



Tender No. KWS/ EOI /23/2019-2020

GUIDELINES FOR INTERNATIONAL EXPRESSION OF  
INTEREST

PROPOSED KENYA PARKS PROJECT - FEASIBILITY STUDY

**CLOSING DATE AND TIME:**

**28<sup>TH</sup> APRIL 2020**

**Kenya Wildlife Service, Headquarters  
PO Box 40241 - 00100, Nairobi, Kenya**

**Email:  
[hps@kws.go.ke](mailto:hps@kws.go.ke)**

**Website:  
[www.kws.go.ke](http://www.kws.go.ke)**

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**Date: 7<sup>th</sup> April 2020**

**To:** \_\_\_\_\_

**Address:** \_\_\_\_\_

Dear Sir/Madam:

**REQUEST FOR EXPRESSION OF INTEREST FOR TENDER NO KWS/EOI/AFD/23/2019-2020**

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**FEASIBILITY STUDY FOR PROPOSED KENYA PARKS PROJECT**

Kenya wildlife Service (KWS) is in the process of formulating the proposed Kenya Parks Project. The proposed project will be funded through a loan and a grant from the Agence Française de Développement (AFD) KWS seeks to recruit a consultant to conduct a technical and financial feasibility study in order to prepare the proposed conservation project.

1. KWS intends to implement the proposed Kenya Parks Project in selected national parks, reserves and conservancies. The project is expected to build on two earlier projects in Meru and Marsabit National Parks. The overall objective of the project is to enhance KWS financial sustainability by supporting 5 of the 10 main revenue generating terrestrial National Parks of Kenya and 1 marine park under the Kenya Parks Initiative of the Ministry of Tourism and Wildlife. The specific focus of the new project is on 5 terrestrial parks (Nairobi, Nakuru, Meru, Mt. Kenya and one marine park (Watamu Marine Park), wildlife corridors and community conservancies in this areas. The project will include, but not limited to, infrastructure development, wildlife and habitats management, law enforcement, local community engagement, technical assistance and institutional capacity building.
2. The Kenya Wildlife Service now invites sealed expression of interest documents from eligible bidders for **FEASIBILITY STUDY OF THE PROPOSED KENYA PARKS PROJECT**.
3. A complete set of the EOI tender documents may be obtained by downloading free of charge from The KWS website [www.kws.go.ke/downloads](http://www.kws.go.ke/downloads) - tenders section with the supplier giving information shown in the tender documents before the deadline for submission of tenders.
4. Candidates **MUST** prove that they qualify to participate in public procurement by providing copies of the following **Mandatory** documents:
  - a) Certificate of Incorporation.
  - b) Valid Tax Compliance Certificate

- c) Certified audited accounts for latest three (3) years (FY 2015, 2016 and 2017) or certified bank statement for the last thirty six (36) months.
- d) Certified Current CR 12 from registrar of companies or a copy of business registration certificate for sole proprietorship or the equivalent document for partnerships that clearly indicates the ownership of the companies. (certified by commissioner of oaths and not older than six months)
- e) Fully filled business questionnaire
- f) A declaration that the tenderer will not engage in any corrupt or fraudulent practice.
- g) A declaration that the tenderer or his or her sub- contractors are not debarred from participating in procurement proceedings (Declaration Form for Non Corrupt Practices & Non-Debarment and Statement of Integrity, Eligibility and Environmental and Social Responsibility).
- h) The EOI document must be sequentially paginated, including all attachments.
- i) Minimum of three (3) assignments where vendor has implemented feasibility studies.
- j) Proof of vendor accreditation certificate/ registration.
- k) At least three (3) client details and value of contract of similar assignments

Bidders **MUST** submit all the above documents

Bidders are encouraged to familiarize themselves with the project expectations before submitting their expression of interest. This will be at the bidder's own cost

**NB:** This is NOT a Request for Proposal. After a review of the EOI Proposals, shortlisting will be done and the most responsive firms will be invited to submit their combined Technical and Financial Proposals through a Request for Proposal document.

Only Expression of Interest (EOI) Proposals meeting a minimum technical score of 80% and above will be invited to participate in the Request for Proposal.

Complete EOI documents in plain sealed envelopes clearly marked; EXPRESSION OF INTEREST, KWS/EOI/AFD/23/2019-2020, FEASIBILITY STUDY FOR PROPOSED KENYA PARKS PROJECT Should be addressed to the :- **The Director General, Kenya Wildlife Service, P.O. BOX 40241-00100, NAIROBI 00100** and deposited in the Tender Box at the Reception **on or before 28<sup>th</sup> April 2020 at 12.00 noon**

Submitted bids will be opened immediately thereafter in the presence of bidders who choose to attend.

**DIRECTOR GENERAL**

## **1.0 FORMAT AND REQUIREMENTS FOR COMPLETION OF EOI**

### **1.1 Mandatory Documents**

- a. Certificate of Incorporation.
- b. Valid Tax Compliance Certificate
- c. Certified audited accounts for latest three (3) years (FY 2015, 2016 and 2017) or certified bank statement for the last thirty-six (36) months.
- d. Certified Current CR 12 from registrar of companies or a copy of business registration certificate for sole proprietorship or the equivalent document for partnerships that clearly indicates the ownership of the companies. (certified by commissioner of oaths and not older than six months)
- e. The business MUST have been in operation for 5 years or more from the date of this EOI
- f. Fully filled business questionnaire
- g. A declaration that the tenderer will not engage in any corrupt or fraudulent practice.
- h. A declaration that the tenderer or his or her sub- contractors are not debarred from participating in procurement proceedings.
- i. The EOI document must be sequentially paginated, including all attachments.
- j. Minimum of three (3) assignments where vendor has implemented feasibility studies.
- k. Proof of vendor accreditation certificate/ registration.
- l. At least three (3) client details and value of contract of similar assignments

Bidders are encouraged to familiarize themselves with the project expectations before submitting their expression of interest. This will be at the bidder's own cost

#### **NB:**

- KWS will undertake due diligence to ascertain the facts of the feedback presented by Bidders.
- Failure to submit any of the above will result in disqualification.
- Joint venture (JV) engagements are allowed for as long as the LEAD PARTNER will be the one entering into contract with Kenya wildlife service. If the consultant is a Joint Venture, the Expression of Interest shall include a copy of the JV Agreement entered into by all members. Alternatively, a letter of intent to execute a JV Agreement in the event of a successful proposal shall be signed by all members and submitted with the Expression of Interest, together with a copy of the proposed Agreement.

## 1.2 Corporate Documentation

Proponents are expected to submit information that addresses items contained in the table below:

ITEM	EXPECTED INFORMATION	REQUIRED FORMAT
<b>1.2.1 Bidder Corporate Details</b>	Corporate Profile (20mks)	State whether the firm is a Limited Liability, Sole proprietorship or Partnership  Provide a Short narrative of origin, development, mission and values of the company.
<b>1.3 Similar Related Projects (40Mks)</b>		
ITEM	EXPECTED INFORMATION	REQUIRED FORMAT
<b>1.3.1 Experience in similar work</b>	<p>Bidder to give reference sites of <b>three</b> (3) clients where they have implemented a feasibility study (In similar fields as Kenya Parks Project, i.e. biodiversity conservation, wildlife management and tourism development) in the form specified in Appendix.</p> <p>Adequate demonstration of experience in development of undertaking feasibility study bringing international best practices. A satisfactory track record will be advantageous.</p>	<p>Short narrative stating</p> <p>Name and Location of similar projects developed in last five (5) years or more. –()</p> <p>Value of project /size of companies that the bidder undertaken feasibility study – ()</p>
<b>1.4 Technical Staff (30Mks)</b>		
ITEM	EXPECTED INFORMATION	REQUIRED FORMAT
<b>Technical Project staff</b>	<p>Qualification and technical expertise of international and national key personnel in the firm</p> <ul style="list-style-type: none"> <li>• Biodiversity conservation and sustainable management</li> <li>• Tourism development</li> <li>• Protected areas</li> <li>• Human wildlife Conflict mitigation</li> <li>• Economic and financial analysis</li> <li>• Geographic information</li> </ul>	Professional qualified Natural resource management, finance, and biodiversity among other relevant skills of good repute with five (5) years or more experience.

	<ul style="list-style-type: none"> <li>system (GIS)</li> <li>• Climate change adaptation and mitigation</li> <li>• Project management</li> <li>• Capacity development and institutional support</li> <li>• Assessment and Management of Environmental and Social Risks and Impacts</li> </ul>	
<b>1.6 Evidence of Financial capability (10Mks)</b>		
<b>ITEM</b>	<b>EXPECTED INFORMATION</b>	<b>REQUIRED FORMAT</b>
<b>1.6.1 Financial documentation</b>	Contact details of at least one of the bankers (3mks)  Financial capability (7Mks)	Contact details. Demonstrate financial capability through documentary evidence of Cash, Cash equivalents, audited accounts and Bank statements for the last three years.

## 2 CRITERIA FOR EVALUATION

Expression of Interest will be evaluated on their responsiveness to the above requirements based on the following criteria:

Item	Particulars	Maximum Score/ Points (%)
2.1	Mandatory Documents	<b>Go or No Go</b>
2.2	Corporate Documentation	20
2.4	Similar or related Projects	40
2.5	Technical Staff qualifications	30
2.6	Evidence of Financial Stability	10
	<b>TOTAL</b>	<b>100</b>

Expressions of Interest scoring of above eighty per cent 80% shall be pre-qualified and invited to submit both technical and financial proposal

## 3 ADDITIONAL INSTRUCTIONS

All responses should be **typed** and their numbering to correspond with that set out in the format (section 2) Please include all attachments as required in the format for expression of Interest.

**(Turn page for Appendix)**

## APENDICES

### REFERENCES

These are for previous projects that the bidder has been involved in implementing:

<b>Client Name</b>			
<b>Country client is based</b>			
<b>Client contact details &amp; contact person</b>			
<b>Relevant project description</b>			
<b>Date of implementation</b>		<b>Value of project</b>	
<b>Bidders Project manager in this project</b>			
<b>Team members involved in project</b>			
<b>Time taken to deliver project</b>			
<b>Challenges faced in project (if any)</b>			
<b>Is the project complete</b>	(Yes/ No)		
<b>Bidder representative</b>			
<b>Date</b>		<b>signature</b>	



## **KENYA WILDLIFE SERVICE**

### **KWS BUSINESS QUESTIONNAIRE FORM**

**Name of the firm .....**

The information provided in this form will enable Kenya Wildlife Service to assess your eligibility to participate in the tendering process and your competence in supplying the goods and services in the tender. Kenya Wildlife Service shall verify the information provided and candidates should note that submission of false information will lead to automatic disqualification.

#### **A: GENERAL INFORMATION:**

1.1 Business Name: .....Date of registration  
of business .....

1.2 Indicate the form of Business:

(a) Sole Proprietor.....(b) Partnership.....(b) Company.....

1.3 What businesses are you licensed to operate?  
.....

1.4 Postal Address .....

Tel No .....

Fax: .....

Cell Phone.....

Email .....

Web page.....

1.5 Location of business premises:

Street/Road.....Building and

Floor.....Plot No .....

Is the premises Permanent/Temporary?.....

Residential/Office/shop/warehouse?.....

1.6 Current Trade License No ..... Expiring date .....

1.7 Who are your Principal Bankers ..... Branch .....

**1.8 Details of business registration: Please complete the relevant section.**

**Part 1.8 (a) – Sole Proprietor**

Your name in full .....

Are you a Kenya Citizen?.....

If not, what is your Nationality .....

Part 1.8(b) – Partnership/Registered company

Country of incorporation.....Date.....

	NAME OF PARTNERS/SHARE HOLDERS	NATIONALIT Y	CITIZENSHIP	OWNERSHIP (SHARES)
1				
2				
3				
4				

**B: ELIGIBILITY:**

- 2.2 Have you or your principals been subject of legal proceedings for insolvency, Bankruptcy, receivership or your business activities suspended for related reasons?.....if yes, when? .....[if yes, You must present legal documentary evidence that you are cleared and your business is now solvent].
- 2.3 Have you fulfilled your obligations to pay taxes and social security contributions for the last three years? Yes....No.....
- 2.4 Are you or your servants or agents subject of legal proceedings for corrupt or unethical business practice or offered any inducement to any procurement entity so that you can be considered for award of a tender? Yes.....No.....
- 2.5 Is the firm making this application or any of its directors been debarred or suspended from participating in public procurement or have any Procurement Entity initiated proceedings of that nature against the firm or one of its Directors, for any reason whatsoever? Yes.....No.....

**C: CAPABILITY AND COMPETENCE TO DELIVER GOODS OR SERVICE:**

- 2.6 What products/service do you want to be considered for.....
- 2.7 How many employees do you have? .....How many are Permanent? .....How many are Temporary?.....
- 2.8 What is the country of origin for those goods or services?.....
- 2.9 Are you a manufacturer/wholesaler/retailer/other (please specify).....

(a) If you are a manufacturer or a service organization, are your products certified by the Kenya Bureau of Standards or are you affiliated to a recognized accrediting body? Yes.....No.....[Please attach documentary evidence of the current certification].

(b) If you are not a manufacturer, are you an authorized dealer? Yes.....No.....[Please attach documentary evidence of the authority from the manufacturer]

2.10 Who are your major customers/clients and what is their telephone contact?

	NAME OF ORGANIZATION	VALUE OF BUSINESS	CONTACT PERSON	TEL NO
1				
2				
3				
4				

2.11 (a) To what extent is your firm e-enabled with your suppliers and clients and how do you intend to carry out business with KWS.....

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(b) What is your average response time to a request for quotation/RFP?

(b) What is your average response time to delivery of goods/services after issuance of LPO?

2.12 What is the Maximum value of business which you can handle at any one time:  
Kshs.....

**2.13** If your firm is pre-qualified and awarded the tender to supply goods or services, will you abide by the agreed delivery period, quality and price as per given specifications by Kenya Wildlife Service? Yes .....No.....?

**D: PAST AND CURRENT PERFORMANCE AND EXPERIENCE**

2.14 Is this firm or its directors in any way associated with any other firm that is currently conducting business with or have applied to be considered for pre-qualification or any other tender in Kenya Wildlife Service? If yes, please provide the name(s) of those firm(s), their address, their nature of business and indicate the relationship with the company making this application.

Name of Firm	Address	Nature of Business	Relationship

2.15 Is the firm making this application currently or in previous periods been contracted to supply goods or services to Kenya Wildlife Service? Yes.....No..... If yes, please indicate hereunder the financial year, the goods or services that you supplied and their total value.

Financial Year	Goods or service supplied	Total value

- 2.16 Have you at any one time been issued with a Purchase Order by the Kenya Wildlife Service and failed to deliver the goods or service without assigning any reason for your action? Yes.....No.....
- 2.17 Have you at any one time been requested to quote for supply of goods and services and failed to return the quotation without assigning any reason for your action? Yes.....No.....
- 2.18 If you are a current or previous period supplier of goods or service to Kenya Wildlife Service, have you at any one time been issued with a letter of cancellation of LPO for failure to supply goods within the agreed time or for supplying inferior goods not within the specifications? Yes.....No.....
- 2.19 I .....the applicant or the authorized person to make this application on behalf of [name of company]...does hereby declare that the information provided is true and correct.

## Declaration Form for Non Corrupt Practices & Non-Debarrement

Date: .....

To:

DIRECTOR GENERAL  
KENYA WILDLIFE SERVICE  
P. O. BOX 40241-00100  
**NAIROBI**

### LADIES AND GENTLEMEN

The Tenderer i.e. (full name and complete physical and postal address)  
\_\_\_\_\_ declare the following: -

- a) That I/ We have not been debarred from participating in public procurement by anybody, institution or person
- b) That I/ We have not been involved in and will not be involved in corrupt and fraudulent practices regarding public procurement anywhere.
- c) That I/ We are not 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) That I/We do hereby confirm that all the information given in this tender is accurate, factual and true to the best of our knowledge.
- e) That I/ We are not associated with any other Tenderer participating in this tender.

Yours sincerely,

\_\_\_\_\_  
Name of Tenderer

\_\_\_\_\_  
Signature of duly authorized person signing the Tender

\_\_\_\_\_  
Name and Designation of duly authorised person signing the Tender

\_\_\_\_\_  
Stamp or Seal of Tenderer

## 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 indented 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<sup>1</sup>: \_\_\_\_\_

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_

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<sup>1</sup> 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.