

REQUEST FOR EXPRESSIONS OF INTEREST (REOI)- (CONSULTING SERVICES – FIRMS SELECTION)

THE KISII NATIONAL POLYTECHNIC

TENDER NO:REVIEW OF A STRATEGIC PLAN

REF NO:KNP/RFP/79/2023

- 1) The [KISII POLYTECHNIC] intends to shortlist consultants to provide consulting services (the Services) for [Review of a strategic plan- we prefer to have an expert with degree in strategic management and other related field the exercise is expected to take a maximum of 90 days, and this is expected to begin on 15 April 2023 in full consistency with the Terms of Reference (TOR) that: *[Select the relevant source(s)]*
 - i) Are attached or referred to in this request for expressions of interest. or
 - ii) Can be found at the following website:www.kisiipoly.ac.ke or
 - iii) Can be obtained at the address given below.

KISII NATIONAL POLYTECHNIC

THE PRINCIPAL

Telephone number: 0714479729

info@kisiipoly.ac.ke

BOX 222

KISII

- 2) The Kisii Poly now invites eligible consulting firms (“Consultants”) to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services. The shortlisting criteria on required qualifications and experience of the firm are:
 - i) Experience in the assignment, including technical and managerial capability of the firm.
 - ii) Number of years in business working on the area of the assignment.
 - iii) Reference to at least three assignments of similar nature and size carried out in the last 5 years . Include persons or institutions and contact addresses (*phone, email*) who can be contacted on the same.Qualifications and Experience of Key Experts shall not be included in the short listing criteria. Key Experts will not be evaluated at the shortlisting stage.
- 3) The attention of interested Consultants is drawn to the following provisions that will be highlighted in the Request for Proposals to be issued to shortlisted firms.
 - i) The Consultant will be expected to have no conflict of interest with other assignments or its own corporate interests and acting without any consideration for future work.
 - ii) The consultant has no personal or business relationship with the Procuring Entity's senior management or professional staff.
 - iii) A firm or an individual in the firm has not been sanctioned by the Public Procurement Regulatory Authority or are under a suspension or a debarment imposed by any other entity of the Government of Kenya, or any international organization.
 - iv) Government-owned enterprises or institutions of Kenya Government, officials and civil servants and employees of public institutions may not eligible.

4. Consultants may associate with other firms to enhance their qualifications, but should indicate clearly whether the association is in the form of a joint venture and/or a sub-consultancy. In the case of a joint venture, all the partners in the joint venture shall be jointly and severally liable for the entire contract, if selected.
5. A Consultant will be selected in accordance with the Least Cost method set out in the Act and Regulations.
6. Further information can be obtained at the address below during office hours 0900-1700hrs

KISII NATIONAL POLYTECHNIC

PHONE NO : 0714479729

BOX 222

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(Country, City, Street, Building, floor number and Room number)

7. Expressions of interest must be delivered in a written form to the address below (in person, or by postal mail, or by e-mail) by *[15/4/2023]*.

KISII NATIONAL POLYTECHNIC

PROCUREMENT OFFICER

Telephone: 0710509018

Postal Address :222-40200

Email Address :**procurement@kisiipoly.ac.ke**

Physical Address: 222

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APPENDIX 1 TO THE PREFACE

GUIDELINES FOR SHORT LISTING CONSULTING FIRMS

(A) NOTES TO THE PERSON (S) PREPARING SHORTLISTS

(B) Shortlisting Process

1. The Expression of Interest (EOI) below in Item (B) of this Appendix is used as a notice to request interested firms to apply for being considered in a shortlist of firms to be invited to submit proposals for large consulting contracts. The EOI is usually used for QCB and QBS contracts. For small contracts, the Procuring Entity may directly solicit interest and short list from qualified firms based on its own knowledge, from its data base or from other Procuring Entities.
2. For the purpose of establishing a shortlist, the nationality of a firm is that of the country in which it is registered or incorporated, and in the case of Joint Ventures, the nationality of its lead partner. If foreign firms express interest, they shall be considered.
3. The Terms of Reference (TOR) shall be prepared by a person(s) or a firm specialized in the area of the assignment. The scope of the services described in the TOR shall be compatible with the available budget. The Cost Estimate (Budget) in the Procurement Plan must be carefully prepared as it will be the guidance determining the capacity of the consultants to be shortlisted and for negotiating a contract.
4. The Procuring Entity is responsible for preparing shortlists. The Procuring Entity shall give first consideration to those firms expressing interest that possess the relevant qualifications. Short lists shall be limited to the number allowed in the Act (to comprise of about six firms). Firms that expressed interest, as well as any other firm or entity that specifically requests so, shall be provided with the final shortlist of firms by the Procuring Entity.
5. The short list may comprise entirely national consultants (firms registered or incorporated in Kenya, if the assignment is below the ceiling(s) established in the Procurement Regulations, or where a sufficient number of qualified national firms is available or where competition including foreign consultants is prima facie not justified or where foreign consultants have not expressed interest.
6. The short list should comprise consultants of the with similar business objectives, corporate capacity, experience and field of expertise, and that have undertaken assignments of a similar nature and complexity. Government-owned enterprises or institutions and not-for-profit organizations (NGOs, Universities, UN Agencies, etc.) should not normally be included in the same shortlist along with private sector firms, unless they operate as commercial entities. If mixing is used, the selection should normally be made using Quality-Based Selection (QBS) or Selection Based on the Consultants' Qualifications (CQS) (for small assignments). The shortlist shall not include Individual Consultants. If the same firm is considered for inclusion in short lists for concurrent assignments, the Procuring Entity shall assess the firm's overall capacity to perform multiple contracts before including it in more than one shortlist.

7. Eligibility of Consultants to be shortlisted

Consultants are expected to provide professional, objective, and impartial advice and at all times hold the Procuring Entity's interests as paramount, without any consideration for future work, and that in providing advice they avoid conflicts with other assignments and their own corporate interests. Consultants shall not be hired for any assignment that would be in conflict with their prior or current obligations to other clients, or that may place them in a position of being unable to carry out the assignment in the best interest of the Procuring Entity. Without limitation on the generality of the foregoing, consulting firms shall not be shortlisted or hired under the circumstances set forth below:

- a) Conflict between consulting activities and procurement of goods, works, or non-consulting services for a project (i.e., services other than consulting services);
- i) A firm that has been engaged by the Procuring Entity to provide goods, works, or non-consulting services for a project, or
- ii) a firm that is providing consulting services resulting from or directly related to procurement of those goods, works, or non-consulting services, or
- iii) Any affiliate firm that directly or indirectly controls, is controlled by, or is under common control with a firm that is categorized under items (i) and (ii) above.

This provision does not apply to the various firms (consultants, contractors, or suppliers) which together are performing the Contractor's obligations under a turnkey or design and build contract.

- b) Consulting firms that are carrying out for/or are being considered by the Procuring Entity an assignment that by its nature may be in conflict with the subject assignment of the Procuring Entity. As an example, consultants assisting a Procuring Entity in preparing a feasibility study or an environmental impact assessment or Terms of Reference (TOR) for the assignment.
- c) Consultants (including their experts and other personnel, and sub-consultants) that have a close business or family relationship with a Public Officers of the Procuring Entity or the officer (s) spouse, child, parent, brothers or sister. child, parent, brother or sister of a spouse, and who are directly or indirectly involved in any part of:
 - i) The preparation of the TOR for the assignment, or
 - ii) The selection process for the contract, or
 - iii) The supervision of such contract, unless the conflict stemming from this relationship has been resolved by the Procuring Entity in a manner acceptable throughout the selection process and the execution of the contract.
- d) Consultants (firms and individuals) from ineligible countries. In this respect, a country is considered ineligible if:
 - i) As a matter of law or official regulations, Kenya prohibits commercial relations with the consultant's country, or
 - ii) By an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, Kenya prohibits any payments to any country, person, or entity.
- e) Government-owned enterprises or public institutions of Kenya if they are not or cannot establish that they:
 - i) Are legally and financially autonomous,
 - ii) Operate under commercial law, and
 - iii) Are not dependent agencies of the Public Sector

As an exception to (e) above, when the services of government-owned universities or research centers or other institutions in Kenya are of unique and exceptional nature including because of the absence of a suitable private sector alternative, and their participation is critical to project implementation, the Procuring Entity may agree on the hiring of those institutions on a case-by-case basis. On the same basis, university professors or scientists from research institutes can be contracted individually.

- f) Government officials and civil servants shall not be short listed or hired under consulting contracts either as individuals or as members of the team of experts proposed by a consulting firm.

8 As a general Rule

- 9. The Procuring Entity shall not deny participation in a short-listing or selection process or award to a consultant for reasons unrelated to:
 - i) Its capability and resources to successfully perform the contract; or
 - ii) The conflict of interest situations.
 - iii) The Procuring Entity shall not require consultants to form associations with any specific firm or group of firms or include any particular individual in their proposals, but may encourage association with qualified national firms.

10. Advertising

The EOI shall be published in the dedicated government's advertising tender portal, in the PE's website and at least one daily newspaper of country wide circulation as provided in the Act. Applicants shall be given adequate number of days to per use the TOR and make any enquiries to enable them respond to the EOI. Usually 14 days is considered adequate, since no proposals are expected. The notice will advise on when the applications will be closed. The Procuring Entity must open the applications at the place and time indicated in the EOI. Late applications may not be necessarily rejected, since these are not proposals or tenders.

11. Preparation of Applications

The applications shall at least pay particular attention to providing all the information required in the EOI. The Procuring Entity has no control of how much the application will contain but shall determine what information is relevant/not relevant. Applicants have a tendency of including too much information to impress the Procuring Entity; so, it will be responsibility of the PE to remove or separate fat from the meat, assuming what is wanted is meat.

12. Opening of applications

The Procuring Entity shall publicly open and read out all applications received by the deadline, at the date, time and place specified in the EOI Notice, in the presence of the applicants, designated representatives who chooses to attend.

TABLE 1 - OPENING OF APPLICATIONS

No.	Name of Consultant	Sole/ JV/ Association/ Consortium	Country
1.	E.g. Twiga Grates of Kenya	Joint Venture: Twiga Grates of Kenya, BETA Cops SRL of Italy; Z&A Consultants International Ltd of Cyprus.	Kenya/Italy / Cyprus
2			
3			
4			
5			
6			
7			
8			
9 ETC.			

13. The Evaluation Committee will follow the following steps.

- 13.1 This document, “SHORTLISTING GUIDELINES AND SCORING SHEETS” for the Assignment will be circulated in advance to each Member of Evaluation Committee for their prior information and comments, if any.
- 13.2 The Evaluators will start together by completing Table 2 - Examination for eligibility, to establish the list of eligible applicants and putting this list in Table3–Firms that passed the Eligibility Criteria, thus eliminating the inherent risk of waste of timing scanning through applications of non-qualified applicants. The Procuring Entity will get list of firms debarred by PPRA and circulate to Evaluators. Note that the tables below are guidelines and the Procuring Entity can devise own guidelines provided they are rational and will lead to selection of qualified applicants.

TABLE 2 – EXAMINATION FOR ELIGIBILITY

The Applicants will be examined for eligibility on the following basis. Those who do not qualify will not be subjected to more detailed evaluation.

ELIGIBILITY CRITERIA		APPLICANT'S NUMBER									
		1	2	3	4	5	6	7	8	10	Etc.
1	The Firm is from an Eligible country i.e. The Firm is not from a country that Kenya prohibits commercial relations with that country, including those sanctioned by the United Nations Security Council taken under Chapter VII of the Charter of the United Nations.										
2	The firm's line of business fits in with the requirements of the assignment.										
3	If a firm is a state enterprise: a. Firm is Legally autonomous - a legal entity is separate from the state government and any public administration. b. Firm is Financially autonomous - not receiving any significant subsidies or budget support from any public entity or government. c. Firm is Operating under commercial law - means being vested with legal rights and liabilities similar to any commercial enterprise. d. Firm is not a dependent agency of the Kenya Government.										
4	Firm is not debarred from participating in procurement by PPRA or by any National agency or an International Organization. The Key individuals listed by the Firm's Team Leader are also not debarred.										
6	Firm has no conflict of Interest - consultant may be perceived to provide biased services so that its own or its affiliates interests prevail over the interests of the Procuring Entity.										
7	The Firm has provided all the information provided in the EOI to enable Client assess it qualification.										
RESULT - RESPONSIVE OR NOT RESPONSIVE (R or NR)											

TABLE 3 - FIRMS THAT PASSED THE ELIGIBILITY CRITERIA

S/No	Applicant's Name	Country Of Origin	Sole Firm Or Joint -Venture	Applicant's Full Postal And Email Address
1				
2				
3				
4				
5				
6				

14. Each Evaluator / member of the Shortlisting Committee must review and check the documents submitted by the Firms and make own assessment in-line with the criteria provided in Table 4 – Notes on the Criteria and sub- criteria and Evaluation Criteria and based on Table 5-Evaluation Scoring Guidelines (sub-criterion).

TABLE 4 - NOTES ON EVALUATION CRITERIA

S/NO.	CRITERIA	NOTES on SUB-CRITERIA
1	Consultants experience of not less than _____ (specify number of years) it has been in operational in that line business (Max Score = 30%)	This indicates that the firm is solid in its work and it is not just starting to operate.
2	Consultant's Relevant Experience for the Assignment, (Max Score = 50%)	Most important in a shortlisting process - this refers to any previous similar work or projects undertaken by the Consultant related to the assignment i.e. _____
3	Qualifications and Experience of Proposed Key Personnel (If so requested in the EOI) (Max Score = 20%)	While the Request for Proposals (RFP) will specify the key personnel required, with minimum number of years of required relevant work experience, the EOI may requires the applicant to indicate their proposed Team Leader and certain key personnel in their establishment to ensure that the applicant is firm on the ground for this kind of assignment.
4	Consultant's Experience in the region (<i>specify</i>) under similar conditions to the Procuring Entity's area (Max Score = 20%)	Specify the region to include familiarity with the nature of the assignment, Region may include EA countries, Africa or specific regions of Kenya, etc.

15. The assessment will be based on the information that each firm presented and no additional information on the firm's capacity and experience that was not provided in the Application and the EOI would be sourced. The Evaluation Committee members will then assemble as a team under its Chairperson, and collectively gave their assessments. Each Evaluator will complete his/her scores as on Table6A and B–Individual Evaluator's Scoring Sheets shown below following the guidelines shown on Table5-Evaluation Scoring Guide lines (sub-criterion). The scores in all the Table 6s from each Evaluator will be moderated by whole Evaluation Committee to ensure there are no “*too high or too low scores*” by any Evaluator and will be transferred to Table 7- Consolidated scores. The Evaluation Team will agree on a final Table 8- and the Applicants will be ranked, from which a shortlist will be made and summarized on Table 11 – Shortlisted firms, which will be the outcome of the assessment.

TABLE 5 - EVALUATION SCORING GUIDELINES (SUB-CRITERION)

S/NO	EVALUATION SUB-CRITERION	MAX POINTS (<i>specify</i>)	SUB CRITERIA FOR SCORING	
			SPECIFIC EXPERIENCE (LIST SPECIFIC EXPERIENCE TO BE SCORED)	SCORE (<i>specify</i>)
1	Consultants experience of not less than <u>5</u> years) it has been in operational in that line business		1	
			2	
			3	
			4	
			5	
			6	
			7	
			8	
2	Consultant's Relevant Experience for the Assignment		1	
			2	
			3	
3	Qualifications and Experience of Proposed Key Personnel (If so requested in the EOI)		1	
			2	
			3	
			4	
			5	
4	Consultant's Experience in the strategic plan development for a university, National polytechnic or other equivalent institution		1	
			2	
			3	
TOTAL SCORES		100		

TABLE 6 A – INDIVIDUAL EVALUATOR'S SCORING SHEET

Name of Evaluator_____

S/NO	Evaluation Sub-Criterion	Max Points	Sub criteria for scoring		APPLICANT'S NUMBER AND SCORES									
			Specific Experience	Max. Score	1	2	3	4	5	6	7	8	9	
1	Consultant's Experience over the last 5 years.		1											
			2											
			3											
			4											
			5											
			SUBTOTAL SCORE FOR CRITERION			X	X	X	X	X	X	X	X	X
2	Consultant's Relevant Experience for the Assignment		1											
			2											
			3											
			SUBTOTAL SCORE FOR CRITERION			X	X	X	X	X	X	X	X	X
3	Qualifications and Experience of Proposed Key Personnel (If so requested in the EOI)		1											
			2											
			1											
			2											
			2											
			3											
			SUBTOTAL SCORE FOR CRITERION			X	X	X	X	X	X	X	X	X
4	Consultant's Experience in the region (<i>specify</i>) under similar conditions to the Procuring Entity' area.		1											
			2											
			3											
			SUBTOTAL SCORE FOR CRITERION			X	X	X	X	X	X	X	X	X
		100	TOTAL SCORE FOR APPLICANT											

Name and Signature of Evaluator_____

Date_____

16. The Evaluators will in addition complete Table 6B-Weaknesses and Strengths below for each firm to show the weaknesses and strengths of each applicant. The Committee will consider each of the factors and if in its opinion, the firm is considered too weak or has literally no strengths to warrant being shortlisted, such a firm will be dropped.

TABLE 6B - WEAKNESSES AND STRENGTHS

S/NO	NAME OF APPLICANT	STRENGTHS	WEAKNESSES	RECOMMENDATION (to be pass or fail)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13 ETC				

Name and Signature of Evaluator_____

Date_____

TABLE 7 - CONSOLIDATED SCORES (Four Tables one for each Criterion i.e. items 3, 4, 5 and 6 on Table 8)

	EVALUATOR	TOTAL SCORE	APPLICANT'S NUMBER/NAME/SCORES											
			1	2	3	4	5	6	7	8	9	10	11	12 ETC.
1		100												
2		100												
3		100												
4		100												
5		100												
6		100												
7		100												
8		100												
	TOTAL SCORE (cross check total is not more than 100)		X	X	X	X	X	X	X	X	X	X	X	X

17. The Committee would determine the score mark for being considered a pass applicant (E.g.75 marks and above out of 100). The Firms that scored above the pass mark will be listed in Table 9: Firms that passed all the criteria and would be considered for being on the short list as the first priority firms, while the firms in Table10 are those who marginally passed all the criteria and would be considered as alternative firms in case firms on Table 9 cannot make the required number for the shortlist.

TABLE 9: FIRMS THAT PASSED THE CRITERIA

No.	Name of Consultant	Sole/ JV/ Association/ Consortium	Country
1.			
2			
3			
4			
5			
6			
7 etc			

TABLE 10: FIRMS THAT MARGINALLY PASSED ALL THE CRITERIA

No.	Name of Consultant	Sole/ JV/ Association/ Consortium	Country
1.			
2			
3			
4			
5			
6			
7 ETC			

Shortlisting of Firms

18. The Evaluation Committee having reviewed the Applications that were received, would then agree on a shortlist of Firms that were determined to have met the qualifications to be shortlisted. The Committee would give its very considered assessment, the general observation on how the firms fared. The Committee would then prepare a Table 11 together with a recommendation for presentation to the Committee or Official that approves the Shortlist, in this case an Evaluation Committee or the Head of the Procuring Entity.

TABLE 11: SHORTLISTED FIRMS

No.	S/N	Name of Consultant	Sole firm or Joint Venture or Association/ Consortium	Country
1.				
2.				
3.				
4.				
5.				
6.				
ETC.				

19. The Shortlisting Committee here by append their signatures on Table 11, confirming their decision for the firms shortlisted for Consulting Services for the “(name the assignment)_____of the Project”.

TABLE 12 - SIGNATURES OF SHORTLISTING COMMITTEE MEMBERS

(Confirming they Shortlisted _____ No of Firms)

NO.	NAME	DESIGNATION	SIGNATURE
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			

