



INSURANCE REGULATORY AUTHORITY

REQUEST FOR PROPOSALS (RFP)

TENDER NO: IRA/148/2019-2020

**PROVISION OF CONSULTANCY SERVICES FOR IMPACT ASSESSMENT OF
CORPORATE GOVERNANCE GUIDELINES**

**INSURANCE REGULATORY AUTHORITY (IRA)
P.O. BOX 43505-00100
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FEBRUARY, 2020

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SECTION I: LETTER OF INVITATION

TO: *(Name and Address of Consultants)*

17th February, 2020

Dear Sir/Madam,

TENDER NO. : IRA/148/2019-2020

**TENDER NAME : PROVISION OF CONSULTANCY SERVICES FOR
IMPACT ASSESSMENT OF CORPORATE GOVERNANCE
GUIDELINES**

1.1 The Insurance Regulatory Authority (IRA) invites proposals from qualified researchers to carry out Consultancy Services for Impact Assessment of Corporate Governance Guidelines. The scope of services is detailed in the terms of reference.

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

- Section I - Letter of invitation
- Section II - Information to consultants
Appendix to Consultants information
- Section III - Terms of Reference
- Section IV - Technical proposals
- Section V - Financial proposal
- Section VI - Standard Contract Form

1.3 Interested candidates may obtain further information from and inspect the Tender documents at the Insurance Regulatory Authority offices (Procurement Office) at Zep-Re Place, Longonot, Upper Hill, (Tenth Floor) Nairobi during normal working hours and/or downloaded from the Authority's website at <https://www.ira.go.ke> or the Public Procurement Information Portal www.tenders.go.ke free of charge.

Interested and eligible bidders are required to download the tender document from the websites free of charge and immediately email their names and contact details to: procurement@ira.go.ke for purposes of any clarification communication or addenda.

- 1.4 Prices quoted should be inclusive of all taxes and delivery costs and shall remain valid for a period of **90** days from the closing date of the tender.
- 1.5 Completed tender documents are to be enclosed in plain sealed envelopes, marked with the tender number and tender name and be deposited in the Tender Box at Insurance Regulatory Authority Offices on 10th Floor, Zep Re Place, Longonot Road, Upperhill, Nairobi or be addressed to:
- Chief Executive Officer,
Insurance Regulatory Authority,
10th Floor Zep Re Place, Longonot Road, Upperhill,
P .O. Box 43505 – 00100 Nairobi, Kenya
Telephone: +254-20-499600
Email: procurement@ira.go.ke; Website: <http://www.ira.go.ke>
- so as to be received on or before **4th March, 2020** at **11:00 a.m.**
- 1.6 Tenders will be opened immediately thereafter in the presence of the bidders representatives who choose to attend the opening on the **4th March, 2020** at **11:00 a.m. Late submission of proposals shall be rejected.**
- 1.7 IRA is a Corruption free organization. Any corruption attempt, pressure, or influence should be reported to the C.E.O. on the address provided in clause 1.4 above or e-mail: ethics@ira.go.ke
- 1.8 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,

FELIX K. CHELIMO
MANAGER, PROCUREMENT
FOR: INSURANCE REGULATORY AUTHORITY

SECTION II: INFORMATION TO CONSULTANTS (ITC)

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SECTION II: INFORMATION TO CONSULTANTS (ITC)

2.1 Introduction

- 2.1.1 The Client named the Appendix to “ITC” will select a firm among those invited to submit a proposal, in accordance with the method of selection detailed in the appendix. The method of selection shall be as indicated by the procuring entity in the Appendix.
- 2.1.2 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.
- 2.1.3 The consultants must familiarize themselves with local conditions and take them into account in preparing their proposals. To obtain first hand information on the assignment and on the local conditions, consultants are encouraged to liaise with the Client regarding any information that they may require before submitting a proposal 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.
- 2.1.4 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.
- 2.1.5 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.
- 2.1.6 The procuring entity’s employees, committee members, board members and their relative (spouse and children) are not eligible to participate.
- 2.1.7 The price to be charged for the tender document shall not exceed Kshs.1,000/=.

2.1.8 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 three [3] 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.

2.2.2 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 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; (a) remuneration for staff (in the field and at headquarters), and; (b) reimbursable expenses such as subsistence (per diem, housing), transportation (international and local, for mobilization and demobilization), services and equipment (vehicles, office equipment, furniture, and supplies), office rent, insurance, printing of documents, surveys, 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 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. 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 A Peer Review Committee appointed by the Client shall evaluate the winning proposal that shall have passed the technical and financial evaluation.
- 2.7.2 A tender 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:

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

Programme (Training)

(0-10)

Total Points

100

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

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 two (2) 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:- $Sf = 100 \times \frac{FM}{F}$ where Sf is the financial score; Fm is the lowest priced financial

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

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

2.8.7 For this consultancy assignment, price variations shall not be allowed.

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 should there be any will be held at the clients offices. 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, quoted prices 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 procuring entity shall appoint a team for the purpose of the negotiations.

2.10 Award of Contract

2.10.1 The Contract will be awarded following negotiations. After negotiations are completed, the 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: **Insurance Regulatory Authority (IRA)**

2.1.1 The method of selection is: **Quality Cost Based Selection**

2.1.2 Technical and Financial Proposals are requested: **Yes in separate envelopes clearly marked and sealed.**

The name of the assignment: **Provision of Consultancy Services for Impact Assessment of Corporate Governance Guidelines**

The objectives of the assignment: **To provide Consultancy Services for Impact Assessment of Corporate Governance Guidelines**

The description of the assignment: As per Terms of reference Section V

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:

Mr. Robert Kuloba Chief Manager, Policy Research & Development	Mr. Felix Chelimo Manager, Procurement
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**INSURANCE REGULATORY AUTHORITY,
10th Floor, Zep-Re Place, Longonot Road, Upperhill,
P.O. Box 43505-00100,
NAIROBI.
Telephone: +254-20-49960200
E-mail: procurement@ira.go.ke**

2.1.4 The Client will provide the following inputs:

The client shall provide relevant documentation, provide letters of introduction of the consultant to the regulated entities, and be responsible for conference facilities for dissemination of findings. However, the client shall not provide administrative support services like transport, computers, printers, materials etc.

2.3.3

- (i) The estimated number of professional staff months required for the assignment is: **2 months.**
- (ii) The estimated number of professional staff months required for the assignment is: **The project should not take more than two months.**
- (iii) The minimum required experience and qualifications of proposed professional staff is:
 - a) **Team Leader:** Postgraduate degree in Economics or Commerce or Statistics or Demography plus over ten years of practical experience in managing/leading the design and development of Research/Surveys/Polls. Other consultants will be expected to have at least 5 years of experience in undertaking research surveys
 - b) **Principal Data Analyst:** Post graduate degree in Statistics and at least five years' experience in using Statistical or Demographic information to manage field surveys and reporting;
 - c) **Other consultants:** At least a bachelor's degree plus at least 5 years of experience in undertaking research surveys

2.3.4

- (i) Training is a specific component of this assignment:
No.
- (ii) Additional information in the Technical Proposal includes:
N/A

2.4.2 Taxes: **All taxes are applicable.**

2.4.6 The Proposal must remain valid for 90 days after the submission date.

2.5.2 Consultants must submit **One (1) original and one (1) copy along with soft copy in PDF and Word Format in a CD ROM and placed in appropriate envelopes (Technical and Financial).**

2.5.3 The proposal submission address is:

**Insurance Regulatory Authority,
10th Floor, Zep Re Place, Longonot Road, Upperhill,
P.O. Box 43505-00100,
NAIROBI.
Telephone: +254-20-4996000
E-mail: procurement@ira.go.ke**

Information on the outer envelope should also include: **Tender No. IRA/148/2019-2020 Provision of Consultancy Services for Impact Assessment of Corporate Governance Guidelines.**

2.5.4 Proposals must be submitted no later than the following date and time: **4th March, 2020. The envelopes that will not fit in the Tender Box shall be delivered to the office of the Manager, Procurement on 10th floor, Zep Re Place.**

2.6.1 The address to send information to the Client is:-

**Insurance Regulatory Authority,
10th Floor, Zep Re Place, Longonot Road, Upperhill,
P.O. Box 43505-00100,
NAIROBI.**

**Telephone: +254-20-499600
E-mail: procurement@ira.go.ke**

Preliminary Evaluation

The following are Mandatory Requirements which bidders must comply with:-

- (a) Certificate of Registration/Incorporation
- (b) Valid Tax Compliance Certificate from Kenya Revenue Authority (KRA).The certificate should be valid as at the day of tender submission.
- (c) Dully filled Confidential Business Questionnaire Form (**MUST be filled and signed by authorized signatory**)
- (d) Provide copies of audited accounts for the last three (3) years 2015, 2016 and 2017 where applicable.
- (e) Attach certified copies of Identification Documents (ID's or valid passports) of the owners/Directors of the firms and certified copy of the latest CR12 issued by the Registrar of companies. In case of Partnerships, provide name of partners.
- (f) Attach copy of Valid Single Business Permit from County Government.
- (g) Self-Declaration that the tenderer will not engage in any corrupt or fraudulent practice signed by the Chief Executive Officer/Managing Director and filled in the format required.
- (h) Properly bound document/ well-presented document. All pages of the Tender document should be serialized or serially numbered in the format required.
- (i) Original and copy of the tender document shall be placed in separate sealed envelopes clearly marked Original and Copy and addressed as stated in the invitation to tender.

2.7.1 The number of points to be given under each of the evaluation criteria are:-

Criteria	Score (0-20)
1. Approach	10
The analytical framework and methodology that is capable of answering the project's key questions and deliverables	
2. Subject Matter Expertise	15
Demonstrated understanding of the requested activities and deliverables and the steps required to accomplish them	
Concise description of how the work will be carried out including planning and preparations for data collection, quality assurance and report writing	
Solid understanding of different qualitative data management techniques	
3. Project Management	20
Demonstrated understanding of their proposed scope of work, including	
Consultant's interpretation and understanding of the overall objectives of the consultancy	
Realistic timeline and achievable action plan that will deliver the project on time and on budget - for all the proposed activities and deliverables	
Effective staffing and/or team structure consistent with scope of work	
Thoughtful risk identification and mitigation strategies	
Demonstrated success in completing project deliverables on time and within budget	
4. Capabilities and Experience	15
Demonstrated firm experience with similar projects	
Team members with demonstrated skills and experience with similar projects and activities	
Well written, comprehensive proposal to cover <ul style="list-style-type: none"> • Well written proposal? • is it formatted well, • void of typographical and spelling errors, and • used appropriate templates such as the past experience and budget templates. 	
5. Pitching	20
Oral presentation to be assessed based on ability to demonstrate 1 – 4 above	
Total Technical Score	80

To qualify for pitching, one should meet mandatory requirements and must attain a score of 70% for criterion 1 – 4

To qualify for financial evaluation, one must have a weighted score of 80% for criterion 1 - 5

The number of points to be assigned to each of the above positions or disciplines shall be determined considering the following two sub criteria.

1. General qualifications*	60
2. Adequacy for the project	40
Total Points	100

**General qualifications includes education, professional qualification etc*

**Adequacy for the project has to do with relevant work experience as specified in the requirement*

The minimum technical score required to pass: **80%**.

The weights given to the Technical and Financial Proposals are:

T= 0.80

P= 0.20

a) Financial Evaluation

Each of the financial submissions will be divided by the lowest financial quote to determine the financial score of each bidder.

Weightage: This section will carry a total of 20 % of the overall evaluation score.

The formula for determining the financial scores is the following:

S_f = 100 x F_m/F, in which **S_f** is the financial score, **F_m** is the lowest price and **F** is the price of the proposal under consideration.

The single currency for price conversions is: Kenya Shillings

The source of official selling rates is: Central Bank of Kenya. The date of exchange rates is: the last date on which the proposal will be submitted.

2.8.4 N/A. This tender is eligible for all eligible firms.

b) Combined Technical and Financial Scores

The following formula shall be used: T.S (80%) + F.S (20 %) = T.T.L (100 %)

T.S = Technical Score (as evaluated above)
F.S = Financial Score (as evaluated above)
T.T.L = Total Score

2.10.2 The assignment is expected to commence in **March, 2020**.

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 *(in Company letterhead)*

[_____ *Date*]

**The Chief Executive Office
Insurance Regulatory Authority
10thFloor, Zep Re Place, Longonot Road, Upperhill,
P.O. Box 43505-00100
Nairobi, Kenya.**

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 Five Years that Best Illustrate Qualifications

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

Assignment Name:		Country:
Location within Country:		Professional Staff provided by your Firm/Entity(profiles):
Name of Client:		Clients contact person for the assignment:
Client Address (<i>Postal & Telephone</i>):		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, Principal Analyst) involved and functions performed:		
Narrative Description of project:		
Description of actual services provided by your staff:		

(Authorized representative)

Signature: _____

Full Name: _____

Title: _____ Date_____

Note: Actual signed letters (scanned and appended or otherwise) of recommendations from the various clients for similar projects completed successfully should also be provided. Letters of offer for the various projects shall not suffice.

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.

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

5. TEAM COMPOSITION AND TASK ASSIGNMENTS

1. Core Technical/Research 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/ Company 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: _____

7. TIME SCHEDULE FOR PROFESSIONAL PERSONNEL

Months (in the Form of a Bar Chart)

Name	Position	Reports Due/ Activities	Months (in the Form of a Bar Chart)												Number of months		
			1	2	3	4	5	6	7	8	9	10	11	12			

Reports Due: _____

Activities Duration: _____

Signature: _____
(Authorized representative)

Full Name: _____

Title: _____

Address: _____

8. ACTIVITY (WORK) SCHEDULE

(a). Field Investigation and Study Items

[1st, 2nd, 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 Reports	
3. Draft Report	
4. Final Report	

9. CONFIDENTIAL BUSINESS QUESTIONNAIRE FORM

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

NB. Attach Company Registration Certificate or Certificate of Incorporation, Valid Tax Compliance certificate from Kenya Revenue Authority (KRA), Valid Single Business Permit from City Council/ Municipal Council, PIN Certificate with this form.

Part 1 - General:

Business Name
(Attach Copy of Registration Certificate/Certificate Incorporation)

Location of Business Premises

Plot No. Street/Road

Postal Address.....Tel. No. (Landline).....

Mobile Phone(s):.....

Website:..... E-mail:.....

Nature of Business

Single Business Permit from a Local Authority

No. Expiring Date
(Attach Copy of Valid Trade license)

V.A.T No.....
(Attach Copy of V.A.T Certificate)

Tax Compliance Certificate No..... Expiring Date.....
(Attach Copy of Valid Tax Compliance from Kenya Revenue Authority)

Maximum value of business which you can handle at any one time:
K£.....

Name of your bankers Branch

Part 2 (a) Sole Proprietor:

Your name in full Age
Nationality Country of origin

Citizenship details

Part 2 (b) Partnership

Give details of partners as follows:

	Name	Nationality	Citizenship Details	Shares
1.				
2.				

Part 2 (c) Registered Company:

Private or Public

State the nominal and issued capital of the company:-

Nominal K£

Issued K£

Give details of all Directors as follows:-

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

I certify that the above information is correct.

Authorized Signature..... **Date:**

Affix Rubber Stamp

10. SELF DECLARATION FORMS (r 62)

**REPUBLIC OF KENYA
PUBLIC PROCUREMENT REGULATORY AUTHORITY (PPRA)
SELF DECLARATION THAT THE PERSON/TENDERER WILL NOT ENGAGE IN
ANY CORRUPT OR FRAUDULENT PRACTICE**

I,of P. O. Box being a resident
of

..... in the Republic of do hereby
make a statement as follows:-

A. **THAT** I am the Chief Executive/Managing Director/Principal
Officer/Director of (*insert name of the
Company*) who is a Bidder in respect of **Tender No.** for
.....(*insert tender title/description*) for(*insert name
of the Procuring entity*) and duly authorized and competent to make this statement.

B. **THAT** the aforesaid Bidder, its servants and/or agents /subcontractors will not
engage in any corrupt or fraudulent practice and has not been requested to pay any
inducement to any member of the Board, Management, Staff and/or employees
and/or agents of(*insert name of the Procuring entity*) which is the
procuring entity.

C. **THAT** the aforesaid Bidder, its servants and/or agents /subcontractors have not
offered any inducement to any member of the Board, Management, Staff and/or
employees and/or agents of(*name of the procuring entity*)

D. **THAT** the aforesaid Bidder will not engage /has not engaged in any corrosive
practice with other bidders participating in the subject tender

E. **THAT** what is deponed to hereinabove is true to the best of my knowledge
information and belief.

.....
(Title) (Signature) (Date)

Bidder's Official Stamp

I certify that the above information is correct.

Authorized Signature..... Date:

Affix Rubber Stamp

SECTION IV: FINANCIAL PROPOSAL

Notes on preparation of Financial Proposal

1. The Financial proposal prepared by the consultant should list the costs associated with the assignment. These costs normally cover remuneration for staff, subsistence, transportation, services and equipment, printing of documents, surveys etc as may be applicable. The costs should be broken down to be clearly understood by the procuring entity.
2. The financial proposal shall be in Kenya Shillings or any other currency allowed in the request for proposal and shall take into account the tax liability and cost of insurances specified in the request for proposal.
3. The financial proposal should be prepared using the Standard forms provided in this part

FINANCIAL PROPOSAL STANDARD FORMS

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1. FINANCIAL PROPOSAL SUBMISSION FORM (in Company letterhead)

_____ [Date]

**The Chief Executive Officer
Insurance Regulatory Authority
10thFloor, Zep Re Place, Longonot Road, Upperhill,
P.O. Box 43505-00100
Nairobi, Kenya.**

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

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

5. REIMBURSABLES PER ACTIVITY

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				

6. MISCELLANEOUS EXPENSES

Activity No. _____ Activity Name: _____

No.	Description	Unit	Quantity	Unit Price	Total Amount
1.	Communication costs (telephone, telegram, telex)				
2.	Drafting, reproduction of reports				
3.	Equipment: computers etc.				
4	Software				
Grand Total					

SECTION V: TERMS OF REFERENCE

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SECTION V: TERMS OF REFERENCE

PROVISION OF CONSULTANCY SERVICES FOR IMPACT ASSESSMENT OF CORPORATE GOVERNANCE GUIDELINES

1. BACKGROUND

The insurance sector plays an important role in protecting commercial entities and households against losses incurred on specified risks. Ensuring sound management of the insurance companies is paramount. The Authority issued corporate governance guidelines for insurance and reinsurance companies in 2011 to promote prudent management of the insurance industry. Good governance of the insurers is critical to the stability and development of the insurance industry, and promoting public interest in the industry translating into the robust economic growth. Corporate governance encompasses the accountability process of Board of directors and senior management of insurance companies and compliance with legal and regulatory requirements.

The corporate governance guidelines are based on section 27A of the Insurance Act, CAP 487.

2. STATEMENT OF THE PROBLEM

It is best practice to undertake a regulatory impact assessment when a proposal for policy change is being considered. This helps in analyzing the likely impact of a policy change and identifies the range of options available for implementing the policy under consideration.

The Authority issued corporate governance guidelines for the insurance industry in 2012 to promote stability of the industry. However, a Regulatory Impact Assessment was not done before issuance of the guidelines. Consequently, questions such as impact of the guideline to the insurance industry, effect of proposed changes, administrative and compliance costs, stakeholder expectations etc. were not assessed. This notwithstanding, the guidelines were a critical ex ante measures for providing guidance on corporate governance in the insurance industry in Kenya by setting basic minimum standards for enhancing prudence in governance and soundness of insurance companies. Other objectives were to enhance efficiency,

transparency, accountability of the Board of Directors of insurance companies and senior management and enhance information disclosure and transparency towards the market.

It was envisaged that the guidelines would also enhance compliance with the provisions of Section 27 of the insurance Act by the industry. The guidelines generally covered Governance structure of Board of Directors, roles and responsibilities of Board of Directors, fit and proper person criteria, information disclosure and transparency towards the market and relationship with the Authority.

It has been 7 years since the guidelines were issued. Best practice requires that an assessment is done to ascertain whether the objectives for which the guidelines were issued have been achieved.

3. PURPOSE, OBJECTIVES AND SCOPE OF WORK

The primary purpose of this independent assessment is formative in nature & it is expected that the findings will inform policies to enhance corporate governance and stability in the insurance industry. The assessment will also include summative elements.

- To validate the corporate governance guidelines
- To provide an assessment of outcomes realized by implementing the corporate governance guidelines
- To understand the gaps and challenges in implementing the guidelines; and
- To document and provide recommendations regarding lessons learned, good practices and innovations if any

Data collection will be conducted targeting all the insurance companies and selected stakeholders.

4. ASSESSMENT FRAMEWORK AND QUESTIONS

Criteria for assessment of the impact of the corporate governance guidelines will be: relevance, effectiveness, efficiency and sustainability and cross-cutting considerations e.g. of gender and equity.

Relevance: Extent to which the corporate governance guidelines is suited to the priorities and policies of IRA, the insurance industry and the national development agenda. The assessment questions include:

- How appropriate is the guidelines to meet the overall needs of the insurance industry from supply side, demand side as well as legal and regulatory framework?
- Is the guideline appropriate to realizing the outcomes and outputs as defined in the inception documents?
- How well aligned is the guideline with the strategic plan 2018 – 2022 in particular and with national priorities in general?

Effectiveness of the guideline:

- To what extent have the guidelines objectives achieved?
- Which aspects of the guidelines have seen greater achievements and why?
- Which aspects of the guidelines saw greater challenges and why?
- To what extent has the guideline achieved the outputs defined in the inception document?
 - To what extent has the guideline promoted corporate governance?
 - How easy was it for insurance companies to implement the guidelines?
 - What have been the multiplier effects of the guidelines?
 - To what extent is the guideline interlinked with other initiatives at IRA

Efficiency in the use of the resources used to deliver the guideline outputs, including:

- How well have funds been allocated and utilized at all levels to realize the guidelines objectives?
- Were the least costly resources used to achieve the desired results?
- How effectively have resources been used to achieve outputs and were funds used in a way which was cost-effective?
- Are there any more efficient alternatives that IRA should consider?
- How effective and efficient has coordination been across the implementation of the corporate governance guidelines in individual insurance companies?
- To what extent were objectives achieved on time?

Sustainability of the initiatives and action plans within the IRA approach and possible scalability, including:

- How well will the current approach sustain positive outcomes without financial and technical support from IRA?
- To what extent can the approach be scaled-up and what are the options if any?
- What are the gaps and bottlenecks to scale-up?
- What were the major factors which influenced the achievement or non-achievement of sustainability of the implementation guidelines
- Are there any other factors that are emerging that should the review of the guidelines consider in corporate governance guidelines?

Cross-cutting considerations:

- How well does has the guidelines incorporated and encouraged equity in its interventions, especially for those most disadvantaged?
- To what extent are age, gender, ethnicity, etc. disaggregated data collected and monitored?
- How can the current guidelines performance indicators and monitoring and evaluation framework be strengthened?

The consultant shall be required to develop a policy brief based on the findings.

5. EVALUATION APPROACH AND METHODOLOGY

Based on the objectives of the assessment, this section indicates a possible approach, methods, and processes for the assessment. It is expected that this assessment will employ a theory-based (re-constructing the theory of change), a participatory and a mixed-methods approach. It is essential for the assessment to be participatory in nature and include views of all key stakeholders. Key background documents, together with a contact list of all relevant informants will be provided to the selected applicant once a contractual agreement has been made.

Methodological rigor will be given significant consideration in the assessment of the proposals. Hence bidders are invited to interrogate the approach and methodology proffered in the ToR and improve on it, or propose an approach they deem more appropriate. In their proposal, bidders should refer to triangulation, sampling plan and methodological limitations and mitigation measures. The proposed approach and methods should be guided at a minimum, draw on the following methods:

Desk review of background documents and other relevant data, including strategy documents, monitoring reports, evaluation reports, management responses and other documents judged relevant;

Literature search and review of material informing the operating model of the assessment, and recent development plans and strategies;

Key informant interviews with relevant stakeholders at all levels

Focus group discussions with stakeholders

Cost-effectiveness analysis of the interventions and overall approach; and

Structured surveys of insurance companies and other providers affected by the corporate governance guidelines

The evaluation should include the following steps:

Step 1: Desk review of relevant background documents and literature search.

The consulting firm will review key background documents to understand the context in which the guidelines is implemented

Step 2: Preparation of Inception Report that includes assessment methodology and tools. The methodology should be prepared to cover all the intended objectives of the evaluation. The assessment methodology design will be finalized in agreement with IRA and the Inception Report should be prepared based on common methodology for conducting impact assessments.

Step 3: Data collection. The application of mixed-methods (qualitative and quantitative) is expected

Step 4: Data analysis. Collected data should be analyzed by using relevant analysis methods that should be clearly described in the report.

Step 5: Sharing preliminary findings. The consulting firm will share preliminary findings with IRA. While feedback will be taken into consideration and incorporated into the draft report, the consultants are encouraged to guard against validity threats, such as personal bias.

Step 6: Draft report. The consultant prepares a draft report, with conclusions, lessons learned and recommendations drawn from the data. The report structure should follow and shall be assessed based on a structure to be agreed on during the inception meeting.

Step 7: Presentation of assessment conclusions and recommendations. The consultant will present the final draft assessment conclusions and recommendations to IRA and other key stakeholders in a multi-stakeholder workshop, using a PowerPoint presentation and other methodologies for presenting in a participatory manner. Recommendation of the assessment should also be presented and prioritized.

Step 8: Finalization of the assessment report. The consultant will incorporate comments and feedback on the findings and recommendations from IRA and other key stakeholders to finalize the report. The final evaluation report should be submitted to the Chief Executive Officer, IRA.

Good practices not covered therein are also to be followed. Any sensitive issues or concerns should be raised with the IRA designated Project Manager as soon as they are identified.

6. SCOPE OF SERVICES

The scope of work includes the following key tasks:

Task 1:	Review background information about corporate governance guidelines will be surveyed; review the operating framework for the guidelines and any materials available to include the specific needs of insurance companies and other stakeholders
Task 2:	Develop assessment survey tools.
Task 3:	Conduct key informant interviews with insurance companies and stakeholders. Assess the accuracy of the information provided the respondents using trace-and-verify methodology.

Task 4:	Develop data collection procedures and the field logistics plan. Finalize the plan in consultation with IRA.
Task 5:	Recruit data collectors to conduct the survey. Train data collectors together with IRA. Pretest data collection tools and processes and finalize them.
Task 6:	Conduct the assessment using an appropriate data capture methodology, perform edit checks and clean the data. Create the analysis file and analyze the collected data in collaboration with IRA.
Task 7:	Draft the assessment survey report while working closely with IRA and participate in dissemination of findings.
Task 8:	Develop a draft and final report of the findings incorporating comments from peer reviews and dissemination forum
Task 9:	Develop policy brief

Technical Approach

In narrative format, please describe the approach you will use to carry out the nine Tasks under the Scope of Work and fulfil the six deliverables. Please present this information by Task. The approach should demonstrate understanding of corporate governance guidelines objectives and methodology, and clearly identify how you propose to implement this methodology. Describe steps you will take to ensure high quality data are collected and the data quality assurance steps that will be undertaken throughout the data management and analysis phases. Please also include in an illustrative timeline for all Tasks and Deliverables. A Gantt Chart could be used for that purpose.

Staffing and Management Plan

In narrative format, please present a staffing plan for the project and include an organogram for the project team and how it relates to the larger organization. Please provide position titles, outline the roles and responsibilities of each position, and note

how many individuals will hold each position. List the names of all proposed staff, their proposed positions on the project, their key qualifications for the assigned positions, and their proposed level of effort on this project. Also include CVs for all named staff (maximum length of 2 pages per CV). If recruitment of some associate consultants is planned for some of the positions, please indicate which ones and describe the recruitment process.

Please describe the management strategies that will be established and implemented to ensure the work is of highest quality and completed within the agreed upon timeframe. This description should include a proposed communications plan (internally, and with the IRA project team and project stakeholders) and quality assurance measures.

Please outline anticipated management challenges based on past experience and how these challenges would be addressed (i.e., prevented or resolved) should they arise in this project. Please describe these challenges and proposed resolutions specific to each of the Scope of Work Tasks.

Budget

This is a fixed-price contract. So Please prepare a detailed line-item budget for each of the deliverables described for each item, list the item, unit cost, and number of units.

7. STAFFING

Suggested staffing for the consultancy should include some or all of the following positions.

Team leader: Serves as the primary liaison with the IRA project manager and manages all activities under this consultancy. Provides overall technical direction and work flows. Assumes lead responsibility for developing the workplan and proposal and necessary staff recruitment and training. Coordinates and stays abreast of all

day-to-day project activities and resolves problems that arise. Responsible for ensuring the quality of deliverables and submitting them on schedule and within budget. Works with IRA to analyze and interpret the collected data and to draft the survey report. The proposed candidate will have a Masters level or higher university degree in social sciences or a related field with at least 10 years' experience leading similar survey evaluations.

Deputy Team Leader: Develops data collection plans and schedules, working with the team leader and the IRA team. Assumes lead responsibility for survey scheduling and logistics, plays a lead role in data collection training and pilot testing. Works in the field during data collection to provide overall management of data collection teams to ensure survey operations follow protocols and stay on schedule. Troubleshoots and resolves emerging issues in consultation with the team leader and IRA team. The proposed candidate will have a university degree in social sciences or a related field, experience managing similar field teams for evaluation surveys.

Data collectors: Collect data for the survey working with other members of their team and under the direction of the team leads. Participate in the data collection training and pilot testing. Proposed data collectors will have prior experience in collecting survey data and will have completed university

Data manager: Responsible for the management of data from the point of field collection to the creation of analysis files. Manages electronic data entry (if needed). Oversees the data cleaning process and ensures that the survey files are prepared and cleaned according to the SOPs and that the data editing process is thoroughly documented. Prepares the final analysis file and its documentation. The proposed candidate will have a university degree and prior experience as a data manager for a large survey.

8. EXPECTED OUTPUTS/DELIVERABLES

The Terms of Reference include the following deliverables. Details for each deliverable are included.

Deliverable	Description
1 Workplan	Description and timeline for the implementation of all activities as described in the Terms of Reference with annotation of staff responsibilities.
2 Assessment profile	Summary of the corporate governance guidelines and bidders understanding of its operating framework
3 Data collection protocol	Detailed description of the standard operating procedures that will be followed to carry out: 1) survey planning and preparations including recruitment and training of data collectors; 2) pilot testing and finalization of survey tools; 3) logistics plan and schedule; 4) sampling procedures; 5) data collection process including obtaining informed consent and administering the questionnaire; 6) quality assurance and field team management; 7) data management including electronic processing, edit checks, and documentation of file cleaning; 8) roles and responsibilities.
4 Survey preparation report	List of named data collectors with their CVs; agenda, data collection training, and a summary of expected training outcomes; description of the pilot test(s) performed and outcomes, recommendations for revisions to the process/questionnaire/tools and additional training, as needed; revisions to the data collection protocol, as needed.
5 data collection	Outcome of the field data collection with documentation of any deviations from data collection protocol

	<p>Cleaned data file with data dictionary, frequency counts, and other meta data</p> <p>Format will be in MS Excel or other standard, agreed upon format.</p> <p>Data dictionary will include variable names, variable labels, and value labels. Meta data will include data checks performed, results, and decision rules for editing.</p>
<p>6 Draft report, final report and policy brief</p>	<p>The survey report will describe survey methods and implementation, data analysis results (with tables) for the assessment indicators, and key findings</p>

Deliverables expected for this exercise are:

- An Inception Report and a summary note in preparation for data collection
- A report of the preliminary evaluation findings from primary data collection
- A draft and final report.
- A PowerPoint presentation
- A four-page Evaluation policy Brief

Other interim products are:

- Minutes of key meetings;
- Presentation materials for the meetings. These may include PowerPoint summaries of work progress and conclusions to that point;
- Video and photo materials to be collected during the assessment to enrich presentations and the report; and
- Bi-weekly reports to the Project Manager to track progress in the implementation of the assessment

Outlines and descriptions of each assessment indicators are meant to be indicatives, and include:

Inception Report: The Inception Report will be key in confirming a common understanding of what is to be assessed, including additional insights into executing the evaluation. At this stage, the consulting firm will refine and confirm evaluation questions, confirm the scope of the assessment, further improve on the methodology proposed in the ToR and their own assessment proposal to improve its rigor, as well as develop and validate assessment instruments. The report will include, among other elements:

- assessment purpose and scope, confirmation of objectives and the main themes of the evaluation;
- assessment criteria and questions;

- assessment methodology (i.e., sampling criteria), a description of data collection methods (quantitative and qualitative) and data sources (incl. a rationale for their selection), draft data collection instruments, for example questionnaires, with a data collection toolkit as an annex, an evaluation matrix that identifies descriptive and normative questions and criteria for evaluating evidence, and a discussion on the limitations of the methodology and mitigation measures;
- quality control procedures;
- training plan for enumerators (if any);
- field work plan including team composition, logistics, field monitoring, etc.;
- plans for data analysis (quantitative and qualitative), including a discussion on how to enhance the reliability and validity of evaluation conclusions;
- proposed structure of the final report;
- evaluation work plan and timeline, including a revised work and travel plan;
- resources requirements (i.e., detailed budget allocations tied to assessment activities, work plan deliverables);
- annexes (i.e., organizing matrix for assessment questions, data collection toolkit, data analysis framework, an evaluation summary note for external communication purposes. The inception report will be presented at a formal meeting with IRA.

A report of preliminary assessment findings: This report will present the preliminary assessment findings from primary data collection, comprising the desk-based document review and analysis of the corporate governance guidelines and literature search. The report developed prior to the first drafts of the final report should be accompanied by a PowerPoint presentation that can be used for validation with key stakeholders.

A draft and final Assessment Report: The report will be prepared according to guidelines to be agreed during the inception meeting which shall then form the basis of assessment of the final output. The first draft of the final report will be received by IRA appointed project manager and then work with the consultant on necessary

revisions before sending the report to reviewers for comments. The project Manager will consolidate all comments on a response matrix, and request the consultant to indicate actions taken against each comment in the production of the final draft.

PowerPoint presentation: The presentation will be used in dissemination of findings to stakeholders.

A four-page Policy/assessment Brief for external users, that is distinct from the executive summary in the assessment report, which is intended for a broader, non-technical and non-IRA audience, will be submitted to IRA as part of the consultancy deliverables.

Bidders are invited to reflect on each outline and affect the necessary modifications to enhance their coverage and clarity.

9. TRAINING (WHERE APPROPRIATE)

N/A

10. TIMELINES

The research consultant will be required to complete the work in two months.

11. TERMS OF PAYMENT.

- a) Forty (20) percent of the Contract Price shall be paid on the commencement date and upon submission of the inception report.
- b) Forty (40) percent of the lump-sum amount shall be paid upon submission of the draft final report.
- c) Twenty (40) percent of the lump-sum amount shall be paid upon submission acceptable final report.

SECTION VI - STANDARD FORMS OF CONTRACT

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SAMPLE CONTRACT FOR CONSULTING SERVICES

SMALL ASSIGNMENTS LUMP-SUM PAYMENTS

CONTRACT

This Agreement, [hereinafter called “the Contract”) is entered into this _____[Insert starting date of assignment], by and between _____[Insert Client’s name] of [or whose registered office is situated at]_____ [insert Client’s address]/(hereinafter called “the Client”) of the one part AND

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

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

WHEREAS the Consultant is willing to perform the said Services,

NOW THEREFORE THE PARTIES hereby agree as follows:

1. Services

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

2. Term

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

3. Payment

A. Ceiling

For Services rendered pursuant to Appendix A, the Client shall pay the Consultant an amount not to exceed _____ *[Insert amount]*. This amount has been established based on the understanding that it includes all of the Consultant's costs and profits as well as any tax obligation that may be imposed on the Consultant.

B. Schedule of Payments

The schedule of payments is specified below (Modify in order to reflect the output required as described in Appendix C.)

Kshs _____ upon the Client's receipt of a copy of this Contract signed by the Consultant;

Kshs _____ upon the Client's receipt of the draft report, acceptable to the Client; and

Kshs _____ upon the Client's receipt of the final report, acceptable to the Client.

Kshs _____ Total

C. Payment Conditions

Payment shall be made in Kenya Shillings unless otherwise specified not later than thirty [30] days following submission by the Consultant of invoices in duplicate to the Coordinator designated in Clause 4 here below. If the Client has delayed payments beyond thirty (30) days after the due date hereof, simple interest shall be paid to the Consultant for each day of delay at a rate three percentage points above the prevailing Central Bank of Kenya's average rate for base lending.

4. Project Administration

A. Coordinator.

The Client designates _____[insert name] as Client’s Coordinator; the Coordinator will be responsible for the coordination of activities under this Contract, for acceptance and approval of the reports and of other deliverables by the Client and for receiving and approving invoices for payment.

B. Reports.

The reports listed in Appendix C, “Consultant’s Reporting Obligations,” shall be submitted in the course of the assignment and will constitute the basis for the payments to be made under paragraph 3.

5. Project Performance Standards

The Consultant undertakes to perform the Services with the highest standards of professional and ethical competence and integrity. The Consultant shall promptly replace any employees assigned under this Contract that the Client considers unsatisfactory.

6. Confidentiality

The Consultant shall not, during the term of this Contract and within two years after its expiration, disclose any proprietary or confidential information relating to the Services, this Contract or the Client’s business or operations without the prior written consent of the Client.

7. Ownership of Material

Any studies, reports or other material, graphic, software or otherwise prepared by the Consultant for the Client under the Contract shall belong to and remain the property of the Client. The Consultant may retain a copy of such documents and software.

8. Consultant not to be Engaged in certain Activities

The Consultant agrees that during the term of this Contract and after its termination the Consultant and any entity affiliated with the Consultant shall be disqualified from providing goods, works or services (other than the

Services and any continuation thereof) for any project resulting from or closely related to the Services.

9. Insurance

The Consultant will be responsible for taking out any appropriate insurance coverage

10. Assignment

The Consultant shall not assign this Contract or sub-contract any portion of it without the Client's prior written consent.

**11. Law
Governing
Contract and
Language**

The Contract shall be governed by the laws of Kenya and the language of the Contract shall be English Language.

**12. Dispute
Resolution**

Any dispute arising out of the Contract which cannot be amicably settled between the parties shall be referred by either party to the arbitration and final decision of a person to be agreed between the parties. Failing agreement to concur in the appointment of an Arbitrator, the Arbitrator shall be appointed by the chairman of the Chartered Institute of Arbitrators, Kenya branch, on the request of the applying party.

FOR THE CLIENT

FOR THE CONSULTANT

Full name; _____
Title: _____
Signature; _____
Date; _____

Full name; _____
Title: _____
Signature; _____
Date; _____

List of Appendices (Forming Part of the Contract)

Appendix A: -Terms of Reference and Scope of Services

Appendix B: -Consultant's Personnel

Appendix C: -Consultant's Reporting Obligations

ANNEXES

ANNEX 1: LETTER OF NOTIFICATION OF AWARD

Address of Procuring Entity

To: _____

RE: Tender No. _____

Tender Name _____

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

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

(FULL PARTICULARS) _____

SIGNED FOR ACCOUNTING OFFICER

ANNEX 2: FORM RB 1

REPUBLIC OF KENYA

PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD

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

BETWEEN

.....APPLICANT

AND

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

Request for review of the decision of the..... (*Name of the Procuring Entity*) of
.....dated the...day of20.....in the matter of Tender No.....of
.....20...

REQUEST FOR REVIEW

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

- 1.
 - 2.
- etc.

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

- 1.
 - 2.
- etc

SIGNED(Applicant)

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

FOR OFFICIAL USE ONLY

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

SIGNED

Board Secretary