

THE CENTRE FOR MULTIPARTY DEMOCRACY (CMD-KENYA)

REQUEST FOR PROPOSAL (RFP) DOCUMENT

RFP NO. CMD/RFP/01/2022

FOR

CONSULTANCY SERVICES TO DEVELOP A KNOWLEDGE PRODUCT
ON THE EXPERIENCE OF GOVERNANCE AND POLITICAL
REFORMS IN KENYA

PROPOSALS SUBMISSION DEADLINE: WEDNESDAY 13TH APRIL 2022 AT
5:00PM, EAT

SECTION I - GENERAL INFORMATION

- 1.1 The Centre for Multiparty Democracy (CMD-Kenya) is a political parties-based membership organization established in March 2004. The organization provides a platform for political parties, political actors and policy makers to engage in dialogue and cooperate in strengthening multiparty democracy. CMD-Kenya works closely with political parties, political actors, strategic partners and key stakeholders in promoting social justice, political governance best practices, respect for human rights and fundamental freedoms.
- 1.2 The Centre is inviting applications from qualified consultancy firms to develop a knowledge product on the governance and political reforms in Kenya. The consultancy is part of CMD-Kenya's intervention that seeks to support the strengthening of accountable democratic governance and active citizenry in Kenya implemented in partnership with the International IDEA. The project seeks to work towards enhancing mechanisms for accountability and active citizenry in local governance (*Detailed TORs are provided in Annex 1*).
- 1.3 Interested consultancy firms may seek further clarification by sending the requests via e-mail no later than 7 days prior to the submission deadline at tenders@imd-cmd.co.ke
- 1.4 Tentative timeframe: It is anticipated that the services will commence in August 2021 and they will have to be completed before September 2021.

SECTION 2 - PREPARATION OF PROPOSALS

Essential Requirements

- 2.1 **Language:** The official language for the proposal, contract, reports and any other documents in relation to the assignment is English.
- 2.2 **Required experience:** A proven and documented track record of conducting similar assessments.
- 2.3 The proposal should provide the following information:

Technical Proposal

- (i) A brief description of the company / consultant and an outline of recent experience on assignments of a similar nature.
- (ii) The proposed methodology and work plan for performing the assignment, along with any comments or suggestions on the Terms of Reference (TORs).
- (iii) A description of relevant experience of working on similar assignments;
- (iv) The list of the proposed staff by title and name, the tasks that would be assigned to each staff team member, and their timing, estimates of the total

- staff input needed to carry out the assignment;
- (v) CVs for the Team Leader and other proposed professional staff, including information on their previous experience in similar assignments;
- (vi) Names and contact details (including email addresses and telephone numbers) of up to three clients as references.

Financial Proposal

- i. The price broken down by fee (showing unit rates and input) and any incidental expenses likely to be incurred.
- ii. Note the price should be quoted in **Kenya Shillings**.
- iii. Indicate the VAT to be charged.

SECTION 3 SUBMISSION OF PROPOSALS

- 3.1 Proposals must be submitted in electronic format by e-mail. Technical and Financial Proposals must be submitted in separate files and marked accordingly. The email for use during sending the proposals is: tenders@imd-cmd.co.ke
- 3.2 Proposals must remain valid for at least 60 days following the deadline for their submission stated under this RFP. During this period, the consultants are expected to keep available the professional staff proposed for the assignment.
- 3.3 Opening of bids will be held on **14th April 2022 at noon**. Bidders are invited to attend the occasion at CMD-Kenya offices located on the 6th floor of International Life House, Mama Ngina Street. Nairobi.
- 3.4 Documents received from bidders will be serialized and the same signed by all participants in attendance.

SECTION 4 EVALUATION OF PROPOSALS

Technical Evaluation:

- 4.1 The proposals will be evaluated and scored against the following technical criteria with respective corresponding weights:
 - (i) A capacity to operate globally and conduct a truly global search;(maximum 5 points)
 - (ii) A track record of similar undertakings in the governance sector in Kenya and/or beyond: (maximum 5 points)
 - (iii) A dedicated practice, or individual consultants, specialized in social research; (maximum 5 points)
 - (iv) A capacity to work within set deadline as the selection process will involve political stakeholders with precise agenda constraints; (maximum 5 points)
 - (v) A lead consultant, with at least 5 years of experience, who can be the focal point for the

- study. It is expected that this consultant will be available for the duration of the process;
(maximum 5 points)
- (vi) A capacity to conduct thorough research around governance and political reforms in Kenya.
(maximum 5 points)
 - (vii) Specific experience in relevant sectors (maximum 5 points);
 - (viii) Adequacy of the proposed methodology and work plan in responding to the ToR (maximum 10 points);
 - (ix) Qualifications and experience of the key staff proposed to perform the assignment
(maximum 5 points);
 - (x) Interview with the proposed lead consultant (maximum 20 points) for the selected short list of consultants.

The maximum technical score (T) is 50 points. Note, in the first phase of the evaluation the proposals will be evaluated based on criteria (i) to (ix) above and combined with the financial evaluation as outlined below. This combined score will provide the ranking to determine those proposals to be shortlisted for the interview stage. The score resulting from the interview according to (x) will be added to the first phase combined score to give the final evaluation result.

Financial Evaluation:

- 4.2 The financial proposals will be verified and, if necessary, adjustments will be made to the prices to ensure consistency with the technical proposals in terms of work input and to eliminate arithmetical errors.
- 4.3 The currency used for evaluation is KENYA SHILLINGS.
- 4.4 The financial scores (F) will be computed as follows:

The lowest evaluation price proposal (E_m) will be given a financial score (F_m) of 100points.

The financial scores of the other proposals will be computed applying the formula:

$F = 100 \times E_m/E$, where: E_m is the lowest evaluation price, and
 E is the evaluation price of the proposal under consideration.

Consolidated Technical, Financial and Interview Scores:

- 4.5 The final consolidated scores (S) will be computed by applying the formula:

$S = t \times T + f \times F + i \times I$ where: t is the weight given to the technical score
 f is the weight given to the financial score
 i is the weight given to the interview score

- 4.6 The weights given to the technical, financial and interview scores are:
t = 50%
f = 30%
I = 20%
- 4.7 In the event of a tie, the top 2 firms will be invited for oral submissions. During the discussions, emphasis will be placed on the clarity of the proposed methodology as well as activity schedule.
- 4.8 The firm ranked highest will be invited to negotiate the contract and if negotiations are successful the selected firm will be awarded the contract. Should the negotiations fail; the second ranked will be invited to negotiations.
- 4.9 CMD-Kenya reserves the right during the negotiation stage to vary at the time of award of contract or scope of work by up to a maximum of twenty-five per cent (25%) of the original TOR. This negotiation will not permit any changes to unit fee rates or other terms and conditions outlined in the tender proposal.
- 4.10 CMD-Kenya reserves the right to directly award a follow up contract to the contractor selected for the tender to carry out potential future work related to this initial assignment. This will depend on satisfactory delivery of the tender assignment.

SECTION 5 FINAL CONSIDERATIONS

- 5.1. CMD-Kenya will not be bound to select any of the proposals.
- 5.2 The following documents are enclosed with this Request for Proposals:
- Annex I: Terms of Reference
- 5.3 Both the successful and unsuccessful bidders will be notified in writing following the completion of the evaluation and contract award process.
- 5.4 Complaints regarding any aspect of the tender process should be addressed in writing to the Director Executive (ED) via tenders@imd-cmd.co.ke

Annex I: Terms of Reference

Consultancy to Develop a Knowledge Product on The Experience of Governance and Political Reforms in Kenya

Nairobi – April 4th, 2022

1.0 Context

Despite the fact that Kenya's political space has remained highly pluralized since 1991, characterized by holding of regular and periodic elections following the re-introduction of multi-party politics, there are a number of negative tendencies that have accompanied this process including consolidation of ethnic identities, political conflicts and violence and rising impunity. The country's political context has been shaped by tensions, contestations and conflicts due to electoral malpractices, weak accountability systems in state institutions and limited opportunities for multi-actor dialogues on how to hold institutions and leaders to account. Kenya's political contest is still shaped around ethnic identities which, still remains very much alive. Although Kenya has conducted 6 elections since the introduction of multiparty democracy in 1992, almost all elections (except 2002) have been faced with contestations and ethnic violence, the worst being the 2007/2008 post-election violence. Political competition has often been a numbers game of adding voter groups from different regions to win power. Further, a trend has been set in Kenya of forming pre-election coalitions, structured along ethnic and regional lines with limited structural and ideological arrangement.

As such, Constitutional amendments, governance and political reforms have preceded every Kenyan election since 1992 and some critics have questioned the impact of such amendments to the democracy consolidation and peace building in Kenya. Indeed, the promulgation of the Constitution of Kenya in 2010 was intended to revolutionize the country's democratic setting by introducing checks and balances, equitable resource distribution mechanisms, inclusion as well as safeguards to independent offices. Despite these efforts, there are still weaknesses in the governance architecture that the Constitution did not adequately address. The essence of the post-2017 elections handshake between the President Kenyatta and former prime Minister Odinga that birthed the Building Bridges Initiative (BBI) process was to spearhead long-term administrative, policy, legal and Constitutional reforms to ensure a stable electoral environment in future.

A fundamental concern in all these efforts is whether the reform agenda was fashioned to succeed, inclusionary and equitable? What are the politics of Kenya's governance reforms and

do they have the possibility of being transformative? If BBI could have been sustained, how different could it have been in ensuring political stability while strengthening the country's democratic landscape? While the implementation of governance and political reforms globally demonstrate that each country has its own peculiarities, the operations of governance and political reforms in Kenya need to be constantly evaluated as per the changes occurring across the country to establish the conditions that promote or hinder sustainable implementation of the reform agenda.

Against this context, the Centre for Multiparty Democracy (CMD-Kenya) in partnership with the International IDEA proposes to conduct a study on the impact of the BBI initiative and other governance reforms on democratic governance and social cohesion in Kenya.

2.0 Objectives

The overall objective of the undertaking will be to conduct a study on the impact of the BBI initiative and other governance reforms on democratic governance and social cohesion in Kenya. Specifically, the study will seek to:

- a. Establish the extent to which the BBI initiative and other governance reforms were inclusionary and equitable as key tenets of democratic governance;
- b. Assess the conditions and opportunities for sustainable implementation of the proposed reforms;
- c. Highlight the constraints that would deter the successful implementation of the proposed reforms and how they can be addressed.

3.0 Scope of the Consultancy

The consultancy will entail the following:

- a. Develop an inception report highlighting the design and methodology to be used during the study.
- b. Conduct desktop study on the promise of the BBI reforms to Kenya's governance process.
- c. Conduct interviews with the relevant political parties in Kenya and other groups of interest that can shed light on the subject.
- d. Reviews analyze and provide recommendations for the identified gaps.
- e. Submit to CMD-Kenya the final report and all relevant materials used during the study.

4.0 Consultant Profile

Consultancy firms should meet the following minimum qualifications:

Essential

Consultancy Firm

- Institutional operational experience of consultancy services of at least five (5) years;
- Previous proven work experience with democratic governance and similar assessments;
- Human resource capacity of consultancy firm with available/potential staff for the proposed assignments.
- The proposed human resource must also include a staff with strong communication/reporting, editing/proof-reading skills;

Note: CMD-Kenya reserves the right to verify the proposed staff credentials, experience and their availability to your organization.

Staff/Human Resource for the proposed Assignment

- The proposed staff must have requisite academic qualifications, preferably postgraduate in related field.
- Previous work experience of proposed staff in similar assignments will be given preference.

Desirable

- The proposed staff with practical experience related to the above-mention potential assignments.
- The proposed staff is gender balanced;
- Understanding of local labour laws, safeguarding requirements (organizational code of conducts), procurement rules and internationally accepted best practices and standards;
- Strong analytical skills.

5.0 Application Process

Interested firms should send the following documents via email, tenders@cmd-cmd.co.ke subject line **“Consultancy to Develop a Knowledge Product on The Experience of Governance and Political Reforms in Kenya”** and it should reach CMD-Kenya, on or **before April 13th 2022.**

The following documents are to be submitted:

1. Expression of Interest (EOI) – that will include
 - a. A Technical Proposal detailing the interpretation of the TORs and technical approach.
 - b. A Financial Proposal indicating the daily rate (in Kenya Shillings) for the assignment.
2. CV(s) of staff who will be engaged for this assignment reflecting at least the academic qualification, previous relevant experience, contact number, current location etc. Each CV should be annexed in the Technical Proposal.