Financial Score (Sf) shall, unless an alternative formulae is indicated in the Appendix "ITC", 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 (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 = I) 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.

2.8.6 The tender evaluation committee shall evaluate the tender within 30 days of from the date of opening the tender.

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

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

2.8.9 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 Client and 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, 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.

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

2.9.6 The Client 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 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.

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 Procuring entity 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 Procuring entity 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 Procuring entity 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 Procuring entity 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

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

Clause Reference	
2.1	The name of the Client is: **NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY**
2.1.1	The method of selection is: **QUALITY AND COST BASED SELECTION**
2.1.2	Technical and Financial Proposals are requested: **YES** The name, objectives, and description of the assignment are: **DEVELOPMENT OF AN ENVIRONMENT AND SOCIAL POLICY FOR ADAPTATION FUND PROGRAMME IN KENYA**
2.1.3	A pre-proposal conference will be held: **NO**
	The name(s), address (es) and telephone numbers of the Client's official(s) are:- **THE DIRECTOR GENERAL,** NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY **P.O. Box 67839-00200** **Tel: 0206005522/23/26/27** **Popo Rd. Off Mombasa Road, NAIROBI** **Email: dgnema@nema.go.ke**

2.1.4	The Client will provide the following inputs: ➢ **Pre-development meeting with the consultant for structuring of the reporting framework**
2.1.5	The estimated number of professional staff months required for the assignment is: **30 working days spread within three months**
2.1.6	Training is a specific component of this assignment: **NO**
2.1.7	Taxes: The Financial Proposal should include VAT, Consultancy tax, and any other taxes, fees, levies and charges imposed under the law on consultants , the sub consultants and their personnel
2.5.2	Consultants must submit an original and a copy of both Technical and Financial proposal.
2.5.3	The proposal submission address is **THE DIRECTOR GENERAL,** NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY **P.O. Box 67839-00200** **Popo Rd. Off Mombasa Road,** **NAIROBI** Information on the outer envelope should also include **CONSULTANCY SERVICES FOR DEVELOPMENT OF AN ENVIRONMENT AND SOCIAL POLICY FOR THE ADAPTATION FUND IN KENYA.** **TENDER NO.NEMA/RFP/006/2018-2019**
2.5.4	Proposals must be submitted not later than the following date and time **19TH February, 2019 at 11.00 A.M.**
2.6.3	The minimum technical score required to pass: **75 POINTS**
2.7.1	Alternative formulae for determining the financial scores is the following: The weights given to the Technical and Financial Proposals are: T= 0.8 P= 0.2
2.9.2	The assignment is expected to commence on: **15TH MARCH, 2019**

EVALUATION CRITERIA

MANDATORY REQUIREMENTS

No	Requirements	YES/NO
1	Copy of Certificate of Registration / Incorporation/Certificate of Practice/ Membership to a relevant professional body	
2	Duly Filled Confidential Business Questionnaire	
3	Supply of Goods on Credit	
4	Valid Tax Compliance Certificate -	

At this stage the tenderer's submission will either be responsive or non-responsive. The non-responsive submissions will be eliminated from the entire evaluation process and will not be considered further.

Technical Evaluation – Pass Mark is 75%

	Criteria	**Max. Score**	**Weight**
1	**SPECIFIC EXPERIENCE OF THE FIRM RELATED TO THE ASSIGNMENT**		
a	Brief description of the following:- • Description of the consultant / organization profile indicating their suitability to carry out this specific assignment • Description of technical capabilities and resources to carry out this specific assignment • Experience to carry out this specific assignment	5 5 5	
	Sub-Total	**15**	
b	Number of consultancies relating to development of a policy or strategy or any other related consultancies undertaken in the last ten years. List the names of the organizations where the relevant assignment(s) were carried out and provide dates and attach documentary evidence i.e. copies of contracts, recommendation letters and contact persons 5 projects and above 4projects 3projects 2-1 projects	 15 10 5 3	
	Sub Total	**15**	

	Total Experience		**30**
2	**ADEQUACY OF THE PROPOSED WORK PLAN AND METHODOLOGY IN RESPONDING TO THE TERMS OF REFERENCE**		
	Understanding of and conformity to the terms of reference Consultant's additional suggestions and proposals on the TORs Appropriateness of the methodology and work plans, and the completeness of the description of the same in relation to the TOR's. Detailed workplan	5 5 20 10	
	Total Approach And Methodology		**40**
3	**QUALIFICATIONS AND COMPETENCE OF THE KEY STAFF FOR THE ASSIGNMENT**		
a	**(i) Lead Consultant** • Postgraduate degree in development studies, Social development, environment management or related discipline • Experience : above 5 years 3-4 years 1-2 years • Similar assignments / projects: Above 3 projects 3 projects 2-1 projects **(ii) Consultant 1** • Bachelor's Degree • Experience : above 3 years 2 years 1 year • Similar assignments / projects: Above 3 projects 3 projects 2-1projects	8 6 4 2 6 4 3 3 3 2 1 4 2 1	
	Total Qualifications		**30**
	GRAND TOTAL		**100**

SECTION III: - TECHNICAL PROPOSAL

Notes on the preparation of the Technical Proposals

3.1 In preparing the technical proposals the consultant is expected to examine all terms and information included in the RFP. Failure to provide all requested information shall be at the consultants own risk and may result in rejection of the consultant's proposal.

3.2 The technical proposal shall provide all required information and any necessary additional information and shall be prepared using the standard forms provided in this Section.

3.3 The Technical proposal shall not include any financial information unless it is allowed in the Appendix to information to the consultants or the Special Conditions of contract.

SECTION III - TECHNICAL PROPOSAL

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1. TECHNICAL 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. We are hereby submitting our Proposal, which includes this Technical Proposal, [and a Financial Proposal sealed under a separate envelope-where applicable].

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:]

2. FIRM'S REFERENCES

Relevant Services Carried Out in the Last Ten 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): Approx. Value of Services (Kshs)
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)

3. 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.

14. DESCRIPTION OF THE METHODOLOGY AND WORK PLAN FOR PERFORMING THE ASSIGNMENT

5. TEAM COMPOSITION AND TASK ASSIGNMENTS

1. Technical/Managerial Staff

Name	Position	Task

2. Support Staff

Name	Position	Task

6. 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: ________________________________

7. TIME SCHEDULE FOR PROFESSIONAL PERSONNEL

Months (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 months

Reports Due: _________

Activities Duration: _________

Signature: ________________________

(Authorized representative)

Full Name: ________________________

Title: ______________________________

Address: ___________________________

8. ACTIVITY (WORK) SCHEDULE

(a). Field Investigation and Study Items

[1^{st},2^{nd},etc, are months from the start of assignment)

	1^{st}	**2^{nd}**	**3^{rd}**	**4^{th}**	**5^{th}**	**6^{th}**	**7^{th}**	**8^{th}**	**9^{th}**	**10^{th}**	**11^{th}**	**12^{th}**
Activity (Work)												
________________												
________________												
________________												
________________												

(b). Completion and Submission of Reports

Reports	Date
1. Inception Report	
4. Interim Progress Report (a) First Status Report (b) Second Status Report	
3. Draft Report	
4. Final Report	

SECTION IV: - FINANCIAL PROPOSAL

Notes on preparation of Financial Proposal

4.1 The Financial proposal prepared by the consultant should list the costs associated with the assignment. These costs normally cover remuneration for staff, subsistence, transportation, services and equipment, printing of documents, surveys etc. as may be applicable. The costs should be broken done to be clearly understood by the Procuring entity.

4.2 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.

4.3 The financial proposal should be prepared using the Standard forms provided in this part

SECTION IV - FINANCIAL PROPOSAL STANDARD FORMS

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1. 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 remain,

Yours sincerely,

____________________________[Authorized Signature]

____________________ [Name and Title of Signatory]:

______________________ [Name of Firm]

_____________________ [Address]

2. SUMMARY OF COSTS

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

3. BREAKDOWN OF PRICE PER ACTIVITY

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

4. BREAKDOWN OF REMUNERATION PER ACTIVITY

Position Input (Staff months, Remuneration Amount days or hours Rate as appropriate.)

5. REIMBURSABLES PER ACTIVITY

No.	Description	Unit	Quantity	Unit Price	Total Amount
1.	Air travel	Trip			
2	Road travel	Kms			
3.	Rail travel	Kms			
4.	Subsistence Allowance	Day			
	Grand Total				

Activity No: _________________________________

Name:______________________

No.	Description	Unit	Quantity	Unit Price	Total Amount
1.	**Air travel**	**Trip**			
2	**Road travel**	**Kms**			
3.	**Rail travel**	**Kms**			
4.	**Subsistence Allowance**	**Day**			
	Grand Total				

SECTION V: - TERMS OF REFERENCE

Introduction

The Adaptation Fund was established under the Kyoto Protocol of the UN Framework Convention on Climate Change, and has committed US$ 462 million in 73 countries since 2010 to climate adaptation and resilience activities. The Adaptation Fund finances climate adaptation projects and programmes for vulnerable communities in developing countries that are Parties to the Kyoto Protocol.

The Adaptation Fund launched a Readiness Programme for Climate Finance in 2014. This programme includes a component aimed at strengthening the capacity of accredited National Implementing Entities (NIEs) to identify, mitigate and manage environmental and social risks as well as gender-related issues as they design, implement and effectively manage concrete adaptation projects and programmes. The Fund's Environmental and Social Policy (ESP), approved in November 2013 and revised in March 2016, ensures that projects and programmes supported by the Fund promote positive environmental and social benefits, and mitigate or avoid adverse environmental and social risks and impacts.

NEMA as the National Implementing Entity (NIE) of the Adaptation Fund for Kenya has secured Technical Assistance (TA) grant to build their capacity in environmental and social risk as well as gender-related risk management by tapping into external expertise through short-term consultancies. This capacity will target NEMA Adaptation Fund Programme titled "The Integrated Programme to Build Resilience to Climate Change and Adaptive Capacity of Vulnerable communities in Kenya".

The programme is designed to enhance resilience and adaptive capacity to climate change for selected communities in 14 Counties in Kenya. It is designed to respond to effects of Climate Change and covers sectors such as water management, food security, agroforestry, coastal and mangrove ecosystems and disaster risk reduction. This programme is an amalgamation of several climate change adaptation projects designed to address five thematic areas namely: food security, water management, coastal management, disaster risk reduction and knowledge management.

This is therefore a TOR developed to engage a consultant/firm to develop an effective an executable framework and procedures for managing Environmental and Social risks and a gender action plan for the Adaptation Fund Programme in Kenya. The goal of this work is to achieve a streamlined process that aligns environmental, social and gender issues in the implementation of adaptation projects/programmes. The rationale behind this is managing Environmental and social risks is integral to the success of the projects and the desired outcomes as described in the 15 environmental and social principles (principles) of the ESP.

The Fund's gender policy builds on the existing gender policies and gender action plans of other climate funds. It systematically integrates key principles elaborated in the Fund's own environmental and social Policy (ESP), especially the principles on access and equity, on consideration of marginalized and vulnerable groups and of human rights. It expands the principle of gender equity and women's empowerment, which is process oriented and often subjectively contextualized, to the legal mandate of gender equality as the goal that the Fund strives to attain through its processes.

II. SCOPE OF WORK

The main objective is to develop a framework that will strengthen the capacity of NEMA to identify, mitigate and manage project and programme risk associated with environmental and social issues**, especially in the implementation of the adaptation Fund project.**

The specific objectives are:

1. Consultant to develop Environment and Risk assessment tools procedures/manuals/guidelines for the implementation of Adaptation Fund programme
2. Consultant to develop public disclosure policy/avenues for NIE, Executing Entities for the AF programme implementation
3. Development of a gender action Plan, gender assessment tools/guidelines/procedure and gender indicators for use in monitoring AF Project in Kenya
4. Consultant to develop a grievance redress mechanism (procedures to receive, resolve complaints)
5. Consultant to review and finalize the existing draft ESMS
6. Training of NEMA staff and EE's on E&S, GRM (Grievance Redress Mechanism), Gender mainstreaming in the Adaptation Fund Programme.

III. EXPECTED DELIVERABLES

The expected deliverables of this assignment are;

1. An inception report inclusive of a detailed work plan, five days after the signing of the contract;
2. Draft reports and Final reports on;

i) E&S risk assessment tools procedures/manuals/guidelines for the implementation of Adaptation Fund programme
ii) Public disclosure policy/avenues for NIE, EEs for the AF programme implementation
iii) Gender action Plan, gender assessment tools/guidelines/procedure and gender indicators for use in monitoring AF Project in Kenya
iv) Grievance redress mechanism (procedures to receive, resolve complaints)
v) Reviewed and finalized (ESMS)
vi) Training packages/modules for items 1-6 above

3. Three copies of the final report in digital form and hard copy.

Further the consultant is required to;

1. Liaise with the relevant experts at NEMA involved in the project execution.
2. Participate in a series of consultation discussions with EEs and obtain technical inputs
3. Participate in community level consultations to fully comprehend E&S risks of the Adaptation Fund programme.

IV. SPECIFICATIONS/QUALIFICATIONS OF THE CONSULTANCY

1. Type: The type of consultancy is a firm of consultants.
2. Duration: The entire consultancy will be for a maximum of 30 days Months over an elapsed period of 3 months.
3. Qualifications: The firm must demonstrate existing competencies and capacities to undertake this work, and should include personnel with postgraduate degree in development studies, Social development, environment management or related discipline, and at least 5 years proven experience undertaking environmental assessment, gender mainstreaming or related assessments
4. The candidate/firm should also have:
    a. Good knowledge of the English language (both spoken and written) and excellent communication Skills.
    b. Strong understanding of Environmental Governance, E&S risks, Gender and climate change issues in Kenya

c. Knowledge and / or familiarity with the social dynamics in Kenya and /or of rural communities such as those where the works may be located;
d. Ability to work well with Government officials and Community personnel.

V.REPORTING/ COORDINATION

The consultants shall forward all the reports to the Director General, NEMA and liaise closely with the NEMA NIE section office.

SECTION VI: STANDARD FORMS OF CONTRACT

a) ANNEX I – CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM
b) ANNEX II – LETTER OF NOTIFICATION OF AWARD
c) ANNEX III – LARGE AND SMALL ASSIGNMENTS (TIME -BASED PAYMENTS) NOTES

1. LARGE ASSIGNMENT _____Exceeding Ksh 5,000,000
2. SMALL ASSIGNMENT _____Not exceeding Ksh. 5,000,000
3. TIME BASED PAYMENT ___Time based fixed fee Exact duration of contract not fixed

ANNEX I

CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

You are requested to give the particulars indicated in Part 1; either Part 2(a), 2(b) or 2 (c) whichever applied to your type of business; and Part 3. You are advised that it is a serious offence to give false information on this form.

Part 1 – General

1. Business Name …………………………………
2. Location of Business Premises. ……………………………………………………
3. Plot No………… Street/Road ………….. Postal Address ………………………..

Tel No. ………………. Fax ………… E mail ……………………………………………

Nature of Business ………………………………………………………………………..

… ………………………………………………………………………………………….

4. Registration Certificate No. ……………………………………………………

5. Maximum Value of Business which you can handle at any one time – USD………

6. Name of your Bankers ……………………………………………………….. Branch ……………………………………………

Part 2 (a) – Sole Proprietor

1. Your Name in full ………………………………………………………………….

2. Age ……………………………………………….

3. Nationality ……………………………………………………

4. Country of Origin ………………………………………………………

5. Citizenship Details ……………………………………………………………

Part 2 (b) Partnership

1. Given details of Partners as follows:

Name	Nationality	Citizenship Detail	Shares
1…………………………	……………	………………………………	…………
2…………………………	……………	………………………………	…………
3…………………………	……………	………………………………	…………
4…………………………	……………	………………………………	…………

Part 2 (c) – Registered Company

1. Private or Public …………………………………………………………………

2. State the Nominal and Issued Capital of Company-

   Nominal USD …………………………………………………

   Issued USD……………………………………………………

3. Given details of all Directors as follows

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

Part 3 – Eligibility Status

3.1 Are you related to an Employee, Committee Member or Board Member of Kenya Revenue Authority? Yes ______ No_______

3.2 If answer in '3.1' is YES give the relationship. ....

....

....

3.3 Does an Employee, Committee Member, Board Member of Kenya Revenue Authority sit in the Board of Directors or Management of your Organization, Subsidiaries or Joint Ventures? Yes______ No______

3.4 If answer in '3.3' above is YES give details. ....

....

....

....

3.5 Has your Organization, Subsidiary Joint Venture or Sub-contractor been involved in the past directly or indirectly with a firm or any of its affiliates that have been engaged by Kenya Revenue Authority to provide consulting services for preparation of design, specifications and other documents to be used for procurement of the goods under this invitation? Yes_______ No_______

3.6 If answer in '3.5' above is YES give details. ....

....

....

…………………………………………………………………………………………………

…………… ……………………………………………………………………

3.7 Are you under a declaration of ineligibility for corrupt and fraudulent practices?

YES_____ No______

3.8 If answer in '3.7' above is YES give details: …………………………………………………………………………………………………

…………………………………………………………………………………………………

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……………… ……………………………………………………………………………………

3.9 Have you offered or given anything of value to influence the procurement process? Yes _____No_____ 3.10 If answer in '3.9' above is YES give details ……………………………………………………………………………………………

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……………………………………………………………….

I DECLARE that the information given on this form is correct to the best of my knowledge and belief.

Date ………………………………………………….

Signature of Candidate ………………………………………………………….

If a Kenya Citizen, indicate under "Citizenship Details" whether by Birth, Naturalization or registration.