



REPUBLIC OF KENYA



Co-funded by the
European Union

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING & URBAN DEVELOPMENT

State Department for Housing and Urban Development

CONSULTING SERVICES
(FIRM SELECTION)

Expressions of Interest

Name of Project: Second Kenya Informal Settlements Improvement Project (KISIP2)
Credit No: 6759-KE
Project ID No: P167814
Assignment Title: Consultancy Services for Capacity Needs Assessment and Preparation of Institutional Capacity Development Plan for Slum Upgrading and Prevention in Kenya
Reference No: MLPWHUD/SDHUD/AFD/KISIP2/05

1. The **Government of Kenya** has received financing from the **European Union (EU)** through **Agence Française de Développement ("AFD")**, and intends to use part of the funds thereof for payments under the following project:

Consultancy Services for Capacity Needs Assessment and Preparation of Institutional Capacity Development Plan for Slum Upgrading and Prevention in Kenya

2. The Services of the Consultant shall consist of :
 - a. Conducting a capacity needs assessment
 - b. Developing an institutional capacity development plan and the related transformation plan, through an implementation framework for slum upgrading and prevention in Kenya.

These will be addressed at both the National and County Government levels, involving a comprehensive assessment of capacity needs (e.g., gaps in technical skills, financial resources, governance structures, opportunities, etc.) The consultancy will result in a detailed capacity development plan and an implementation strategy, based on the theory of change and a results framework, to track progress and measure the impact of capacity interventions over time.

3. The **Ministry of Lands, Public Works, Housing and Urban Development, State Department for Housing and Urban Development (the Client)** through the Project

Coordinator KISIP2, hereby invites interested Applicants to show their interest in delivering the Services described above. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services. **Key Experts will not be evaluated at the shortlisting stage**

4. The applicant may be a single entity or a consortium of a maximum of three firms. **Interested Foreign Firms should partner with local firms**
5. This Request for Expressions of Interest is open to:

✓ **Consulting firms**

Individual consultants

NGOs

Joint Venture between NGO(s) and consulting firm(s)

6. Eligibility criteria to AFD financing are specified in sub-clause 1.3 of the "Procurement Guidelines for AFD-Financed Contracts in Foreign Countries", available online on AFD's website: <http://www.afd.fr>.

The assignment is expected to take Six (6) Calendar months.

7. The project implementation guidelines to be followed for the assignment can be found at the following website: www.housingandurban.go.ke/tenders or can be obtained at the address given below.
8. The applicant **must submit with their application a signed and unaltered copy of the statement of Integrity, Eligibility and Environmental and social Responsibility** given in the appendix to the TOR to be downloaded from the website: www.housingandurban.go.ke/tender.
9. The Applicant shall submit only one application, either in its own name or as a member of a Joint Venture (JV). If an Applicant (including any JV member) submits or participates in more than one application, those applications shall be all rejected. However, the same Subconsultant may participate in several applications. If the Applicant is a JV, the expression of interest shall include:
 - ❖ A copy of the JV Agreement entered into by all members, or
 - ❖ A letter of intent to execute a JV Agreement, signed by all members together with a copy of the Agreement proposal,

In the absence of this document, the other members will be considered as Subconsultants.

Experiences and qualifications of Subconsultants are not taken into account in the evaluation of the applications.

10. Interested Applicants must provide information evidencing that they are qualified and experienced to perform those services. For that purpose, documented evidence of recent and similar services shall be submitted.

The determination of the similarity of the experiences will be based on:

- i. **The Contracts Size:** The firm or consortium must demonstrate that they have an accumulative annual turnover of **Kshs 40,000,000.00** for the last **3 years**.
- ii. **The Nature of the Services:** The firm or consortium members shall demonstrate experience in successfully executing and completing at least two (2) projects of similar nature, both in scope and complexity, within comparable operating environments over the past ten (10) years, with at least one project completed in the last five (5) years. This should include evidence of implementing multi-stakeholder programs involving collaboration with residents and public institutions, specifically focusing on capacity assessment and institutional development planning. Experience in providing technical assistance and investment planning, particularly within the context of informal settlement upgrading or similar capacity-building initiatives, will be highly advantageous.
- iii. **The Technical Area and Expertise:** The firm or consortium members shall demonstrate the capacity to undertake comprehensive capacity assessments,

institutional development and transformational planning. This includes expertise in transforming institutions processes and structures, , co-designing institutional frameworks and capacity-building plans, facilitating multi-stakeholder collaboration between public authorities and communities, community engagement and supporting community-based organizations to strengthen their operational capacities.

- iv. **The experience in the region:** The firm or consortium members must demonstrate that they have similar working experience in East Africa, preferably in Kenya.
11. Among the submitted applications, **Ministry of Lands, Public Works, Housing and Urban Development, State Department for Housing and Urban Development (the Client)** will shortlist a maximum of six (6) Applicants, to whom the Request for Proposals to carry out the Services shall be sent.
12. The Expressions of Interest must be delivered in a written form to the address below either in person, by mail or by e-mail by **15th April 2025 at 1100 Hours EAT**. Interested Applicants may obtain further information during office hours: i.e. 0900 to 1700 Hours East African Time, (EAT) at the Procurement Office, 19th Floor Prism Towers, 3rd Ngong Avenue. Nairobi

**State Department for Housing and Urban Development,
Attn: Principal Secretary
6th Floor, Ardhi House
1st Ngong Avenue
Nairobi, Kenya**

Telephone: +254-02-2729200

E-mail: kisip2.procurement@housingandurban.go.ke

**Appendix to The Request for Expressions of Interest
(To be submitted with the application, signed and unaltered)
Statement of Integrity, Eligibility and Environmental and Social
Responsibility**

Reference of the bid or proposal _____ (the "**Contract**")

To: _____ (the "**Contracting Authority**")

1. We recognise and accept that *Agence Française de Développement* ("**AFD**") only finances projects of the Contracting Authority subject to its own conditions which are set out in the Financing Agreement which benefits directly or indirectly to the Contracting Authority. As a matter of consequence, no legal relationship exists between AFD and our company, our joint venture or our suppliers, contractors, subcontractors, consultants or subconsultants. The Contracting Authority retains exclusive responsibility for the preparation and implementation of the procurement process and performance of the contract. The Contracting Authority means the Purchaser, the Employer, the Client, as the case may be, for the procurement of goods, works, plants, consulting services or non-consulting services.
2. We hereby certify that neither we nor any other member of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants are in any of the following situations:
 - 2.1 Being bankrupt, wound up or ceasing our activities, having our activities administered by the courts, having entered into receivership, reorganisation or being in any analogous situation arising from any similar procedure;
 - 2.2 Having been:
 - a) convicted, within the past five years by a court decision, which has the force of *res judicata* in the country where the Contract is implemented, of fraud, corruption or of any other offense committed during a procurement process or performance of a contract (in the event of such conviction, you may attach to this Statement of Integrity supporting information showing that this conviction is not relevant in the context of this Contract);
 - b) subject to an administrative sanction within the past five years by the European Union or by the competent authorities of the country where we are constituted, for fraud, corruption or for any other offense committed during a procurement process or performance of a contract (in the event of such sanction, you may attach to this Statement of Integrity supporting information showing that this sanction is not relevant in the context of this Contract);
 - c) convicted, within the past five years by a court decision, which has the force of *res judicata*, of fraud, corruption or of any other offense committed during the procurement process or performance of an AFD-financed contract;
 - 2.3 Being listed for financial sanctions by the United Nations, the European Union and/or France for the purposes of fight-against-terrorist financing or threat to international peace and security;
 - 2.4 Having been subject within the past five years to a contract termination fully settled against us for significant or persistent failure to comply with our contractual obligations during contract performance, unless this termination was challenged and dispute resolution is still pending or has not confirmed a full settlement against us;

- 2.5 Not having fulfilled our fiscal obligations regarding payments of taxes in accordance with the legal provisions of either the country where we are constituted or the Contracting Authority's country;
 - 2.6 Being subject to an exclusion decision of the World Bank and being listed on the website <http://www.worldbank.org/debarr> (in the event of such exclusion, you may attach to this Statement of Integrity supporting information showing that this exclusion is not relevant in the context of this Contract);
 - 2.7 Having created false documents or committed misrepresentation in documentation requested by the Contracting Authority as part of the procurement process of this Contract.
3. We hereby certify that neither we, nor any of the members of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants are in any of the following situations of conflict of interest:
 - 3.1 Being an affiliate controlled by the Contracting Authority or a shareholder controlling the Contracting Authority, unless the stemming conflict of interest has been brought to the attention of AFD and resolved to its satisfaction;
 - 3.2 Having a business or family relationship with a Contracting Authority's staff involved in the procurement process or the supervision of the resulting Contract, unless the stemming conflict of interest has been brought to the attention of AFD and resolved to its satisfaction;
 - 3.3 Being controlled by or controlling another bidder or consultant, or being under common control with another bidder or consultant, or receiving from or granting subsidies directly or indirectly to another bidder or consultant, having the same legal representative as another bidder or consultant, maintaining direct or indirect contacts with another bidder or consultant which allows us to have or give access to information contained in the respective applications, bids or proposals, influencing them or influencing decisions of the Contracting Authority;
 - 3.4 Being engaged in a consulting services activity, which, by its nature, may be in conflict with the assignments that we would carry out for the Contracting Authority;
 - 3.5 In the case of procurement of goods, works or plants:
 - a) Having prepared or having been associated with a consultant who prepared specifications, drawings, calculations and other documentation to be used in the procurement process of this Contract;
 - b) Having been recruited (or being proposed to be recruited) ourselves or any of our affiliates, to carry out works supervision or inspection for this Contract.
4. If we are a state-owned entity, and to compete in a procurement process, we certify that we have legal and financial autonomy and that we operate under commercial laws and regulations.
5. We undertake to bring to the attention of the Contracting Authority, which will inform AFD, any change in situation with regard to points 2 to 4 here above.
6. In the context of the procurement process and performance of the corresponding contract:
 - 6.1 We have not and we will not engage in any dishonest conduct (act or omission) deliberately intended to deceive others, to intentionally conceal items, to violate or vitiate someone's consent, to make them circumvent legal or regulatory

requirements and/or to violate their internal rules in order to obtain illegitimate profit;

- 6.2 We have not and we will not engage in any dishonest conduct (act or omission) contrary to our legal or regulatory obligations or our internal rules in order to obtain illegitimate profit;
- 6.3 We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to (i) any Person who holds a legislative, executive, administrative or judicial mandate within the State of the Contracting Authority regardless of whether that Person was nominated or elected, regardless of the permanent or temporary, paid or unpaid nature of the position and regardless of the hierarchical level the Person occupies, (ii) any other Person who performs a public function, including for a State institution or a State-owned company, or who provides a public service, or (iii) any other person defined as a Public Officer by the national laws of the Contracting Authority's country, an undue advantage of any kind, for himself or for another Person or entity, for such Public Officer to act or refrain from acting in his official capacity;
- 6.4 We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to any Person who occupies an executive position in a private sector entity or works for such an entity, regardless of the nature of his/her capacity, any undue advantage of any kind, for himself or another Person or entity for such Person to perform or refrain from performing any act in breach of its legal, contractual or professional obligations;
- 6.5 We have not and we will not engage in any practice likely to influence the contract award process to the detriment of the Contracting Authority and, in particular, in any anti-competitive practice having for object or for effect to prevent, restrict or distort competition, namely by limiting access to the market or the free exercise of competition by other undertakings;
- 6.6 Neither we nor any of the members of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants shall acquire or supply any equipment nor operate in any sectors under an embargo of the United Nations, the European Union or France;
- 6.7 We commit ourselves to comply with and ensure that all of our suppliers, contractors, subcontractors, consultants or subconsultants comply with international environmental and labour standards, consistent with laws and regulations applicable in the country of implementation of the Contract, including the fundamental conventions of the International Labour Organisation (ILO) and international environmental treaties. Moreover, we shall implement environmental and social risks mitigation measures when specified in the environmental and social commitment plan (ESCP) provided by the Contracting Authority.
7. We, as well as members of our joint venture and our suppliers, contractors, subcontractors, consultants or subconsultants authorise AFD to inspect accounts, records and other documents relating to the procurement process and performance of the contract and to have them audited by auditors appointed by AFD.

Name: _____ In the capacity of: _____

Duly empowered to sign in the name and on behalf of: _____

¹ In case of joint venture, insert the name of the joint venture. The person who will sign the application, bid or proposal on behalf of the applicant, bidder or consultant shall attach a power of attorney from the applicant, bidder or consultant.

Signature: _____

Dated: _____