# REPUBLIC OF KENYA



# PARLIAMENT OF KENYA

# PARLIAMENTARY SERVICE COMMISSION (PSC)

PARLIAMENTARY JOINT SERVICES, PARLIAMENT ROAD P.O. BOX 41842 00100, Nairobi

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# PREQUALIFICATION DOCUMENT

**TENDER NO: PJS/PREQ/001/2022-2023** 

# **FOR**

REGISTRATION/PREQUALIFICATION OF PROFESSIONALS AS INDIVIDUAL CONSULTANTS/RESOURCE PERSONS FOR PROVISION OF TRAINING CONSULTANCY, RESEARCH AND ADVISORY SERVICES FOR THE CENTRE FOR PARLIAMENTARY STUDIES AND TRAINING (CPST) FOR FINANCIAL YEARS 2022-2023,2023-2024 & 2024-2025

TENDER SUBMISSION DATE DEADLINE:7<sup>TH</sup> SEPTEMBER,2022.

## INVITATION TO APPLY FOR PREQUALIFICATION

Name of Contract: Registration/Prequalification of Professionals as Individual Consultants/Resource Persons

for Provision of Training Consultancy, Research and Advisory Services for the Centre for Parliamentary Studies and Training (CPST) for Financial Years 2022/2023-2023/2024

Prequalification Reference No.: PJS/PREQ/001/2022-2023

1. The Parliamentary Joint Services intends to prequalify professionals (as individuals and not registered companies) to provide trainings, consultancy, research and advisory services at The Centre for Parliamentary Studies and Training (CPST) for Financial Years 2022-2023,2023-2024 & 2024-2025.

- 2. It is expected that the prequalified professionals shall be individually engaged by the Parliamentary Service Commission through the CPST on a short-term contract as and when their services are required.
- 3. Interested qualified applicants may obtain further information and inspect the Prequalification Document during office hours (0900 to 1600 hours) at the Procurement Office on 4th Floor, Protection House, Nairobi or email through procurementpjs@parliament.go.ke or dg@parliament.go.ke.
- 4. Prequalification Document may be viewed and downloaded for free from the Commissions website <a href="www.parliament.go.ke">www.parliament.go.ke</a> or Public Procurement Information Portal <a href="www.tenders.go.ke">www.tenders.go.ke</a> Applicants who download the Prequalification Document must forward their particulars immediately to <a href="procurementpjs@parliament.go.ke">procurementpjs@parliament.go.ke</a> or <a href="mailto:dg@parliament.go.ke">dg@parliament.go.ke</a> to facilitate any further clarification or addendum.
- 5. Applications for prequalification should be submitted by postal service, or hand/courier delivery, clearly marked envelopes and delivered to the address given below on or before **7**<sup>th</sup> **September**, **2022** at **11.00 a.m**.
- 6. Electronic Tenders will not be permitted.
- 7. Late applications a reliable to be rejected.
- 8. Address where to submit Applications

Director General, Parliamentary Joint Services, Parliamentary Service Commission, P.O. Box 41842 00100, Nairobi, Kenya

Nairobi, Parliament Road, Protection House, dropped in the Tender Box located at Reception of 4<sup>th</sup> floor, Protection House

PART 1 - APPLICATION PROCEDURES

# **SECTION I - INSTRUCTIONS TO APPLICANTS (ITA)**

#### a. General

# i. Scope of Application

- 1.1 The name of the Procuring Entity inviting for applications is defined in the **PDS**. The particular type of contract (works, goods or Non-Consulting Services required) and its name and description of the contract(s) and its reference number are defined in the **PDS**. If the scope of contract so defined is in multiple contracts, it will be specified in the **PDS** if prequalification will be based on individual contracts or multiple contracts. The Full scope of Works or Goods or Non-Consulting Services are described in Section V (Scope of Works or goods contract).
- ii. **Source of Funds** to be specified in the PDS, if deemed necessary.

#### iii. Fraud and Corruption

- 3.1 The Government of Kenya requires compliance with its Anti-Corruption laws and its prevailing sanctions policies and procedures.
- 3.2 In further pursuance of this policy, Applicants shall permit and shall cause their agents (where declared or not), subcontractors, sub consultants, service providers, suppliers, and their personnel, to permit the Public Procurement Regulatory Authority (PPRA) to inspect all accounts, records and other documents relating to any initial selection process, prequalification process, tender submission(incase prequalified),proposal submission, and contract performance (in the case of award), and to have them audited by auditors appointed by the PPRA.

# 4 Collusive practices

4.1 The Procuring Entity requires compliance with the provisions of the Competition Act 2010, regarding collusive practices in contracting. Any applicant found to have engaged in collusive conduct shall be disqualified and criminal and/or civil sanctions may be imposed. To this effect, applicants shall be required to complete and sign a Certificate of Independent Tender Determination" annexed to the Form of applicant.

# 5 Eligible Applicants

- 5.1 Applicants shall meet the eligibility criteria as per this ITA and ITA 5.1 and 5.2. An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 5.9 or any combination of such entities in the form of a joint venture ("JV") under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a joint venture, all members shall be jointly and severally liable for the execution of the entire Contract in accordance with the Contract terms. The JV shall nominate a Representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the prequalification process, tendering (in the event the JV submits a Tender) and during contract execution (in the event the JV is awarded the Contract). Members of a joint venture may not also make an individual tender, be a subcontractor in a separate tender or be part of another joint venture for the purposes of the same Tender. The maximum number of JV members shall be specified in the PDS.
- 5.2 Public Officers of the Procuring Entity, their Spouses, Child, Parent, Brothers or Sister. Child, Parent, Brother or Sister of a Spouse, their business associates or agents and firms/organizations in which they have a substantial or controlling interest shall not be eligible to be prequalified. Public Officers with such relatives are also not allowed to participate in any procurement proceedings.
- 5.3 A firm may apply for prequalification both individually, and as part of a joint venture, or participate as a subcontractor. If prequalified, it will not be permitted to tender for the same contract both as an individual firm and as a part of the joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Tender, but only in that capacity. Tenders submitted in violation of this procedure will be rejected.
- A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit its application for prequalification either individually, as joint venture or as

a subcontractor among them for the same contract. However, if prequalified, only one prequalified Applicant will be allowed to tender for the. All Tenders submitted in violation of this procedure will be rejected.

- An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1 and 5.2. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. sub-contractors or suppliers for any part of the Contract including related Non-Consulting Services.
- Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they, or any of their affiliates, participated as a consultant in the preparation of the design or technical specifications or have been hired or proposed to be hired by the Procuring Entity as Engineer for contract implementation of the contract(s) that are the subject of this prequalification. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the Procuring Entity who:
  - a are directly or indirectly involved in the preparation of the prequalification Document or Invitation to Tender (ITT), Document or specifications of the Contract, and/or the Tender evaluation process of such Contract; or
  - b would be involved in the implementation or supervision of such Contract, unless the conflict stemming from such relationship has been resolved in a manner acceptable to the Procuring Entity throughout the prequalification, ITT process and execution of the Contract.
- 5.7 An Applicant that has been debarred shall be ineligible to be initially selected for, prequalified for, tender for, propose for, or be awarded a contract during such period of time as the PPRA shall have determined. The list of debarred firms and individuals is available at www.ppra.go.ke
- Applicants that are state-owned enterprise or institutions in Kenya may be eligible to prequalify, compete and be awarded a Contract(s) only if they can establish, in a manner accept able to the Procuring Entity, that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not under supervision of any public entity.
- 5.9 An Applicant shall not be under sanction of debarment from Tendering by the PPRA as the result of the execution of a Tender/Proposal–Securing Declaration.
- 5.10 An Applicant that is a Kenyan firm or citizen shall provide evidence of having fulfilled his/her tax obligations by producing a current tax clearance certificate or tax exemption certificate issued by the Kenya Revenue Authority.
- 5.11 An Applicant shall provide any other such documentary evidence of eligibility satisfactory to the Procuring Entity, as the Procuring Entity shall reasonably request.

# 6 Eligibility

- 6.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated herein. The countries, persons or entities are in eligible if:
  - a. As a matter of law or official regulations, Kenya prohibits commercial relations with that country, or
  - b. 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 import of goods or contracting of works or Non- Consulting Services from that country, or any payments to any country, person, or entity in that country.
- 6.2 When the Works, supply of Goods or provision of non-consulting services are implemented a cross jurisdictional boundary (and more than one country is a Procuring Entity, and is involved in the procurement), then exclusion of a firm or individual on the basis of ITA 5.1 (a) above by any country may be applied to that procurement a cross other countries involved, if the Procuring Entities involved in the procurement so agree.
- 6.3 Any goods, works and production processes with characteristics that have been declared by the relevant

national environmental protection agency or by other competent authority as harmful to human beings and to the environment shall not be eligible for procurement.

#### **B.** Contents of the Prequalification Documents

## **7** Sections of Prequalification Document

7.1 This Prequalification Document consists of parts1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with IT A8.

# **PART 1 - Prequalification Procedures**

- i) Section I- Instructions to Applicants (ITA)
- ii) Section II Prequalification Data Sheet (PDS)
- iii) Section III Qualification Criteria and Requirements
- iv) Section IV- Application Forms

#### PART 2 - Works, Goods, or Non-Consulting Services Requirements

- i) Section VII- Scope of Works, Goods, or Non-Consulting Services
- 7.2 Unless obtained directly from the Procuring Entity, the Procuring Entity accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Prequalification Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Procuring Entity shall prevail.
- 7.3 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish with its Application all information or documentation as is required by the Prequalification Document.

#### 8 Clarification of Prequalification Documents, site visit(s) and Pre-Application Meeting

- An Applicant requiring any clarification of the Prequalification Document shall contact the Procuring Entity in writing at the Procuring Entity's address indicated in the **PDS**. The Procuring Entity will respond in writing to any request for clarification provided that such request is received no later than fourteen (14) days prior to the deadline for submission of the applications. The Procuring Entity shall forward a copy of its response to all prospective Applicants who have obtained the Prequalification Document directly from the Procuring Entity, including a description of the inquiry but without identifying its source. If so indicated in the **PDS**, the Procuring Entity shall also promptly publish its response at the webpage identified in the **PDS**. Should the Procuring Entity deem it necessary to amend the Prequalification Document as a result of a clarification, it shall do so following the procedure under ITA 8. And in accordance with the provisions of ITA 17.2.
- 8.2 The Applicant, at the Applicant's own responsibility and risk, is encouraged to visit and examine and inspect the Site of the required contracts and obtain all information that may be necessary for preparing the application. The costs of visiting the Site shall be at the Applicant's own expense. The Procuring Entity shall specify in the **PDS** if a pre-application meeting will be held, when and where. The Procuring Entity shall also specify in the **PDS** if a pre-arranged Site visit will be held and when. The Applicant's designated representative is invited to attend a pre-application meeting and a pre-arranged site visit. The purpose of the meetings will be to clarify issues and to answer questions on any matter that may be raised at that stage.
- 8.3 The Applicant is requested to submit any questions in writing, to reach the Procuring Entity not later than the period specified in the **PDS** before the submission date of applications.
- Minutes of a pre-arranged site visit and those of the pre-application meeting, if applicable, including the text of the questions asked by Applicants and the responses given, together with any responses prepared after the meeting, will be transmitted promptly to all Applicants who have acquired the prequalification documents. Minutes shall not identify the source of the questions asked.
- 8.5 The Procuring Entity shall also promptly publish anonymized (*no names*) Minutes of the pre-arranged site visit and those of the pre-proposal meeting at the web page identified **in the PDS**. Any modification to the Prequalification Documents that may become necessary as a result of the pre-arranged site visit and those of

the pre-application meeting shall be made by the Procuring Entity exclusively through the issue of an Addendum pursuant to PDS 8 and not through the minutes of the pre-application meeting. Non-attendance at the pre- arranged site visit and the pre-tender meeting will not be a cause for disqualification of a Tenderer.

# 9 Amendment of Prequalification Document

- 9.1 At any time prior to the deadline for submission of Applications, the Procuring Entity may amend the Prequalification Document by issuing an Addendum.
- 9.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all Applicants who have obtained the Prequalification Document from the Procuring Entity. The Procuring Entity shall promptly publish the Addendum at the Procuring Entity's webpage identified in the PDS.
- 9.3 To give Applicants reasonable time to take an Addendum into account in preparing their Applications, the Procuring Entity may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2.

#### C. Preparation of Applications

# 10 Cost of Applications

10.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Procuring Entity will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.

# 11 Language of Application

11.1 The Application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Procuring Entity, shall be written in English Language. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the English language, in which case, for purposes of interpretation of the Application, the translation shall govern.

#### 12 Documents Comprising the Application

- 12.1 The Application shall comprise the following:
  - a. Application Submission Letter, in accordance with ITA 13.1;
  - b. Eligibility: documentary evidence establishing the Applicant's eligibility, in accordance with ITA 14.1;
  - c. Qualifications: documentary evidence establishing the Applicant's qualifications, in accordance with ITA 15; and
  - d. Any other document required as specified in the PDS.
- 12.2 The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application.

#### 13 Application Submission Letter

13.1 The Applicant shall complete an Application Submission Letter as provided in Section IV (Application Forms). This Letter must be completed without any alteration to its format.

#### 14 Documents Establishing the Eligibility of the Applicant

14.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Letter and Forms ELI (eligibility) 1.1 and 1.2, included in Section IV (Application Forms).

## 15 Documents Establishing the Qualifications of the Applicant

- 15.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV (Application Forms).
- Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the Kenya Shilling equivalent using the rate of exchange determined as follows:
  - a For construction turnover or financial data required for each Year-Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year is to be converted).
  - b Value of single Contract-Exchange rate prevailing on the date of the contract.
- 15.3 Exchange rates shall be taken from the publicly available source identified in the PDS. Any error in determining the exchange rates in the Application may be corrected by the Procuring Entity.
- Applicants shall be asked to provide, as part of the data for qualification, such information, including details of ownership, as shall be required to determine whether, according to the classification established by the Procuring Entity, a particular contractor or group of contractors qualifies for a margin of preference. Further the information will enable the Procuring Entity identify any actual or potential conflict of interest in relation to the procurement and/or contract management processes, or a possibility of collusion between Applicants, and thereby help to prevent any corrupt influence in relation to the procurement processor contract management.
- 15.5 The purpose of the information described in ITT 6.2 above overrides any claims to confidentiality which an Applicant may have. There can be no circumstances in which it would be justified for an Applicant to keep information relating to its ownership and control confidential where it is tendering to undertake public sector work and receive public sector funds. Thus, confidentiality will not be accepted by the Procuring Entity as a justification for an Applicant's failure to disclose, or failure to provide required in formation on its ownership and control.
- 15.6 The Applicant shall provide further documentary proof, information or authorizations that the Procuring Entity may request in relation to ownership and control which information on any changes to the information which was provided by the Applicant under ITT 6.3. The obligations to require this information shall continue for the duration of the procurement process and contract performance and after completion of the contract, if any change to the information previously provided may reveal a conflict of interest in relation to the award or management of the contract.
- 15.7 All information provided by the Applicant pursuant to these requirements must be complete, current and accurate as at the date of provision to the Procuring Entity. In submitting the information required pursuant to these requirements, the Applicant shall warrant that the information submitted is complete, current and accurate as at the date of submission to the Procuring Entity.
- 15.8 If an Applicant fails to submit the information required by these requirements, its application will be rejected. Similarly, if the Procuring Entity is unable, after taking reasonable steps, to verify to a reasonable degree the information submitted by an Applicant pursuant to these requirements, then the application will be rejected.
- 15.9 If information submitted by an Applicant pursuant to these requirements, or obtained by the Procuring Entity (whether through its own enquiries, through notification by the public or otherwise), shows any conflict of interest which could materially and improperly benefit the Applicant in relation to the procurement or contract management process, then:
  - a. If the procurement process is still ongoing, the Applicant will be disqualified from the procurement process,
  - b. If the contract has been awarded to that Applicant, the contract award will be set aside,
- the Applicant will be referred to the relevant law enforcement authorities for investigation of whether the Applicant or any other persons have committed any criminal offence.
- 15.11 If an Applicant submits information pursuant to these requirements that is incomplete, in accurate or out-of-date, or attempts to obstruct the verification process, then the consequences ITT 6.7 will ensue unless the Applicant can show to the reasonable satisfaction of the Procuring Entity that any such act was not material, or was due to genuine error which was not attributable to the intentional act, negligence or recklessness of the Applicant.

# 16 Signing of the Application and Number of Copies

- 16.1 The Applicant shall prepare one original of the documents comprising the Application as describedinITA11 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.
- 16.2 The Applicant shall submit copies of the signed original Application, in the number specified in the PDS, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

#### D. Submission of Applications

## 17 Sealing and Marking of Applications

- 17.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:
  - a Bear the name and address of the Applicant;
  - b Be addressed to the Procuring Entity, in accordance with ITA 17.1; and
  - c Bear thespecificidentificationofthisprequalificationprocessindicated in the PDS 1.1.
- 17.2 The Procuring Entity will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1 above.

# 18 Deadline for Submission of Applications

- Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Procuring Entity at the address and no later than the deadline indicated in the PDS. When so specified in the PDS, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified in the **PDS**.
- 18.2 The Procuring Entity may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Document in accordance with ITA 8, in which case all rights and obligations of the Procuring Entity and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

## 19 Late Applications

19.1 The Procuring Entity reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified in the **PDS.** If late applications will be accepted, they must be received not later than the date specified in the **TDS** after the deadline for submission of applications.

#### 20. Opening of Applications

- 20.1 The Procuring Entity shall open all Applications at the date, time and place specified in the **PDS.** Late Applications shall be treated in accordance with ITA 19.1.
- 20.2 Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified in the **PDS**.
- 20.2 The Procuring Entity shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

## **E.** Procedures for Evaluation of Applications

# 21 Confidentiality

21.1 Information relating to the Applications, their evaluation and results of the prequalification shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with ITA 28.

21.2 From the deadline for submission of Applications to the time of notification of the results of the prequalification in accordance with ITA 28, any Applicant that wishes to contact the Procuring Entity on any matter related to the prequalification process may do so only in writing.

#### 22 Clarification of Applications

- 22.1 To assist in the evaluation of Applications, the Procuring Entity may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the Procuring Entity and all clarifications from the Applicant shall be in writing.
  - 22.1 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Procuring Entity's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

#### 23 Responsiveness of Applications

23.1 The Procuring Entity may reject any Application which is not responsive to the requirements of the Prequalification Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

## 24 Margin of Preference

24.1 Unless otherwise specified in the **PDS**, a margin of preference shall not apply in the Tendering process resulting from this prequalification.

#### 25 Nominated Subcontractors

- 25.1 Unless otherwise stated in the PDS, the Procuring Entity does not intend to execute any specific elements of the works by sub-contractors selected in advance by the Procuring Entity (so-called "Nominated Subcontractors").
- 25.2 The Applicant shall not propose to subcontract the whole of the Works or Goods. The maximum limit of subcontracting permitted under the contract may be specified by the Procuring Entity in the Tendering Document. The Procuring Entity, in ITA 25.2, may permit the Applicant to propose subcontractors for certain specialized parts of the contract as indicated there in as ("Specialized Subcontractors"). Applicants planning to use such Specialized Subcontractors shall specify, in the Application Submission Letter, the activity(ies) or parts of the Works proposed to be subcontracted along with details of the proposed subcontractors including their qualification and experience.

#### F. Evaluation of Applications and Prequalification of Applicants

#### **26** Evaluation of Applications

- 26.1 The Procuring Entity shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Procuring Entity reserves the right to waive min or deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the Contract.
- 26.2 Subcontractors proposed by the Applicant shall be fully qualified and meet the minimum specific experience criteria as specified for their parts of the proposed contract for Works or Goods or non-consulting services. The subcontractor's qualifications shall not be used by the Applicant to qualify for the Works or Goods or non-consulting services unless their parts of the Works or Goods or non-consulting services were previously designated by the Procuring Entity in the PDS as can be met by Specialized Subcontractors, in which case:
  - i) The Specialized Subcontractors shall meet the minimum qualification requirements specified in Section III, and
  - ii) the qualifications with respect to specific experience of the Specialized Subcontractor proposed by the ApplicantmaybeaddedtothequalificationsoftheApplicantforthepurposeoftheevaluation.

Unless the Applicant has been determined prequalified on its own without taking into account the qualification and experience of the proposed specialized sub-contractor, the tender submitted by the Applicant shall include the same specialized sub-contractor failing which, such tender may be rejected unless a change in the specialized sub-contractor was requested by the Applicant and approved by the Procuring Entity subsequent to prequalification but before the tender submission deadline in accordance with ITA 30.

- 26.3 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Procuring Entity shall prequalify each Applicant for each lot and for a combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements the Eligibility and Qualification Criteria.
- Further, in the case of multiple contracts, the Procuring Entity will prepare the Eligibility and Qualification Criteria Form for items 3.1, 3.2, 4.2(a) and 4.2(b) for each Lot, to be completed by applicants.
- 26.5 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant's subsidiaries, parent entities, affiliates, subcontractors (other than Specialized Subcontractors in accordance with ITA 25.2 above) or any other firm(s) different from the Applicant shall not be considered.

# 27 Procuring Entity's Right to Accept or Reject Applications

27.1 The Procuring Entity reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to the Applicants.

#### 28 Prequalification of Applicants

- 28.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Procuring Entity. The Procuring Entity shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.
- 28.32 Applicants that have not been prequalified may write to the Procuring Entity to request, in writing, the grounds on which they were disqualified.

#### 28 Invitation to Tender

- 29.1 Promptly after the notification of the results of the prequalification, the Procuring Entity shall invite Tenders from all the Applicants that have been prequalified or conditionally prequalified.
- Applicants may be required to provide a Tender Security or a Tender-Securing Declaration acceptable to the Procuring Entity in the form and an amount to be specified in the tendering document.
- 28.3 The successful Applicant shall be required to provide a Performance Security as specified in the tendering document.

# 29 Changes in Qualifications of Applicants

30.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 27 and invited to tender (including, in the case of a JV, any change in the structure or formation of any member and also including any change in any specialized subcontractor whose qualifications were considered to prequalify the Applicant) shall be subject to the written approval of the Procuring Entity prior to the deadline for submission of Tenders. Such approval shall be denied if (i) a prequalified applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III (Qualification Criteria and Requirements); or (iii)in the opinion of the Procuring Entity, the change may result in a substantial reduction in competition. Any such change should be submitted to the Procuring Entity not later than fourteen (14) days after the date of the Invitation to Tender.

# 31 Procurement Related Complaints and Administrative Review

- 31.1 The procedures for making a Procurement-related Complaint are as specified in the PDS.
- 31.2 A request for administrative review shall be made in the form provided.

# SECTION II - PREQUALIFICATION DATA SHEET (PDS)

Reference to ITC Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
A. General	
ITA 1.1	The Procuring Entity is: Parliamentary Joint Services.
	The identification of the Invitation for Prequalification is: PJS/PREQ/001/2022-2023: Registration/Prequalification of Professionals as Individual Consultants/Resource Persons for Provision of Training Consultancy, Research and Advisory Services for The Centre for Parliamentary Studies and Training (CPST) for Financial Years 2022-2023,2023-2024 & 2024-2025.
	The particular type of contract is on Non-Consulting Services
	<b>The application is</b> for prequalification of professionals as <b>Individuals</b> for short-term contractual engagement to provide trainings, consultancy, research and advisory services at The Centre for Parliamentary Studies and Training (CPST) for Financial Years 2022-2023,2023-2024 & 2024-2025.
	Prequalification will be based on <b>multiple Contracts</b> .
ITA 2	The Source of funds shall be <b>GOK</b>
ITA 5.2	Maximum number of members in the JV shall be: <i>None</i>
	ts of the Prequalification Document
ITA 8.1	For clarification purposes, the Procuring Entity's address is:
	Director General, Parliamentary Joint Services, Parliamentary Service Commission, P.O. Box 41842 00100, NAIROBI, KENYA
	Attention: Director General Physical Address: Nairobi, Parliament Road, Protection House 11 <sup>th</sup> Floor. Telephone: +254 020 2221291/020-3315949 Electronic mail address: procurementpjs@parliament.go.ke  dg@parliament.go.ke Web page: www.porliament.go.ke
ITA 8.2	Web page: <a href="https://www.parliament.go.ke">www.parliament.go.ke</a> Pre-Application Meeting will be held: <i>Yes</i>
11 A 6.2	A pre-application meeting will be held on 31 <sup>st</sup> August, 2022 at 11.00 a.m. in the 2 <sup>nd</sup> Floor Boardroom, Protection House
ITA 8.3	Questions and requests for clarification made in writing or by email shall reach the Procuring Entity not later than 28 <sup>th</sup> August, 2022.
ITA 8.5	Minutes of the pre-arranged site visit and those of the pre-proposal meeting shall be published on the Commission's the web page <a href="www.parliament.go.ke">www.parliament.go.ke</a> or Public Procurement Information Portal: <a href="www.tenders.go.ke">www.tenders.go.ke</a>
ITT 9.2	Addendum (if any) issued shall be published on the Commissions website <a href="https://www.parliament.go.ke">www.parliament.go.ke</a> or Public Procurement Information Portal: <a href="https://www.tenders.go.ke">www.tenders.go.ke</a>
	on of Applications
ITA 12.1 (d)	The Applicant shall submit with its Application, the following additional documents: All
	the mandatory documents in the Evaluation Criteria and any other testimonials to support their application.
ITA 15.2(b)	· · · · · · · · · · · · · · · · · · ·

Reference to ITC Clause	PARTICULARS OF APPENDIX TO INSTRUCTIONS TO TENDERS
A. General	
A. General	сору
D Submission	on of Applications
ITA 17.1	The deadline for Application submission is:
1171 17.1	Date: 7 <sup>th</sup> September, 2022
	Time: 11.00 a.m.
	For Application submission purposes only, the Procuring Entity's address is:
	Director General, Parliamentary Joint Services,
	Parliamentary Service Commission,
	P.O. Box 41842 00100,
	Nairobi, Kenya
	Attention: Director General
	Address: Nairobi, Parliament Road, Protection House 2 <sup>nd</sup> Floor.
	Country; Kenya
	Telephone: +254 020 2221291/020-3315949
	Email address <u>procurementpjs@parliament.go.ke</u> or <u>dg@parliament.go.ke</u>
ITA 10 1	Applicants <b>shall not</b> have the option of submitting their Applications electronically.
ITA 18.1	Late Applications will be returned unopened to the Applicants.
ITA 19.1	The Procuring Entity will <b>not accept</b> late applications.
ITA 20.1	The opening of the Applications shall be on Date: 7 <sup>th</sup> September, 2022
	Time: 11.00 a.m., Nairobi, Parliament Road, Protection House, 2 <sup>nd</sup> Floor Boardroom
	res for Evaluation of Applications
ITA 24.1	A margin of preference <b>shall not</b> apply.
ITA 25.1	At this time the Procuring Entity <b>does not intend</b> to execute certain specific parts of the
	Works by sub-contractors selected in advance.
ITA 25.2	The parts of the Works for which the Procuring Entity permits Applicants to propose
	Specialized Subcontractors are designated as follows: Not Applicable
ITA 31.1	An Applicant wishes to make a Procurement-related Complaint, the Applicant
	should submit its complaint in writing (by the quickest means available, that is either
	by hand delivery or email), to:
	For the attention: Director General
	Title/position: Director General
	Procuring Entity: Parliamentary Joint Services
	Email address: procurementpjs@parliament.go.ke or dg@parliament.go.ke
	In summary, at this stage, a Procurement-related Complaint may challenge any of
	the following: The terms of the Pragualification Documents: and
	The terms of the Prequalification Documents; and The Procuring Entity's decision not to prequalify an Applicant.
	The Procuring Entity's decision not to prequanty an Applicant.

## **SECTION III - QUALIFICATION CRITERIA AND REQUIREMENTS**

- 1. This section contains all the methods, criteria, and requirements that the Procuring Entity shall use to evaluate Applications, all in one Form "Eligibility and Qualification Criteria". The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the Form.
- 2. The Procuring Entity shall insert one Form for <u>each Lot or Contract</u> in case of multiple contracts.
- 3. This form is generic and refers to works and construction. In case of Supply of Goods or Non-Consulting Services, the form shall be amended to read Goods or Non-Consulting Services as appropriate.

#### MANDATORY EVALUATION

- 1. Minimum of a Master's Degree from a university recognized in Kenya in a relevant field. (The applicant should possess a Bachelors' Degree in a relevant field).
- 2. Membership in a Professional Body/Institute in good standing where applicable.
- 3. Must have a valid practicing certificate where applicable
- 4. At least ten years working experience in the relevant field
- 5. At least two Publications in the last five years in the relevant field.
- 6. Evidence of consultancy or research in the relevant field undertaken in the last five years in the form of recommendation letters.
- 7. A holder of a Trainer of Trainer certificate from a recognized institution.
- 8. A Valid Tax Compliance Certificate or its equivalent for foreign applicants.
- 9. Duly filled, signed and commissioned anti-corruption declaration commitment/pledge
- 10. Duly filled and signed Candidate Summary Form (Application Form 4)
- 11. At least three reference letters addressed to the Director General, Parliamentary Joint Services.
- 12. A copy of Identification Card or Passport
- 13. Tax Personal Identification Number or its equivalent for foreign applicants.

#### Note:

- a. The individual applicants are required to attach their curriculum vitae, academic and professional certificates and other testimonials.
- b. Candidates will require to meet all the mandatory requirements to be prequalified. The applicants will then be ranked at the Technical Ranking stage.
- c. The individual applicants are required to fill a separate application for each category.
- **d.** Applications from registered companies or consultancy firms or any other registered entity shall not be permitted.
- e. All the successful applicants will submit a valid certificate of good conduct or its equivalent for foreign applicants

#### MANDATORY EVALUATION CRITERIA PER MODULE

# CATEGORY A: THE CONSTITUTION, PARLIAMENT AND GOVERNANCE SYSTEMS

- 1. Minimum of a Master's Degree in Political Science or law from a university recognized in Kenya. (The applicant should possess a Bachelors' Degree in a relevant field).
- 2. Member of the Law Society of Kenya in good standing (applicable to Lawyers)
- 3. Must have a valid practicing certificate where appropriate
- 4. At least ten years working experience in the field of Political Science or Law.
- 5. Evidence of at least two Publications in the last five years in the relevant field
- 6. Evidence of consultancy or research in the relevant field undertaken in the last five years in the form of recommendation letters.
- 7. A holder of a Trainer of Trainer certificate from a recognized institution.
- 8. A Valid Tax Compliance Certificate or its equivalent for foreign applicants.
- 9. Duly filled, signed and commissioned anti-corruption declaration commitment/pledge

- 10. Duly filled and signed Candidate Summary Form (Application Form 4)
- 11. At least three reference letters addressed to the Director General, Parliamentary Joint Services.
- 12. A copy of Identification Card or Passport
- 13. Tax Personal Identification Number or its equivalent for foreign applicants.

#### **CATEGORY B: LAW MAKING AND PROCEDURAL MATTERS**

- 1. Minimum of a Master's Degree from a university recognized in Kenya. (The applicant should possess a Bachelors' Degree).
- 2. At least ten years working experience in a Legislature
- 3. Evidence of workings in the Legislative chamber or in Committees
- 4. Evidence of interaction with inter-parliamentary organizations
- 5. Consultancy or research in the relevant field undertaken in the last five years in the form of recommendation letters.
- 6. A holder of a Trainer of Trainer certificate from a recognized institution.
- 7. A Valid Tax Compliance Certificate or its equivalent for foreign applicants.
- 8. Duly filled, signed and commissioned anti-corruption declaration commitment/pledge
- 9. Duly filled and signed Candidate Summary Form (Application Form 4)
- 10. At least three reference letters addressed to the Director General, Parliamentary Joint Services.
- 11. A copy of Identification Card or Passport
- 12. Tax Personal Identification Number or its equivalent for foreign applicants.

# CATEGORY C: INFORMATION, COMMUNICATION AND PUBLIC PARTICIPATION AND OUTREACH FOR THE LEGISLATURE

- 1. Minimum of a Master's Degree from a university recognized in Kenya in Sociology, Education, Public Policy, Communication. (The applicant should possess a Bachelors' Degree in a relevant field).
- 2. Membership in a Professional Body/Institute in good standing where applicable.
- 3. Post Graduate qualification where applicable for example Journalism e.t.c.
- 4. At least ten years working experience in the relevant field
- 5. At least two Publications in in the last five years in the relevant field.
- 6. Evidence of consultancy or research in the relevant field undertaken in the last five years in the form of recommendation letters.
- 7. A holder of a Trainer of Trainer certificate from a recognized institution.
- 8. A Valid Tax Compliance Certificate or its equivalent for foreign applicants.
- 9. Duly filled, signed and commissioned anti-corruption declaration commitment/pledge
- 10. Duly filled and signed Candidate Summary Form (Application Form 4)
- 11. At least three reference letters addressed to the Director General, Parliamentary Joint Services.
- 12. A copy of Identification Card or Passport
- 13. Tax Personal Identification Number or its equivalent for foreign applicants.

#### CATEGORY D: PUBLIC FINANCE MANAGEMENT

- 1. Minimum of a Master's Degree from a university recognized in Kenya in Economics, Finance, Accountancy, Procurement and Public Policy. (The applicant should possess a Bachelors' Degree in a relevant field).
- 2. Membership in a Professional Body/Institute in good standing in the case of Finance, Accountancy and Procurement.
- 3. Must have a valid practicing certificate in the case of Finance, Accountancy and Procurement.
- 4. At least ten years working experience in the relevant field
- 5. At least two Publications in in the last five years in the relevant field.

- 6. Evidence of consultancy or research in the relevant field undertaken in the last five years in the form of recommendation letters.
- 7. A holder of a Trainer of Trainer certificate from a recognized institution.
- 8. A Valid Tax Compliance Certificate or its equivalent for foreign applicants.
- 9. Duly filled, signed and commissioned anti-corruption declaration commitment/pledge
- 10. Duly filled and signed Candidate Summary Form (Application Form 4)
- 11. At least three reference letters addressed to the Director General, Parliamentary Joint Services.
- 12. A copy of Identification Card or Passport
- 13. Tax Personal Identification Number or its equivalent for foreign applicants.

## CATEGORY E: HUMAN RESOURCES MANAGEMENT AND ADMINISTRATION IN THE LEGISLATURE

- 1. Minimum of a Master's Degree from a university recognized in Kenya in a relevant field. (The applicant should possess a Bachelors' Degree in a relevant field).
- 2. Membership in a Professional Body/Institute in good standing in the case of Human Resource Management.
- 3. Must have a valid practicing certificate in the case of Human Resource Management.
- 4. At least ten years working experience in the field of Human Resource or Administration or Leadership.
- 5. At least two Publications in in the last five years in the relevant field.
- 6. Evidence of consultancy or research in the field of Human Resource or Administration or Leadership certification and experience on mentorship and executive and career coaching undertaken in the last five years in the form of recommendation letters.
- 7. A holder of a Trainer of Trainer certificate from a recognized institution.
- 8. A Valid Tax Compliance Certificate or its equivalent for foreign applicants.
- 9. Duly filled, signed and commissioned anti-corruption declaration commitment/pledge
- 10. Duly filled and signed Candidate Summary Form (Application Form 4)
- 11. At least three reference letters addressed to the Director General, Parliamentary Joint Services.
- 12. A copy of Identification Card or Passport
- 13. Tax Personal Identification Number or its equivalent for foreign applicants.

#### CATEGORY F: CAPACITY BUILDING FOR LEGISLATIVE STAFF – CROSS-CUTTING ISSUES

- 1. Minimum of a Master's Degree from a university recognized in Kenya in a relevant field. (The applicant should possess a Bachelors' Degree in a relevant field).
- 2. Membership in a Professional Body/Institute in good standing where applicable.
- 3. At least ten years working experience in the field of Information Communication Technology (ICT) or Diplomacy and Foreign Missions or Security or Humanitarian Missions or Gender and Youth Development or Governance and Development or Monitoring and Evaluation or Legislative Drafting or Project Management.
- 4. Evidence of consultancy or research in the relevant field undertaken in the last five years in the form of recommendation letters.
- 5. A holder of a Trainer of Trainer certificate from a recognized institution.
- 6. A Valid Tax Compliance Certificate or its equivalent for foreign applicants.
- 7. Duly filled, signed and commissioned anti-corruption declaration commitment/pledge
- 8. Duly filled and signed Candidate Summary Form (Application Form 4)
- 9. At least three reference letters addressed to the Director General, Parliamentary Joint Services.
- 10. A copy of Identification Card or Passport
- 11. Tax Personal Identification Number or its equivalent for foreign applicants.

#### CATEGORY G: CURRICULUM DEVELOPMENT AND IMPLEMENTATION

1. Minimum of a Master's Degree from a university recognized in Kenya in Education. (The applicant should possess a Bachelors' Degree in a relevant field).

- 2. At least ten years working experience in the field of Curriculum Development or Tests and Measurement or Instructional Methods or Adult Learning or E-Learning or Open and Distance Learning or Education Planning and Administration or Special Needs Education.
- 3. At least three Publications in in the last five years in the field of Education.
- 4. Evidence of consultancy or research in the field of Education undertaken in the last five years in the form of recommendation letters.
- 5. A holder of a Trainer of Trainer certificate from a recognized institution.
- 6. A Valid Tax Compliance Certificate or its equivalent for foreign applicants.
- 7. Duly filled, signed and commissioned anti-corruption declaration commitment/pledge
- 8. Duly filled and signed Candidate Summary Form (Application Form 4)
- 9. At least three reference letters addressed to the Director General, Parliamentary Joint Services.
- 10. A copy of Identification Card or Passport
- 11. Tax Personal Identification Number or its equivalent for foreign applicants.

Note: The applicants are required to attach their curriculum vitae, academic and professional certificates and other testimonials.

## TECHNICAL RANKING MATRIX

No	Qualifications	Criteria	Marks
1.	Academic	Bachelor's Degree	1
		Master Degree	1
		PHD	2
		Post Graduate Diploma	1
2.	Professional	Member of institute with good standing	1
		Fellow/Senior Counsel	1
3.	Years of work experience	Ten years of work experience	1
		More than ten years of work experience	1
4.	Publication	Published two publications	1
		More than two Publications	2
5.	Consultancy Assignment	Two consultancy assignment	1
		More than two consultancy assignment	2
	Total		15

# POST- QUALIFICATION CRITERIA

- 1. The Commission shall conduct due diligence on Academic and Professional qualifications, testimonials and all other documents submitted by the Applicants. Any candidate who fails the due diligence will be disqualified.
- 2. All prequalified candidates will be taken through a comprehensive Training of trainers (TOT) programme. Only candidates who will have gone through the TOT will be engaged as and when required.
- 3. All the successful applicants must submit a valid certificate of good conduct or its equivalent for foreign applicants.

# **SECTION IV- APPLICATION FORMS** 1. **Application Submission Letter** Date: .....[insert day, month, and year] ITT No. and title: ..... [insert ITT number and title] Category applied: CATEGORY To: \_\_\_\_\_\_[insert full name of Procuring Entity] We, the undersigned, apply to be prequalified for the referenced ITT and declare that: No reservations: We have examined and have no reservations to the Prequalification Document, including Addendum(s) No(s), issued in accordance with ITA 8: [insert the number and issuing date of each addendum]. b) No conflict of interest: We have no conflict of interest in accordance with ITA 5.7; Eligibility: We (and our subcontractors) meet the eligibility requirements as stated ITA 5, we have not been c) suspended by the Procuring Entity based on execution of a Tender/Proposal-Securing Declaration in accordance with ITA 5.8; Suspension and Debarment: We, along with any of our subcontractors, suppliers, consultants, manufacturers, or service providers for any part of the contract, are not subject to, and not controlled by any entity or individual that is subject to, a temporary suspension or a debarment imposed by the PPRA. Further, we are not ineligible under the Kenya laws or official regulations or pursuant to a decision of the United Nations Security Council; State-owned enterprise or institution: [select the appropriate option and delete the other] [We are not a stateowned enterprise or institution] / [We are a state-owned enterprise or institution but meet the requirements of ITA5.91; Subcontractors and Specialized Subcontractors: We, in accordance with ITA 24.2 and 25.2, plan to f) subcontract the following key activities and/or parts of the works or supply contracts: or (b) which the Procuring Entity has permitted under the Pregualification Document and which the Applicant intends to subcontract along with complete details of the Specialized Subcontractors, their *qualification and experience*] (g) Commissions, gratuities, fees: We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process, the corresponding Tendering process or execution of the Contract: Name of Recipient Address Reason <u>Amount</u>

[If no payments are made or promised, add the following statement: "No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Application]

- (h) Not bound to accept: We understand that you may cancel the prequalification process at any time and thatyouareneitherboundtoacceptanyApplicationthatyoumayreceivenortoinvite the prequalified Applicants to Tender for the contract subject of this Prequalification process, without incurring any liability to the Applicants, in accordance with ITA 26.1.
- (i) True and correct: All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed	[insert signature(s) of an authorized representative(s) of the Applicant]
Name	[insert full name of person signing the Application]
In the capacity of	[insert capacity of person signing the Application]
Duly authorized to sign th	e Application for and on behalf of: Applicant's
Name	[insert full name of Applicant or the name of the JV]
Address	[insert street number/town or city/country address]
Dated on	[insert day number] day of [insert month], [insert year]

[For a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

# 2. Form ELI -1.1 - Applicant Information Form

Date:	[insert day, month, year]
ITT No. and title:	[insert ITT number and title]
Page	

Applicant's name

[insert full name]

Applicant's actual or intended country of operation:

[indicate country of Operation]

Applicant's year of birth:

[indicate year of Birth]

Applicant's legal address:

[insert street/ number/ town or city/ country]

Applicant's authorized representative information

Name: [insert full name]

Address: [insert street/ number/ town or city/ country]

Telephone/Fax numbers: [insert telephone/fax numbers, including country and city codes]

E-mail address: [indicate e-mail address]

1. Attached are copies of original documents of the National Identity Card or Passport for foreign applicants.

# 3. Form 2 - Historical Contract Non-Performance, and Pending Litigation and Litigation History

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: [insert full name]

Date: [insert day, month, year]

Joint Venture Member's Name: [insert full name] ITT No. and title: [insert ITT number and title]

Page [insert page number] of [insert total number] pages

		Contracts in	accordance	with Section III, Qualification Criteria and	
Requirem		, <u> </u>	1' 1	1ct Y	C ( III O 1'C (
				ot occur since 1st January [insert year] specified in	Section III, Qualification
		uirements, Su			One-11:61 and a confidence of the
				1 <sup>st</sup> January [insert year] specified in Section III, 0	Quantication Criteria and
•		equirement 2		lantification	Total Contract Amount
Year		performed on of ract	Contract 10	enuncation	Total Contract Amount (current value, currency, exchange rate and KENYA SHILLING equivalent)
[insert	[inse	rt amount	Contract Ic	lentification: [indicate complete contract name/	[insert amount]
year]	and p	percentage]		nd any other identification]	
		0 -		rocuring Entity: [insert full name]	
				Procuring Entity: [insert street/city/country]	
ı				for nonperformance: [indicate main reason(s)]	
Pending L	itigatio	n, in accorda	nce with Sec	ction III, Qualification Criteria and Requirements	
☐ P indicated	ending	litigation in a		nce with Section III, Qualification Criteria and Rewith Section III, Qualification Criteria and Require	
Year of dispute		Amount in (currency)	dispute	Contract Identification	Total Contract Amount (currency), USD Equivalent (exchange rate)
insert ye		[insert amo		Contract Identification: [indicate complete contract name, number, and any other identification] Name of Procuring Entity: [insert full name] Address of Procuring Entity: [insert street/city/country] Matter in dispute: [indicate main issues in dispute] Party who initiated the dispute: [indicate "Procuring Entity" or "Contractor"] Status of dispute: [Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]	[insert amount]
Litigatio	n Hist	ory in accord	lance with S	Section III, Qualification Criteria and	
Requirer					
2.4.	Litigat	tion History	•	dance with Section III, Qualification Criteria and ce with Section III, Qualification Criteria and Req	•
Year of	ica bel		9	Contract Identification	Total Contract
Year of award		Outcome as percentage Worth		Contract Identification	Amount (currency), USD Equivalent (exchange rate)

[insert year]	[insert percentage]	Contract Identification: [indicate complete	[insert amount]
		contract name, number, and any other	
		identification]	
		Name of Procuring Entity: [insert full name]	
		Address of Procuring Entity: [insert	
		street/city/country]	
		Matter in dispute: [indicate main issues in	
		dispute]	
		Party who initiated the dispute: [indicate	
		"Procuring Entity" or "Contractor"]	
		Reason(s) for Litigation and award decision	
		[indicate main reason(s)]	

# 4. Form FIN – 3.1 - Financial Situation and Performance

# **Financial Situation and Performance**

[The following table shall be fi	illed in for ti	ne Applicantj			
Applicant's Name:	[i	nsert full nam	e]		
Date:[in.	sert day, mo	onth, year]			
ITT No. and title:	[in	sert ITT numi	ber and title]		
Page[inse	ert page nun	nber] of [inse	rt total numb	er] pages	
1. Financial data					
Type of Financial information in currency)	[insert in v	formation for pwords] currency, curr			
	Year 1	Year 2	Year 3	Year4	Year 5
Statement of Financial Position (	Information:	from Balance	Sheet)		
Total Assets (TA)					
Total Liabilities (TL)					
Total Equity/Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Working Capital (WC)					
nformation from Income Statem	ent				
Total Revenue (TR)					
Profits Before Taxes (PBT)					
Cash Flow Information	•	·			
Cash Flow from Operating					

Activities

<sup>\*</sup> Refer ITA 14 for the exchange rate

	EC
ART 2 - NON - CONSULTING SERVIC EQUIREMENTS	ES

#### SECTION V - SCOPE OF WORKS, Non-Consulting Services required

- 1. Description of the Works or Supply contract. Registration/Prequalification of Individual Professionals for Provision of Training Consultancy, Research and Advisory Services for The Centre for Parliamentary Studies and Training (CPST) for Financial Years 2023-2023,2023-2024 & 2024-2025.
- 2. Non-Consulting Services Contract period: Three (3) Years

#### 5.1 BACKGROUND

The Centre for Parliamentary Studies and Training (CPST) was established by the Parliamentary Service Commission (PSC) in December, 2008, and legalized by the publication of the Parliamentary Service Regulations, 2011, in the Kenya Gazette, Subsidiary Legislation; and Legal Notice No. 95 of July 22, 2011, and as amended by Legal Notice No. 20 of 2016 that expanded its mandate to include county assemblies. Further, the establishment of the CPST is anchored in the law under Section 34 of the Parliamentary Service Commission Act, 2019. The core mandate of the CPST is to build capacity of staff and Members of Parliaments, County Assemblies and other interested stakeholders.

Kenya ushered in a new Constitution in 2010 whose sovereign power belongs to the people and is exercised only in accordance with the Constitution. Importantly, the people may exercise their sovereign power either directly or through their democratically elected representatives. Sovereign power under the Constitution is delegated to; Parliament and the legislative assemblies in the county governments; the national executive and the executive structures in the county governments; and the Judiciary and independent tribunals.

The Constitution created a bicameral Parliament, the National Assembly and the Senate and the two houses perform their respective functions in accordance with the Constitution. Article 96 (1) of the Constitution mandates the Senate to represent the Counties and serve to protect the interest of the Counties and their governments. The County Assembly is the legislative arm of the county government, established under article 176 of the Constitution.

Accordingly, the Legislature is confronted with enormous demands in terms of its mandate of oversight, legislation and representation. The extent to which the legislature carries out its functions will have a much wider impact on the overall quality of governance thus the Members of the legislature and staff requires relevant technical/competent skills for the successful delivery of mandate.

Subsequently, the planning and execution of capacity building programs to enhance the legislatures processes requires competent and experienced facilitators. In this regard, the CPST seeks to prequalify external Professionals to Provide Training Consultancy, Research and Advisory Services for The Centre for Financial Years 2022-2023,2023-2024 & 2024-2025 in line with the Public Procurement and Asset Disposal Act, 2015 an its attendant Regulations.

## 5.2 TERMS OF REFERENCE FOR THE TRAINING CONSULTANTS, RESEARCHERS AND ADVISORS

#### A. SCOPE OF THE ASSIGNMENT

- 1. Attend a training briefing to discuss the delivery of the training and finalization of the training program
- 2. Preparation of the training material, and other supporting resources
- 3. Submission of training materials in soft copies three days before the commencement of the training.
- 4. Conduct training in the venues identified by the Commission
- 5. Prepare a post training report
- 6. Attend and participate in a post training evaluation
- 7. Attend and participate a post training action review meeting
- 8. Participate in research activities undertaken by the Commission as and when necessary
- 9. Provide advisory services to the Commission and its legislative committees as and when necessary

## B. TRAINING COURSES

NO	NAME OF THE MODULE	NAME OF THE COURSES	COURSE
			CODE
1.	Public Finance Management	Legislature and Public Finance Management	CPST 103
		Public Procurement	CPST 119
		Basis of Fiscal Analysis	CPST 120
2.	Law Making and Procedural	Law Making Process	CPST 106
	Matters	Legislative Constitutional Offices	CPST 116
		Legislative Committee	CPST 105
		Legislative Drafting	CPST 118
		Legislative Procedures and Practices	CPST 104
3.	The Constitution, Parliament	Foundations and Fundamentals of Parliament	CPST 100
	and Governance System	Legislature and Constitution of Kenya 2010	CPST 101
		Devolution and Bicameralism	CPST 102
		Legislature, Political Parties and Interest	CPST 108
		Groups	
		Ethics, Integrity and Governance	CPST 112
		Y 11 1 1 0	CDCE 117
		Legislature at National and Supranational	CPST 117
4	-	Level	CDCE 100
4.	Human Resources	Administration and Human Resources	CPST 109
	Management and	Management in the Legislature Registry Management	CPST 121
	Administration in the	Human Resource Information Systems	CPST 121 CPST 122
	Legislature	Strategic Leadership, Planning and	CPST 122 CPST 115
		Management	CFS1 113
5.	Information, Communication	Effective communication skills for	CPST 113
3.	and Public Participation and	Parliamentary Business	CFS1 115
	Outreach for the Legislature	Public Policy and Legislative Research and	CPST 110
	G	Analysis	CIST III
		Legislative Outreach and Public Participation	CPST 111
		Parliamentary Hansard	CPST 107
6.	Capacity Building for	Image Management and Rules of Etiquette	CPST 123
0.	Legislative Staff: Cross	Parliamentary Diplomacy and Protocol	CPST 125
	Cutting Issues	Conflict Management in Parliamentary	CPST 126
	Cutting Issues	Commet Management in Tarnamentary	CI 51 120

Contest	
Gender Mainstreaming in Parliamentary	CPST 114
Business	
Information Communication and Technology	CPST 127
(ICT)	
Safety and Security	CPST 128
Monitoring and Evaluation	CPST 129
Project Management	CPST 130

## C. CURRICULUM DEVELOPMENT AND IMPLEMENTATION

The successful candidates will support the Centre for Parliamentary Studies carry out the following:

- a) Curriculum Support Materials Development
- b) Curriculum Evaluation, Tests, Measurement and Research
- c) Curriculum Review and Realignment
- d) Editing and Proof-Reading Services
- e) Printing, Design and Publishing Services
- f) Language and Translation and interpretation services
- g) Curriculum Content digitization, E-Learning, Open and Distance Learning services
- h) Adult Learning
- i) Special Needs Education
- j) Education Planning and Administration

## **Request for Review**

# FORM FOR REVIEW (r.203 (1))

# 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 of REQUEST FOR REVIEW I/We....., the above named Applicant(s), of address: Physical address......P. O. Box the whole/part of the above mentioned decision on the following grounds, namely: 1. 2. By this memorandum, the Applicant requests the Board for an order/orders that: 1. 2. FOR OFFICIAL USE ONLY Lodged with the Secretary Public Procurement Administrative Review Board on......day of .....20......

**SIGNED** 

**Board Secretary**