



NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT

REQUEST FOR PROPOSALS (RFP)

Selection-of-individual-professional-consultant for FP Resource Flows

TENDER NO. NCPD HQT/016/2020-2021

CLOSING DATE AND TIME: WEDNESDAY, 23RD SEPTEMBER, 2020 AT 2.00 PM

The Director General
National Council for Population & Development
4th Floor Chancery Building
Valley Road
P. O. Box 48994-00100
NAIROBI
Tel. 2711600/2711601
E-mail procurement@ncpd.go.ke

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SECTION I- LETTER OF INVITATION

Dear Sir/Madam,

- 1.1 The National Council for Population and Development (NCPD) invites proposals for the following consultancy services :

Consultancy on Family Planning Resource Flows Survey.

More details of the services are provided in the terms of reference herein.

- 1.2 The request for proposal (RFP) includes the following documents;

Section I	-	Letter of invitation
Section II	-	Information to Consultants
Section III	-	Terms of reference
Section IV	-	Technical proposal
Section V	-	Financial proposal
Section VI	-	Standard Forms

- 1.3 On receipt of this RFP please inform us
- (a) that you have received the letter of invitation; and
 - (b) whether or not you will submit a proposal for the assignment

Use the email address provided

Yours Sincerely,

*William Ochola
For: Director General*

SECTION II - INFORMATION TO CONSULTANTS

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SECTION II - INFORMATION TO CONSULTANTS

2.1 Introduction

2.1.1 The National Council for Population and Development (NCPD) is a Semi-Autonomous Government Agency charged with the responsibility of promoting and coordinating population and development activities in Kenya. It is expected to act as a focal point for leadership and guidance in matters related to population and development in the country.

The functions of the Council as stipulated under the Legal Notice No. 120 of October 29, 2004 are to:

- Analyze population issues and develop policies relating to population;
- Provide leadership and mobilize support for population programmes, including coordinating population programmes implemented by different organizations;
- Assess the impact of population programmes and make recommendations arising from such assessments;
- Assist other organizations in dealing with population issues;
- Identify and advise on population issues that may not be adequately or appropriately dealt with by the Government; and
- To advocate for political and other support to address population issues

2.1.2 Kenya has been selected to participate in this year's Resources Flow Survey on Family Planning Activities. This is a global exercise that is conducted annually under the coordination of the Netherlands Interdisciplinary Demographic Institute (NIDI) in selected countries. NCPD in collaboration with UNFPA will be conducting data collection on this survey for all for activities implemented in the year 2018 by Government institutions, NGO and Private companies. This is as part of the follow-up actions to the implementation of the Programme of Action of the International Conference on Population and Development (ICPD).

2.1.3 The NCPD will select an individual consultant among those invited to submit proposals or those who respond to the invitation for proposals in

accordance with the method of selection detailed under this section and consistent with the regulations.

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

2.2 Clarification and amendment to the RFP documents

- 2.2.1 Individual consultant may request clarification of any of the RFP documents not later than Seven (7) days before the deadline for the submission of the proposals. Any request for clarification must be sent in writing by post, fax or email to NCPD's address indicated in the special conditions of contract. NCPD will respond by post, fax or email to such requests and will send written copies of the response (including an explanation of the query but

without identifying the source of inquiry) to all individual consultants invited to submit proposals.

2.2.2 At any time before the deadline for submission of the proposals, NCPD may for any reason, either at its own initiative or in response to a clarification requested by an intended individual consultant amend the RFP. Any amendment shall be issued in writing, fax or email to all invited individual consultants and will be binding on them. NCPD may at its discretion extend the deadline for the submission of the proposals.

2.2.3 Clarification of tenders shall be requested by the tenderer to be received by NCPD not later than 7 days prior to the deadline for submission of tenders.

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

2.3 Preparation of proposals

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

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

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

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

2.3.4 The Technical proposal shall provide the following information;

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

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

2.4 **Financial proposal**

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

2.4.2 The Financial proposal should include the payable taxes.

2.4.3 The fees shall be expressed in Kenya Shillings.

2.4.4 The Financial proposal must remain valid for 90 days after the submission date. During this period the individual consultant is expected to keep available at his own cost any staff proposed for the assignment. NCPD will make best efforts to complete negotiations within this period. If NCPD wishes to extend the validity period of the proposals, the consultants who do not agree, have the right not to extend the validity of their proposals.

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

2.5 **Submission, Receipt and opening of proposals**

- 2.5.1 The technical proposal and the financial proposal (if required) shall be prepared in indelible ink. It shall contain no interlineations or overwriting, except as necessary to correct errors made by the individual consultants. Any such corrections must be initialed by the individual consultant.
- 2.5.2 For each proposal the individual consultants shall prepare the proposals in the number of copies indicated in the special conditions of contract. Each Technical proposal and Financial proposal shall be marked “ORIGINAL” or “COPY” as appropriate. If there are any discrepancies between the original and the copies of the proposal, the original shall govern.
- 2.5.3 The original and all copies of the Technical proposal shall be placed in a sealed envelope clearly marked “TECHNICAL PROPOSAL” , and the original and all copies of the financial proposal in a sealed envelope duly marked “FINANCIAL PROPOSAL”. Both envelopes shall be placed in an outer envelope and sealed. This outer envelope shall bear the procuring entities address and other information indicated in the appendix to the instructions to consultants and clearly marked “DO NOT OPEN before (day, date and time of submission of the proposal)
- 2.5.4 The completed Technical and Financial proposals must be delivered at the submission address on or before the time and date of the submission of the proposals indicated in the appendix to the instructions to consultants. Any proposals received later than the closing date for submission of proposals shall be rejected and returned to the individual consultant unopened. For this purpose the inner envelope containing the technical and financial proposals will bear the address of the individual consultant submitting the proposals.
- 2.5.5 After the deadline for submission of proposals the outer envelope and the technical proposals shall be opened immediately by the opening committee. The financial proposals shall be marked with the individual consultants number allocated at the time of opening the outer envelope and the technical proposals but shall remain sealed and in the custody of a responsible officer of NCPD up to the time set for opening them.

2.6 **Evaluation of the Proposal (General)**

- 2.6.1 From the time the proposals are opened to the time of the contract award, if any individual consultant wishes to contact NCPD on any matter relating to his/her proposal, he/ she should do so in writing at the address indicated in

the appendix to the instructions to consultants. Any effort by an individual consultant to influence NCPD's staff in the evaluation of proposals companion proposals or awards of contract may result in the rejection of the individual consultant proposal.

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

2.7 Evaluation of Technical Proposals

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

	<u>CRITERIA</u>	<u>POINTS</u>
(i)	CV of the individual consultant	30
(ii)	specific experience of the individual consultant related to the assignment	30
(iii)	adequacy of methodology and work plan in response to the Terms of reference	<u>40</u>
	Total points	100

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

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

2.8 Opening and Evaluation of Financial Proposals

2.8.1 After completion of the evaluation of Technical proposals NCPD shall notify the individual consultants whose proposal did not meet the minimum

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

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

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

$S_f = 100 \times \frac{f_m}{f}$ where
Sf is the financial score
Fm is the lowest fees quoted and
F is the fees of the proposal under consideration.

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

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

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

Where

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

St is the technical score

Sf is the financial score

T is the weight given to the technical proposal and
P is the weight given to the financial proposal

Note $P + T$ will be equal to 100%

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

2.9 Negotiations

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

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

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

2.10 Award of Contract

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

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

2.11 Confidentiality

2.11.1 Information relating to evaluation of proposals and recommendations of contract award shall not be disclosed to the individual consultants who

submitted the proposal or to other persons not officially concerned with the process, until the winning individual consultant has been notified that he/she has been awarded the contract.

SECTION III - TERMS OF REFERENCE (TOR)

TERMS OF REFERENCE FOR INDIVIDUAL CONSULTANT UNFPA/NIDI Survey on Financial Flow for FP activities in 2018 and 2019

1. Background

Kenya has been selected to participate in this year's Resources Flow Survey on Family Planning Activities. This is a global exercise that is conducted annually under the coordination the Netherlands Interdisciplinary Demographic Institute (NIDI) in selected countries. NCPD in collaboration with UNFPA will be conducting data collection on this survey for all for activities implemented in the year 2018 and 2019 by Government institutions, NGO and Private companies. This is as part of the follow-up actions to the implementation of the Programme of Action of the International Conference on Population and Development (ICPD).

2. Purpose of the consultancy

The purpose of this consultancy is to implement the survey in Kenya including overall coordination of data collection, submission of completed questionnaires and entering the data in to NIDI online system.

3. Scope of work Description of services, activities or outputs:

The consultant will work closely with NCPD in identifying stakeholders and collecting expenditure information. Specifically, the consultant will be expected to;

1. Study the survey questionnaires and manuals carefully, giving special attention to the definition of terms used in the Survey
2. Identify government departments, national NGOs, Corporations and Insurance Companies that will be included in the Survey. The Coverage should be as complete as possible.
3. Identify the contact Person in the selected organizations.
4. Recruit and supervise Research Assistants to assist in data collection
5. Prepare and submit a concept note for the survey
6. Administer the survey questionnaires and ensure completeness and quality of the responses.
7. Enter data in the NIDI system.
8. Prepare a draft summary report on the survey

9. Prepare and make a power point presentation of the draft report to the UNFPA and stakeholders for review and validation.
10. Submit to the UNFPA the all the original two sets of completed questionnaires for 2018 and 2019 in both soft and hard copies and the final summary report.

4. Expected Deliverables

- a. A Concept note detailing how the consultant will conduct the survey for 2018 and 2019 using the same set of the questionnaires
- b. Duly completed questionnaires from all selected Institutions
- c. Database of collected information.
- d. A summary report on the Survey that should at least contain the following topics:
 - **Relevant organizations:** an overview of the relevant Institutions to which questionnaires were sent.
 - **Response:** which organizations replied and which ones did not reply. If possible, give the reason for their inability to respond.
 - **Quality and coverage:** give an overview of the quality and coverage of data.
 - **Challenges in the field:** give a description of the problems you encountered regarding the data collection.
 - **Private Sector:** if possible, include information on the role of the private sector as it relates to funding population activities in your country.
 - **Suggestions for strengthening the monitoring of population activities:** we welcome your ideas or suggestions in order to improve the monitoring of financial flows.

5. Duration and working schedule:

Twenty (20) days and must be completed by end of end of September 2020

6. Required Qualifications:

- a. An advanced degree in Population Studies, Demography, Economics, Health Economic, or Development studies
- b. 10 years' experience in conducting research, assessments and or evaluations in the field of health and social development.
- c. Good knowledge of Kenya's national development context. Specifically, in the areas of population and development and family planning,
- d. Have experience in working with government of Kenya or NGOs operating in Kenya.
- e. Good command in research and assessment methods, data collection and analysis
- f. Excellent analytical, writing and communication skills

SECTION IV - TECHNICAL PROPOSAL (TP)

Notes on the Preparation of Technical Proposal

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

It shall contain the following:-

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

(to be prepared by the consultant as appropriate)

SECTION V- FINANCIAL PROPOSAL (FP)

Notes on the Preparation Financial Proposal

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

- (a) Submission letter indicating total fees
- (b) Summary of costs
- (c) Breakdown of fees per activity
- (d) Breakdown of reimbursable costs/expenses per activity
- (e) Miscellaneous expenses

(to be prepared by the consultant as appropriate)

SECTION VI - STANDARD CONTRACT FORM

INDIVIDUAL PROFESSIONAL CONSULTANTS (Lump-sum payment)

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

SECTION VI - STANDARD CONTRACT FORM

1. STANDARD CONTRACT FORM

**INDIVIDUAL PROFESSIONAL CONSULTANTS
(lump-sum payments)**

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

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

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

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

WHEREAS the Consultant is willing to perform the said Services,

NOW THEREFORE THE PARTIES hereby agree as follows:-

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

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

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

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

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

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

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

Kshs. _____ Total

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

- | | | |
|-----|---|--|
| 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 _____

Full name _____

Title _____

Title _____

Signature _____

Signature _____

Date _____

Date _____

2.

REQUEST FOR REVIEW FORM

FORM RB 1

**REPUBLIC OF KENYA
PUBLIC PROCUREMENT ADMINISTRATIVE REVIEW BOARD**

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

BETWEEN

.....APPLICANT

AND

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

Request for review of the decision of the..... (*Name of NCPD*) ofdated the...day of
.....20.....in the matter of Tender No.....of20...

REQUEST FOR REVIEW

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

- 1.
- 2.
- 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 of
.....20.....

SIGNED
Board Secretary