

**MASINDE MULIRO UNIVERSITY OF SCIENCE AND TECHNOLOGY
STAFF RETIREMENT BENEFITS SCHEME**

**REQUEST FOR PROPOSAL FOR PROVISION OF CONSULTANCY
SERVICES (2022 – 2027 STRATEGIC PLAN DEVELOPMENT) FOR
MASINDE MULIRO UNIVERSITY OF SCIENCE AND
TECHNOLOGY STAFF RETIREMENT BENEFITS SCHEME
(INDIVIDUAL CONSULTANTS)**

RFP NO: MMUST/PS/RFP/01/2022-2023

CLOSING DATE: TUESDAY 2ND AUGUST, 2022 AT 10.00 A.M.

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SECTION I: LETTER OF INVITATION

1. Masinde Muliro University of Science and Technology Staff Pension Scheme invites sealed bids from qualified strategic plan consultants to participate in RFP for Provision of Strategic Planning Consultancy to Masinde Muliro University of Science and Technology Pension scheme
2. Further information as pertaining to this Proposal may be obtained during working hours (Monday to Friday) between 9:00am and 5:00pm using the following address: **The Chairman, Masinde Muliro University of Science and Technology Staff Pension scheme, P.O. Box 190 – 50100, Kakamega** located on the Administration Building. Email: pensions@mmust.ac.ke
3. The Procuring Entity may engage one or more lowest evaluated consultants to provide strategic plan consultancy services at its discretion and in the best interest of its members.
4. A complete set of RFP documents containing detailed information may be obtained from the **Masinde Muliro University of Science and Technology website**, <https://www.mmust.ac.ke> before bid closing date.
5. The Technical Proposal and Financial Proposal are to be put in different envelopes clearly marked “Technical Proposal and Financial Proposal” and sealed in one envelope.

Completed request for proposal documents should then be deposited in the **Bid Box** at the entrance of MMUST Administration Building (Orange House) situated at the MMUST Main Campus, Kakamega, so as to be received on or before **Tuesday 2nd August, 2022 at 10.00 am.**

The Technical Proposal will be opened immediately after the closing time i.e. **Tuesday 2nd August 2022 at 10.00 am in conference room** located on the of MMUST Administration Building (Orange House), Main Campus in Kakamega. Bidders/ their representatives may attend the opening exercise.

6. Prices quoted should be inclusive of all taxes and delivery cost, must be expressed in Kenya Shillings and shall be valid for **180 days** from the closing date of this Request for Proposal.

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SECTION II: INFORMATION TO CONSULTANTS (ITC)

2.1 Introduction

- 2.1.1 The Procuring Entity will select individuals among those invited to submit a proposal, in accordance with the method of selection detailed in the appendix.
- 2.1.2 The consultants are invited to submit a Technical Proposal and a Financial Proposal, as specified in the Appendix “ITC” for consulting services required for the assignment named in the said Appendix. 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 firsthand information on the assignment and on the local conditions, consultants are encouraged to liaise with the Procuring Entity in writing regarding any information that they may require before submitting a proposal and to attend a pre-proposal conference where applicable. Consultants should contact in writing 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 Please note that:
- (i) The costs of preparing the proposal and of negotiating the Contract, including any visit to the Procuring Entity are not reimbursable as a direct cost of the assignment; and
 - (ii) The Procuring Entity is not bound to accept any of the proposals submitted.
- 2.1.5 The Procuring Entity’s employees, committee members, board members and their relatives (spouse and children) are not eligible to participate.
- 2.1.6 The price to be charged for the physical bid document shall be **Kshs. 1,000/=**.
- 2.1.7 The Procuring Entity shall allow the bidder to review the bid document free of charge before purchase.

2.2 Clarification and Amendment of RFP Documents

- 2.2.1 Consultants may request a clarification on the RFP documents only up to seven days before the proposal submission date. Any request for clarification must be sent in writing by paper mail or electronic mail to the Procuring Entity’s address indicated in the Appendix “ITC”.

The Procuring Entity will respond by paper mail 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 date of proposals, the Procuring Entity 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, Print media or E-mail to all invited consultants and will be binding on them. The Procuring Entity may at his discretion extend the deadline for the submission of proposals through an addendum.

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 bidder's proposal.
- 2.3.3 While preparing the Technical Proposal, consultants must give particular attention to the following:
- (i) 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 Procuring Entity.
 - (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) 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 V).

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 **180 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 Procuring Entity will make his best effort to complete negotiations within this period. If the Procuring Entity 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 Financial Proposal) 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 authorised 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, the bid reference number (MMUST/PS/RFP/01/2022-2023) and other information indicated below and be clearly marked, “**DO NOT OPEN, EXCEPT IN PRESENCE OF THE BID OPENING COMMITTEE.**” And addressed as follows;

**The Chairman, Board of Trustees
Masinde Muliro University of Science and Technology Staff Retirement
Benefits Scheme.
RFP: MMUST/PS/RFP/01/2020-2021
P.O Box 190-50100
Kakamega**

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 outer envelope and the Technical Proposal shall be opened immediately by the opening committee. The Financial Proposal shall remain sealed, marked with bid number allocated at the time of opening of the outer envelope and together with the opened technical proposal deposited with a responsible officer of the Procuring Entity department up to the time for public opening of financial proposals.

2.5.6 Kindly note that the Financial Quotes provided must be valid for 180 days.

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 Procuring Entity on any matter related to his proposal, they should do so in writing at the address indicated in the Appendix “ITC”. Any effort by the firm to influence the Procuring Entity in the proposal evaluation, proposal comparison or Contract award decisions may result in the rejection of the consultant’s proposal.

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

2.7 Evaluation of Technical Proposal

2.7.1 The bid evaluation committee appointed by the Procuring Entity shall evaluate the proposals on the basis of their responsiveness to the Terms of Reference, applying broadly (but not exclusively) the evaluation criteria as follows:

- a) Completeness of bidding information, corporate structure, specific experience of the bidder to similar briefs.
- b) Qualification and competence of the key staff for the assignment and proposed team

- c) Administrative and system capabilities, corporate governance and risk control
- d) Asset transfer restrictions, training and transfer of relevant skills

2.7.2 Each responsive proposal will be given a technical score (St). A proposal shall be rejected at this stage if it does not respond to all important aspects of the Terms of Reference or if it fails to achieve the minimum technical score indicated in the Appendix “ITC”. The consultant may be asked as part of their evaluation to demonstrate their proposal or arrange a visit to an institution where similar services have been provided. This will be at the discretion of the Procuring Entity.

A bidder must score a minimum of 75% on the technical Proposal to qualify for financial evaluation.

2.8 Opening and Evaluation of Financial Proposal

2.8.1 After Technical Proposal evaluation, the Procuring Entity 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 unopened after completing the selection process. The procuring entity shall simultaneously notify consultants who have secured the minimum qualifying mark indicating the date and time set for opening the financial proposal and stating that the opening ceremony is open to those consultants who choose to attend. **The opening shall not be sooner than three (3) days after the notification date.**

2.8.2 **All bidders who proceed to the financial evaluation stage will be invited to attend the bid 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 The formulae for determining the Financial Score (Sf) shall, unless an alternative formula 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 scores (St) and financial scores (Sf) 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.

2.8.5 The bid evaluation committee shall evaluate the bid **within 21 days** from the date of opening the bid.

- 2.8.6 Price variations are not allowed for this bid
- 2.8.7 Selected bidders will be invited to make presentations to the Board of Trustees before contract is awarded at a date to be advised. The presentation will be expected to major on compliance to the TOR set in this document.

2.9 Negotiations

- 2.9.1 Negotiations will be held at the same address as “address to send information to the Procuring Entity” indicated in the Appendix “ITC”. The aim is to reach agreement on all points and sign a contract.
- 2.9.2 Negotiations will include a discussion of the Technical Proposal, the proposed methodology (work plan), staffing and any suggestions made by the firm to improve the Terms of Reference. The Procuring Entity and Bidder 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 Procuring Entity 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 Procuring Entity expects to negotiate a contract on the basis of the experts named in the proposal. Before contract negotiations, the Procuring Entity will require assurances that the experts will be actually available. The Procuring Entity 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 Procuring Entity and the selected firm will initial the agreed Contract. If negotiations fail, the Procuring Entity 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 Procuring Entity 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(s) 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 21 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 bidders and on request give its reasons for termination within 14 days of receiving the request from any bidder.
- 2.10.6 To qualify for contract awards, the bidder 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 bidder 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 A - Information to Consultants (ITC)

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

INFORMATION TO CONSULTANTS	Particulars of Appendix A: Information to Consultants
2.1.1	The name of the Procuring Entity: Masinde Muliro University of Science and Technology Staff Retirement Benefits Scheme. The method of selection is: Quality and Cost based selection
2.1.2	Technical and Financial Proposal are requested; Yes The name and description of the assignment is: Provision of Strategic Plan Consultancy Services
2.1.3	The name, address and telephone numbers of the client(s) is: Masinde Muliro University of Science and Technology Staff Retirement Benefits Scheme (Tel:.....), along Kakamega – Webuye Road in Kakamega between 9:00 a.m. and 5:00 p.m. from Monday to Friday.
2.1.6	Price to be charged for the physical bid document shall be Kshs. 1000/= N/A
2.5.2	Consultants must submit an Original and One additional Copy for each proposal
2.5.3	Proposal documents should be deposited in the Bid Box at the entrance to the Masinde Muliro University of Science and Technology, Administration Building (Orange House) situated at the MMUST Main Campus along Kakamega – Webuye Road in Kakamega so as to be received on or before Tuesday 2nd August, 2022 at 10:00 a.m. Information on the outer envelope should include the procuring entity address and the Request for Proposal Number.
2.5.4	The Proposal must be submitted not later than Tuesday 2nd August, 2022 at 10:00 a.m.
2.6.1	The address to send the information to the client is: Masinde Muliro University of Science and Technology P.O. Box 190-50100 Kakamega, Kenya Tel: E-mail: pensions@mmust.ac.ke
2.8.1	The opening for the Financial Proposal shall be done by the bid evaluation after technical evaluation. All Non- Responsive bidders in the technical evaluation will have their financial proposals returned un-opened.

2.13 EVALUATION CRITERIA TO BE USED TO EVALUATE THE PROPOSAL

1. Stage 1: Compliance with Mandatory Requirements
2. Stage 2: Compliance with Technical Requirements
3. Stage 3: Financial Evaluation
4. Stage 4: Combining Financial and Technical scores
5. Stage 5: Negotiation
6. Stage 6: Recommendations

Stage 1: Compliance to Mandatory Requirements (MR)

The first stage of the evaluation will involve determination of responsiveness to the Mandatory Requirements of the request for proposal and will include:

NO.	Requirements	Bidder's Response
MR1	Provide Personal Pin and Current/Valid Certificate of Tax Compliance issued by Kenya Revenue Authority valid at least up to bid opening date.	
MR2	Submit a completed individual profile using the confidential Business Questionnaire provided in this bid document	
MR3	Provide a copy of the National Identity Card	
MR4	Valid Annual Practicing License from the respective professional body in Kenya	

Bids who do not satisfy any of the above requirements shall be considered **Non-Responsive** and their bids will not be evaluated further.

Bidders who satisfy **all mandatory** requirements will be progressed to the Technical Evaluation Stage.

STAGE 2: COMPLIANCE WITH THE TECHNICAL REQUIREMENTS

Proposals meeting all the mandatory requirements will be subjected to Technical Evaluation based on the criteria given below:

	TECHNICAL EVALUATION CRITERIA <i>(Documentary evidence should be given)</i>	WEIGHT
a	<p>Key Experts' qualifications and competence for the assignment (Consultant to attach signed CV outlining the requirements below)</p> <ul style="list-style-type: none"> i. General qualifications - Relevant Master degree or equivalent from a recognized institution qualifications - 5 Marks ii. Adequacy to undertake assignment (relevant qualifications and training to provide consultancy in strategic plan development) – 10 Marks iii. Specific experience in provision of individual consultancy services strategic plans in public sector (Consultant to provide a signed a CV) – 15 Marks <p>Total Maximum Weighting 30 Points</p>	30 Marks
b	<p>Prove of 10 years' experience in provision of individual consultants service in strategic plan (Attach supporting evidence in the form of a letter(s) of reference with telephone and email contacts)</p> <ul style="list-style-type: none"> ✓ 10+years-20 Marks ✓ 5-9 years-15Marks ✓ 1-4 years-10Marks <p>Total Maximum Weighting 20 Points</p>	20 Marks
c	<p>Adequacy and quality of the proposed methodology and work plan in responding to the Terms of Reference (ToRs)</p> <p><i>Notes to the Consultant:</i> <i>The client will assess whether the proposed methodology is clear, responds in detail to the ToR's work plan is realistic and implementable; overall consultant has the appropriate skills mix; and the work plan has right input of experts.</i></p> <p>Total Maximum Weighting 40 Point</p>	40 Marks
d	<p>Transfer of knowledge (training) program relevance of approach and methodology</p> <p>Total Maximum Weighting 10 Points</p>	10 marks

The consultant will be required to score a minimum of **75% and above** on the technical Evaluation to qualify to have their financial bids opened for evaluation.

STAGE 3: Financial Evaluation

Upon attaining the minimum score of **75% and above** on the Technical Evaluation to qualify to have their financial bids opened for evaluation. Bidders who fail to achieve the minimum technical score will have their financial bids returned as per section 2.8.1 of this document

STAGE 4: Combining Financial and Technical Scores

Combining Financial and Technical score will be carried out as per clause 2.8.4. The weight to be assigned for the technical scores (t) will be 80% while the financial scores (p) will be 20%. The bidder(s) with the highest combined financial and technical score will be invited for negotiation.

STAGE 5: Negotiations

The bidders, upon satisfying the requirements under stage 4, will be invited for negotiations. Negotiations will involve suggestions if any, on the improvement of the **Terms of Reference (TOR)** and on the quoted bid sum with a view to arriving at the most acceptable bid for both parties.

STAGE 6: Recommendation

The successful bidder(s) upon successful conclusion of the negotiation will then be recommended for consideration for award.

SECTION III: TERMS OF REFERENCE

3.0 INTRODUCTION AND BACKGROUND

3.1 Masinde Muliro University of Science and Technology operates a staff pension scheme arrangements namely:

Masinde Muliro University of Science and Technology Staff retirement benefits scheme (“the Defined Contribution (DC) Scheme” or “the Scheme”),

The arrangements are established under irrevocable trust and covers for permanent and pensionable employees of the University.

3.1.1 The DC Scheme Trustees will select one firm among those invited to submit proposals, in accordance with the method of selection set out in this Request for Proposals (‘RFP’) document.

3.1.2 The bidders are invited to submit a Technical Proposal and a Financial Proposal, as specified in this document for provision of Consultancy Services to develop a Strategic Plan for the Scheme. The Proposals will be the basis for negotiations and ultimately for a signed Contract with the selected firm.

3.1.3 To obtain information on the Scheme or to seek any clarifications, bidders are requested to contact the MMUST human resource office via pensions@mmust.ac.ke in writing regarding any information that they may require before submitting a proposal through the address stated in the RFP document.

3.1.4 At any time before the submission of proposals, the Trustees of the Scheme may for any reason, whether at their own initiative or in response to a clarification requested by an invited firm, amend the RFP. Any amendments shall be issued in writing through addenda.

3.1.5 The Scheme may at its discretion extend the deadline for the submission of the proposals through addenda.

3.6 Please note that:

- (i) The costs of preparing the proposal and of negotiating the Contract, including any visits to the Scheme are for the account of the bidder; and
- (ii) The Scheme Trustees are not bound to accept the proposal with the lowest submitted bid or any proposal (s) submitted.

3.7 The objective of this exercise is to review the current operations of the Scheme and prepare a strategic plan that will guide the Scheme for the next five years. The Scheme wishes to recruit a Consultant to facilitate the development of a Strategic Plan for the period 2022 - 2027.

The key areas to be addressed by the selected Strategic Plan Consultant in respect of each of the DC Scheme assets include, inter alia: -

3.7.1 Phase One -Terms of Reference

- a) Review of current operations, governance structures and investments
- b) Review of current audit and risk management processes
- c) Review of the communication strategies to members
- d) Discuss the current governance and succession plan for board
- e) Review of execution vs. expectations for each of the key areas (above)
- f) Identify areas of bottlenecks and ways to mitigate
- g) Develop an implementation plan and a budget

3.7.2 Comprehensive Terms of Reference

(i) Scope of Work

Conduct a desktop review of the documentation provided including the last board meeting service provide reports, annual accounts etc.

(ii) Expected Deliverables

Interactive working group session with the trustees to appreciate their view of the current operations of the scheme.

3.7.3 Phase Two - Strategic Planning Workshop (3 day)

The Consultant will be required to facilitate the exercise in an interactive manner with view to deliver the desired 5-year Strategic Plan. The plan will consider the findings from Phase one, so that it is not only realistic but captures the ambitions of the Board, within the context of current legislation and funding status.

(i) Terms of Reference

- a) Develop vision, mission and core values
- b) Review of prior scheme operations and execution
- c) Develop detailed SWOT Analysis (and review PESTEL analysis)
- d) Identify 4 - 5 key strategic objectives
- e) Explore strategic initiatives and performance metrics to achieve each objective
- f) Develop action plan for execution
- g) Review the top key risks and litigation actions

(ii) **Scope of Work**

- a) Developing of material for the workshop to ensure that content is well delivered and easy to be referenced by the trustees.
- b) Facilitating of the workshop with a view to develop a comprehensive Strategic Plan

(iii) **Deliverable**

An interactive workshop that develops clear strategy and work plans

3.7.4 **Phase Three — Submission of Strategic Plan**

This document will then be submitted for final professional printing as may be required.

Duration of the Assignment.

The task is expected to be completed in **six (6) weeks**. The task will be broken down as follows:

- (a) First workshop with Trustees : **3 days**
- (b) Data collection from Scheme members : **1 week**
- (c) Inception report : to be done in the **first 2 weeks**
- (d) Draft report : to be done in the **next 1 week**
- (e) Second workshop with Trustees : **3 days**
- (f) Final report : to be done in the **next 2 weeks**

3.11 General Information about the Bidder

3.12.1 Name and location of the bidder

Please provide the following information about your firm:

- (i) Name of the Bidder
- (ii) Registered office
- (iii) Postal address
- (iv) Telephone number
- (v) Fax Number
- (vi) E-mail Address
- (vii) Income tax personal Identification Number

3.13 Attachments

- a) Tax Compliance Certificate
- b) PIN Number
- c) National Identification Number

3.14 Relevant services carried out previously

Please provide ten references from pension schemes and/or provident funds that your firm is currently managing in the capacity of consultants in strategic planning, indicating the following items:

- i) Scheme/Client Name
- ii) Contact name
- iii) Position of Contact
- iv) Appointment Date
- v) Duration of appointment
- vi) Size of Scheme Assets under your Management
- vii) Confirmation that we may contact them to confirm appointment.
- viii) Please indicate the names of the professional staff that are currently servicing the selected clients.

3.15 Background

- a) Please provide a brief profile detailing your experience in developing strategic plans for public sector organizations
- b) Describe the experience you have of providing consultancy in strategic planning and indicate the advantages of your firm in providing these services.

3.16 Schemes under Consultancy

(a) Please provide the following information for the Schemes under Consultancy:

- Total Number of clients managed indicating (public/private sector in each case below
- Total Number of retirement schemes consulted for
- Total Value of client assets consulted for
- Total Value of Pension Client assets consulted for
- Value of the largest client and type (pension or other)
- Value of the smallest client and type (pension or other)
- Median value of pension/provident Scheme assets

- (b) What has been the annual growth of your business over the last 3 years?
- (c) Are you able to identify the reasons for your growth?
- (d) What measures are in place to ensure that you continue to grow in the future?
- (e) How has your business structure changed to accommodate that growth?

3.17 The Brief

Explain what experience you have of managing a mandate of the nature proposed in this RFP.

3.18 Risk Control

- (a) What processes are in place to ensure that the Fund Manager, Scheme Administrator, Auditor, Custodian and Trustees receive information on the plan to be implemented?
- (b) What processes are in place to ensure that the Scheme Manager, Fund manager and Auditor receives prompt advice about the strategic plan?
- (c) Do you provide monthly/quarterly reconciliations of holding with that of the Scheme Manager?
- (d) How soon after the strategic plan is available is it prepared and presented?

3.19 Professional Indemnity (PI)

- (a) Does your company have in place Professional Indemnity insurance for the current year?
- (b) If yes, please state the amount of cover and the name of the insurer.
- (c) Kindly provide a copy of the current PI cover in place
- (d) Are there any exclusions to the current cover in place?

3.20 Scheme Manager/Fund Manager/Auditor/Custodian.

- (a) Do you have a preferred Scheme manager/Fund Manager/Auditor/Custodian?
- (b) If yes, who and why?

3.21 Fees

- a) Please provide the following information regarding your fees for this assignment:
 - i) List or attach your fee schedule.
 - ii) Explain exactly what this would cover and indicate clearly what it excludes.
 - iii) Indicate if your fees include taxes – if this is not indicated the Trustees of the Scheme will assume that the fees include all applicable taxes. In addition your fee quotation must remain valid for at least 120 days from the date of submission of the proposals.
- (b) What is the basis of your fees?
- (c) Do you charge transaction fees? If yes, how much? Is there a minimum/maximum?
- (d) Under what circumstances are your fees negotiable?
- (e) What is your billing frequency? (Monthly/Quarterly/In Advance/In Arrear)

SECTION IV: TECHNICAL PROPOSAL

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[Date]

TECHNICAL PROPOSAL SUBMISSION FORM

[_____Date]

To: _____[Name and address of Client)

Ladies/Gentlemen:

We, the undersigned, offer to provide the consulting services for _____
_____ [Title of consulting services] in accordance with
your Request for Proposal dated _____ [Date] and our Proposal. We
are hereby submitting our Proposal, which includes this Technical Proposal, [and a Financial
Proposal sealed under a separate envelope-where applicable].

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

We remain,

Yours sincerely,

_____ [Authorized Signature]

_____ [Name and Title of Signatory]

_____ [Name of Firm]

_____ [Address]

4.1 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 was legally contracted.

Assignment Name	Country
Location within Country	Professional Staff provided by Your Firm/Entity(profiles):
Name of Client	Clients contact person for the assignment.
Address	No. of Staff-Months; Duration of Assignment:
Start Date (Month/Year) Completion Date (Month/Year)	Approx. Value of Services (Kshs.)
Name of Senior Staff(Project Director/Coordinator, Team Leader) Involved	Functions Performed
Narrative Description of Project	
Description of Strategic Plan Services	

Firm's Name: _____

Name and title of signatory: _____

(May be amended as necessary)

4.2 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.

4.3 DESCRIPTION OF THE METHODOLOGY AND WORK PLAN FOR PERFORMING THE ASSIGNMENT

4.4 TEAM COMPOSITION AND TASK ASSIGNMENTS

1. Technical/Managerial Staff

Name	Position	Task

2. Support Staff

Name	Position	Task

4.5 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 Bodies: _____

Detailed Tasks Assigned: _____

Key Qualifications: *[Give an outline of staff member's experience and training most pertinent to tasks on assignment. Describe degree of responsibility held by staff member on relevant previous assignments and give dates and locations].*

Education: *[Summarize college/university and other specialized education of staff member, giving names of schools, dates attended and degree[s] obtained.]*

Employment Record:
[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments.]

Certification:

I, the undersigned, certify that these data correctly describe me, my qualifications, and my experience.

[Signature of staff member] Date: _____

[Signature of authorised representative of the firm] Date: _____

Full name of staff member: _____

Full name of authorized representative: _____

4.6 TIME SCHEDULE FOR PROFESSIONAL PERSONNEL

Weeks (in the Form of a Bar Chart)

Name	Position	Reports Due/Activities	1	2	3	4	5	6	Number of Weeks

Reports Due: _____

Activities Duration: _____

Signature: _____
(Authorized representative)

Full Name: _____

Title: _____

Address: _____

4.7 ACTIVITY (WORK) SCHEDULE

(a). Field Investigation and Study Items Weeks for the start of assignment

Activity(Work)	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	9 th	10 th

(b). Completion and Submission of Reports

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

SECTION V: FINANCIAL PROPOSAL FORMS

Notes on preparation of financial proposal

1. The financial proposal prepared by the consultants should list the cost 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 insurance specified in the request for proposal.
3. The financial proposal should be prepared using the standard forms provided in this part.

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FINANCIAL PROPOSAL SUBMISSION FORM

_____ [Date]

To: _____

_____ [Name and address of Client]

Ladies/Gentlemen:

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

We remain,

Yours sincerely,

_____ [Authorized Signature]

_____ [Name and Title of Signatory]

_____ [Name of Firm]

_____ [Address]

SUMMARY OF COSTS

Description	Fees + 16% VAT
Provision of Strategic Plan Consultancy Services	
Grand Totals	

BREAKDOWN OF PRICE PER ACTIVITY

Activity No: _____	Description : _____
Price Component	Amount (s)
Remuneration	
Reimbursable	
Miscellaneous Expenses	
Subtotal	

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				

REIMBURSABLES PER ACTIVITY

Activity No.: _____		Name: _____			
S/No.	Description	Unit	Quantity	Unit Price	Total Amount
1.	Air Travel	Trip			
2.	Road Travel	Kms			
3.	Rail Travel	Kms			
4.	Subsistence Allowance	Pay			
	Grand Total				

MISCELLANEOUS EXPENSES

Activity No. _____		Activity Name: _____			
S/No.	Description	Unit	Quantity	Unit Price	Total Amount
1.	Communications Cost (Telephone, Telegram, Telex)				
2.	Drafting Reproduction of Reports				
3.	Equipment: Computer, Software				
	Grand Total				

SECTION VI: STANDARD FORMS

Notes on the standard forms

- 6.1 **Form of Bid**-The form of Bid must be completed by the bidder and submitted with the bid documents. It must also be duly signed by duly authorized representatives of the bidder.
- 6.2 **Contract Form** -The contract form shall not be completed by the bidder at the time of submitting the bid. The contract form shall be completed after contract award and should incorporate the accepted contract price.
- 6.3 **Confidential Business Questionnaire Form** - This form must be completed by the bidder and submitted with the bid documents.
- 6.4 **Bid Security Form** -When required by the bid documents the bidder shall provide the bid security either in the form included herein or in another format acceptable to the procuring entity. The bid security form must be completed by the bidders and submitted with the bid.
- 6.5 **Performance security Form** -The performance security form should not be completed by the bidders at the time of bid preparation. Only the successful bidder will be required to provide performance security in the form provided herein or in another form acceptable to the procuring entity.
- 6.6 **Letter of Notification** – This form should not be completed by the bidder at the time of submitting the bid.
- 6.7 **Form RB 1:** This form should not be completed at the time of submitting the bid. The form is a sample to be used by the bidders to lodge any appeals.
- 6.8 **Declaration form** – This form must be completed by the bidder at the time of submitting the bid

6.1 Form of Bid

To: _____
Name and address of procuring entity

Date _____
Bid No. _____
Bid Name _____

Gentlemen and/or Ladies: -

Having examined the Bid documents including Addenda No. (Insert numbers) the receipt of which is hereby duly acknowledged, we the undersigned, offer to procure (the particulars of the bid) under this bid in conformity with the said Bid document for the sum of [Total Bid amount in words and figures] or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Bid.

We undertake, if our Bid is accepted, to abide by the conditions of the bid.

We agree to abide by this Bid for a period of.....[Number] days from the date fixed for Bid opening of the Instructions to Bidders, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

This Bid, together with your written acceptance thereof and your notification of award, shall constitute a Contract between us subject to the signing of the contract by both parties.

We understand that you are not bound to accept the lowest or any bid you may receive.

Dated this _____ day of _____ 2021

[Signature]

[In the capacity of]

Duly authorized to sign Bid for and on behalf of _____

6.2 SAMPLE CONTRACT FOR CONSULTING SERVICES

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(s) 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 4.5, “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 this bid

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.

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 **The Scheme Accountant** 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 shall be submitted in the course of the assignment and will constitute the basis for the payments to be made under paragraph 3.

5. 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 the Contract and Language

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: _____

6.3 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 applied to your type of business

You are advised that it is a serious offence to give false information on this form

Part 1 – General:			
Business Name			
Location of business premises.			
Plot No.	Street/Road	E mail	
Postal Address	Tel No.	Tel No.	
Nature of Business.			
Registration Certificate No.			
Minimum value of business which you can handle at any one time: Kshs.			
Part 2 (a) Sole Proprietor			
Name of your banker			
Your name in full			
Nationality		Country of origin	
Citizenship details		Age	
Part 2 (b) Partnership			
Given details of partners as follows:			
Name	Nationality	Citizenship Details	Shares
1. ....	.....	.....	.....
2. ....	.....	.....	.....
3. ....	.....	.....	.....
4. ....	.....	.....	.....
Part 2 (c) – Registered Company			
Private or Public			
State the nominal and issued capital of company-			
Nominal Kshs.			
Issued Kshs.			
Given details of all directors as follows:			
Name	Nationality	Citizenship Details	Shares
1. ....	.....	.....	.....
2. ....	.....	.....	.....
3. ....	.....	.....	.....
4. ....	.....	.....	.....

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

Part 2 (b) – Partnerships

Give details of partners as follows:

S/No.	Full Name	Nationality	Citizenship Details	Shares
1.				
2.				
3.				
4.				
5.				

Part 2 (c) – Registered Company

Private or public

State the nominal and issued capital of the Company: -

Nominal Kshs: _____ Issued

Give details of partners as follows:

S/No.	Full Name	Nationality	Citizenship Details	Shares
1.				
2.				
3.				
4.				
5.				

Part 2 (d) – Interest in the Firm:

Is there any person / persons in Kenya University of Government or any other public institution that has interest in the Firm? Yes / No? (Delete as necessary); If YES, give details below: -

S/No.	Institution	Title	Signature	Date
1.				
2.				
3.				
4.				

6.4 PERFORMANCE SECURITY FORM

To:
[Name of procuring entity]

WHEREAS[Name of bidder]
(Hereinafter called “the bidder”) has undertaken, in pursuance of Contract No. ____
_____ [Reference number of the contract] dated _____ 20 ____
_____ to supply
[Description of materials and spares] (Hereinafter called “the Contract”)

AND WHEREAS it has been stipulated by you in the said Contract that the bidder shall furnish you with a bank guarantee by a reputable bank for a sum specified therein as security for compliance with the Bidder’s performance obligations in accordance with the Contract

AND WHEREAS we have agreed to give the bidder a guarantee:

THEREFORE WE hereby affirm that we are Guarantors and responsible to you, on behalf of the bidder, up to a total of
[amount of the guarantee in words and figures], and we undertake to pay you, upon your first written demand declaring the bidder to be in default under the Contract and without Cavil or argument, any sum of sums within the limits of [amount of guarantee] as aforesaid, without your needing to prove or to show grounds or reasons for your demand or the sum specified therein.

This guarantee is valid until the _____ day of _____ 20 ____

Signature and seal of the Guarantors

[Name of bank or financial institution]

[Address]

[Date]

6.5 LETTER OF NOTIFICATION OF AWARD

Address of Procuring Entity

To: _____

RE: Bid No. _____

Bid Name _____

This is to notify that the contract/s stated below under the above mentioned bid 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: CHAIRMAN, MMUST STAFF
RETIREMENT BENEFITS SCHEME**

6.6 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 Bid 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 of20.....

SIGNED
Board Secretary

6.7 DECLARATION FORM

Date _____

To: _____

The bidder i.e. (name and address) _____

_____ declare the following:

- a) Has not been debarred from participating in public procurement.
- b) Has not been involved in and will not be involved in corruption and fraudulent practices regarding public procurement.

Title: _____

Signature: _____

Date: _____

(To be signed by authorized representative and officially stamped)