

# **NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD**



**OFFICE OF THE CLERK OF THE COUNTY ASSEMBLY  
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**REQUEST FOR PROPOSAL  
FOR  
CONSULTANCY SERVICES:DRAFTING OF NAIROBI  
CITY COUNTY HEALTH SERVICES BILL,2019  
RFP NO. NCCASB/RFP/02/2018/2019**

***Rfp submission deadline: Thursday 4th April, 2019  
at 11:00am.***

## **SECTION I - LETTER OF INVITATION**

**TO: Interested eligible registered bidders Under Category  
NCCASB/PQ/22B/2018-2020 – Provision Of Legislative Drafting  
Services**

DATE: **27TH MARCH, 2019**

Dear Sir/Madam,

**RE: RFP FOR CONSULTANCY SERVICES: DRAFTING OF NAIROBI CITY  
COUNTY HEALTH SERVICES BILL, 2019.**

1.1 The Nairobi City County Assembly Nairobi City County Assembly Service Board invites proposals for drafting of health services bill, 2019 for the County Assembly.

1.2 The request for proposals (RFP) includes the following documents:

Section I - Letter of invitation  
Section II - Information to consultants  
Section III- Technical proposals  
Section V - Financial proposal

1.3 The completed Technical and Financial Proposals must be submitted to:-

**The Clerk  
Nairobi City County Assembly  
P.O.Box 45844-00100  
Nairobi**

So as to reach the office of the County Assembly or be deposited in the tender box at the County Assembly offices by ***Thursday 4th April, 2019 at 11:00am.***

Yours sincerely  
Clerk , Nairobi City County Assembly

## **SECTION II: - INFORMATION TO CONSULTANTS (ITC)**

### **2.1 Introduction**

**2.1.1** The Nairobi City County Assembly will select a firm 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,

**2.1.3** Please note that;

- (i) The costs of preparing the proposal and of negotiating the Contract, including any visit to the Client are not reimbursable as a direct cost of the assignment; and
- (ii) The Client is not bound to accept any of the proposals submitted.

### **2.2 Preparation of Technical Proposal**

**2.2.1** The Consultants proposal shall be written in English language.

**2.2.2** 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 proposal.

**2.2.3** While preparing the Technical Proposal, Consultants must give particular attention that the Proposed professional staff must as a minimum, have the experience preferably working under conditions similar to those prevailing in Kenya.

**2.2.4** 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 Client.
- (iii) A detailed description of the proposed 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) Estimates of the total staff input (professional and support staff staff-time) needed to carry out the assignment showing the time proposed for each professional staff team member.

(viii) Any additional information

**2.2.5** The Technical Proposal shall not include any financial information.

## **2.3 Preparation of Financial Proposal**

**2.3.1** 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. It lists all costs associated with the assignment including;

(a) remuneration for staff and;  
(b) reimbursable expenses such as subsistence (per diem, housing), transportation services, and equipment (office equipment, and supplies), 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.

**2.3.2** 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.

**2.3.3** Consultants shall express the price of their services in Kenya Shillings.

**2.3.4** 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.

**2.3.5** The Proposal must remain valid for 60 days after the closing/opening date. During this period, the Consultant is expected to keep available, at his own cost, the professional staff proposed for the assignment. The Client will make his best effort to complete negotiations within this period. If the Client wishes to extend the validity period of the proposals, the Consultants shall agree to the extension.

## **2.4 Submission, Receipt, and Opening of Proposals**

**2.4.1** The original proposal (Technical Proposal and, if required, Financial Proposal 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.

**2.4.2** The original copies of the Technical Proposal shall be placed in a sealed envelope clearly marked “**TECHNICAL PROPOSAL**,” and the original copy of the Financial Proposal shall be placed in a sealed envelope clearly marked “**FINANCIAL PROPOSAL**” and with a 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 and RFP number.

**2.4.3** The completed Technical and Financial Proposals must be submitted to:-

**The Clerk  
Nairobi City County Assembly  
P.O.Box 45844-00100  
Nairobi.**

So as to reach the office of the County Assembly or deposited in the tender box at the County Assembly offices by ***Thursday 4th April, 2019 at 11:00am.***

Any proposal received after the closing time for submission of proposals shall be returned to the respective Consultant unopened.

**2.4.4** After the deadline for submission of proposals, the Technical Proposal shall be opened immediately by the opening committee. The Financial Proposal shall remain sealed and deposited with a responsible officer of the client department up to the time of opening of financial proposals.

## **2.5.GENERAL CONDITIONS(CRITERIA FOR EVALUATION)**

**2.5.1**The Tender evaluation Committee shall evaluate the proposals on the basis of their responsiveness to the Mandatory Requirements of the RFP and Terms of Reference attached, applying the evaluation criteria as follows:

### **Preliminary**

1. Detailed company profile (Vision, Mission, Core values, Service Charter and Organization structure)
2. Must fill the Tender form in the format provided
3. Current Practicing certificate from Law Society of Kenya (LSK)
4. Valid Tax compliance certificate

### **Technical Evaluation**

1. Prior experience in developing bills for public entities specifically for Parliament or County Assemblies. Attach the following;
  - 5 Letters of award or Local service orders **(25 marks)**
  - 5 Bill(s) the firm has developed **(25 marks)**

**(50 Marks)**
2. A list of previous client or similar assignments with atleast 5 years working experience using participatory or consultative processes. Attach 5 testimonials/Recommendation letters

**(20 marks)**
3. A detailed description of the proposed work plan for performing the assignment
  - Propose the main activities of the assignment **(5 marks)**
  - their content **(5 marks)**
  - phasing and interrelations **(5 marks)**
  - milestones and proposed deliverables **(5 marks)**

**(20 marks)**

4. A certificate in legislative drafting from an institution recognized in Kenya  
(10 marks)

**Note: Bidders who score less than 70 marks out 100 in the technical evaluation will not proceed to the financial evaluation**

### **Financial evaluation**

NB: Bids proceeding to financial evaluation shall be scored out of 100 marks.

A bidder who scores 70 marks and above shall proceed to the financial evaluation.

The lowest bidder award system shall be used to award.

### **2.6 Terms of Reference**

As per the attachment

## **III- TECHNICAL PROPOSAL**

### **Notes on the preparation of the Technical Proposals**

**3.1** In preparing the technical proposal the Consultant is expected to examine all terms and information included in the RFP. Failure to provide all requested information shall be at the Consultant's own risk and may result in rejection of the Consultant's proposal.

**3.2** The technical proposal shall provide all required information and any necessary additional information and shall be prepared using the standard forms provided in this Section.

**3.3** The Technical proposal shall not include any financial information unless it is allowed in the Appendix to information to the Consultants or the Special Conditions of contract.

### **1. 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 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].

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:]*

## 2. FIRM'S REFERENCES

### **Relevant Services Carried Out in the Last THREE Years That Best Illustrate prior experience in Legislative drafting**

Using the format below, provide information on each assignment for which your firm either individually, as a corporate entity or in association, was legally contracted.

Assignment Name:		Country:
Name of Client and Address:		Clients contact person for the assignment
Start Date (Month/Year):	Completion Date (Month/Year):	Approx. Value of Services (Kshs)
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:		
Narrative Description of project:		

Firm's Name: \_\_\_\_\_

Name and title of signatory; \_\_\_\_\_

*(May be amended as necessary)*



**3. 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. DESCRIPTION OF THE METHODOLOGY AND WORK PLAN FOR PERFORMING THE ASSIGNMENT**

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## **5. TEAM COMPOSITION AND TASK ASSIGNMENTS**

### **1. Technical/Managerial Staff**

Name	Position	Task

### **2. Support Staff**

Name	Position	Task

## **SECTION IV: - FINANCIAL PROPOSAL**

### Notes on preparation of Financial Proposal

- 4.1 The Financial proposal prepared by the Consultant should list the costs 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.
- 4.2 The financial proposal shall be IN KENYA SHILLINGS allowed in the request for proposal and shall take into account the tax liability.
- 4.3 The financial proposal should be prepared using the Standard forms provided in this part.

## SECTION IV - FINANCIAL PROPOSAL STANDARD FORMS

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1. Form of Tender
2. Summary of costs
3. Breakdown of price/per activity

## 1. FORM OF TENDER

Date \_\_\_\_\_  
Tender No. \_\_\_\_\_

To.....

.....

[Name and address of procuring entity]

Gentlemen and/or Ladies:

1. Having examined the tender documents including Addenda Nos.. *[insert numbers]*, that of which is hereby duly acknowledged, we, the undersigned, offer to provide *[description of services]* in conformity with the said tender documents for the sum of . *[total tender 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 Tender.

2. We undertake, if our Tender is accepted, to provide the services in accordance with the services schedule specified in the Schedule of Requirements.

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

4. Until a formal Contract is prepared and executed, this Tender, together with your written acceptance thereof and your notification of award, shall constitute a binding Contract between us.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20  
*[signature] [In the capacity of]*

Duly authorized to sign tender for and on behalf of \_\_\_\_\_

**2. SUMMARY OF COSTS( In the separate envelope containing the financial evaluation)**

Costs		Currency(ies)	Amount(s)
Subtotal			
Taxes			
Total Amount of Financial Proposal			_____

### 3. BREAKDOWN OF PRICE PER ACTIVITY

Activity no:_____	Description_____
Price component	Amount(s)
Remuneration	
Reimbursables	
Miscellaneous expenses	
Subtotal	_____