



CONSULTANCY SERVICES

TERMS OF REFERENCE

Program Title	KENYA GREEN AND RESILIENT EXPANSION OF ENERGY (GREEN) PROGRESS
Title of Consultancy Service	PROCUREMENT OF CONSULTANCY SERVICE- INTERNATIONAL/NATIONAL EXPERT WITH BROAD INTERNATIONAL EXPERIENCE TO SERVE AS A MEMBER OF THE TENDER EVALUATION COMMITTEE FOR LARGER PACKAGES AS PART OF CAPACITY BUILDING MEASURES (INDIVIDUAL).
Project ID	P176698
Credit No	IDA-73430
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1. BACKGROUND

The Kenya Power and Lighting Company PLC (KPLC) is a majority state owned (50.1% Government and 49.9% private) Company that is publicly listed at the Nairobi Stock Exchange (NSE). It owns and operates electricity distribution and transmission system in the country and sells electricity to over 9 million customers. The Company's vision is to be Kenya's energy solutions provider of choice by providing quality and reliable service to power people for better lives and enable the country's socio-economic development in a sustainable manner.

The Government of Kenya (GOK) has signed a loan agreement with the World-Bank (WB) for the Kenya Green and Resilient Expansion of Energy (GREEN) Program. This Program is a pivotal Government initiative aimed at restoring financial sustainability to KPLC and the broader energy sector, while supporting the Government's goal of achieving universal access to clean energy by 2030.

In alignment with Section 46(7) of the Public Procurement and Asset Disposal Act (PPADA), 2015 and World Bank procurement guidelines, KPLC intends to competitively engage procurement professional as Technical Experts to participate in high-value tender evaluations (Tenders \geq KES 1 billion) as part of a broader capacity-building initiative.

2. OBJECTIVE OF THE ASSIGNMENT

The objective of the assignment is to obtain professional input and independent assessment from seasoned procurement experts either national or international during the evaluation of high-value tenders. The expert will contribute to ensuring procurement transparency, compliance with applicable legal frameworks, and continuous institutional improvement.

3. SCOPE OF SERVICE

The Consultant shall be engaged on an ad hoc basis to support the evaluation of tenders with an estimated value of Kshs one (1) billion and above. The consultants' key responsibilities include:

- i. Together with the rest of the evaluation team members, deal with preliminary, technical and financial evaluation aspects of a procurement as well as the negotiation of the process of all KPLC tenders valued from Kshs. one (1) billion and above
- ii. Offer professional guidance during the evaluation process in line with Kenyan and World Bank procurement regulations.
- iii. Conduct post-qualification due diligence to ensure the recommended bidder(s) for award has/have capacity to deliver quality goods/service within the required time.
- iv. Assist in market surveys and pricing analysis to support fair value determinations.
- v. Together with the rest of the evaluation committee members prepare an evaluation report containing a summary of the evaluation and comparison of tenders and submit the report to the head of procurement for his or her review and recommendation.
- vi. Prepare and submit an independent advisory report highlighting observations, risks, legal compliance, and process improvement proposals.
- vii. Identify and outline areas where additional skills and competencies would strengthen both the quality and efficiency of evaluations and recommend targeted capacity-building interventions courses/topics.

4. DELIVERABLES

The consultant is expected to prepare and submit the following at the end of each assignment.

- i. Signed Evaluation report (Prepared jointly with the evaluation team)
- ii. Professional independent advisory report on the evaluation process, including risk analysis, legal observations, and process improvement recommendations
- iii. Documentation of completion of each assignment within the legally mandated timeline

5. METHODOLOGY

- The call for the assignment (evaluation exercise) shall be on “as and when required” basis, i.e., when opportunity for evaluation of a tender of one billion and above falls due.
- The consultant shall be appointed on “ad hoc” basis by the Accounting Officer and shall only evaluate tenders assigned to him/her.
- The Evaluation shall be carried out strictly in line with the evaluation criteria as set out in the tender document
- The completion of the evaluation exercise shall be signified by submission of a signed evaluation report to the Accounting Officer through the Head of Procurement
- The consultant will undertake collection of all the required data/information from legal sources, including the respective original tender document (including any addendum thereof) and bids submitted by respective bidders
- The Consultant shall raise proposals / observations strictly on the basis of the proceedings arising from the evaluation exercise
- The proposals / observations/comments raised by the consultant shall be strictly in writing and in the form of a report to KPLC, i.e. Accounting Officer through the Head of procurement.
- The evaluation period will be thirty days.

6. REPORTING

The Consultant will be reporting to the Managing Director and Chief Executive Officer (MD&CEO) through the Head of Procurement.

7. DURATION OF THE ASSIGNMENT

The assignment shall cover a 36-month period, on an ad hoc basis, for all tender evaluation exercises.

8. FACILITIES

KPLC shall provide working space and necessary facilities to enable effective performance of the assignment

9. CONSULTANT ELIGIBILITY AND QUALIFICATIONS

9.1 Consultant Eligibility

- This opportunity is open to both local applicants with international experience and international individual consultants eligible to operate in Kenya.
- Applicants must demonstrate familiarity with Kenyan procurement law and with World Bank procurement regulations for IPF borrowers.

- The individual consultant shall demonstrate prior experience in procurement assignments of more than KSh 1 Billion or equivalent.

9.2 Expert Requirements

The expert must have the following minimum qualifications:

Specialization	Minimum Years of Experience in Specialization
The Expert	<p>The expert is expected to have successfully handled at least 3 similar assignments in the past. He/she possesses at least 10 years' relevant work experience with 5 years' experience as the Procurement Expert/Specialist, with:</p> <ul style="list-style-type: none"> i) Master's degree in supply chain management, Procurement, Commerce, Economics, or related discipline from a recognized institution. i) Bachelor's Degree in supply chain management, Procurement, Commerce, Economics, or related discipline from a recognized institution. ii) Membership in a professional body (e.g KISM, CIPS) and valid practicing license or equivalent professional bodies from respective countries iii) A minimum of 10 years professional experience, with at least 5 years in senior roles iv) Demonstrated experience in at least three (3) public sector evaluations valued at Kshs 1 billion and above v) Proficiency in data analysis and reporting tools (e.g., MS Excel, MS Word) vi) Knowledge of Kenyan public procurement legislation and World Bank procedures vii) Strong analytical, communication, leadership, mentoring, and negotiation skills viii) Fulfillment of the requirements under Chapter Six of the Constitution of Kenya which covers: Leadership and integrity, Accountability, Transparency and Ethical conduct.

10. ETHICAL CODE AND PROFESSIONALISM

1. The expert shall carry out the above assignment in accordance with the highest standard of ethical competence, integrity and professionalism, having due regard to the nature and purpose of the assignment.
2. The expert will at all-times and purpose, regard as strictly confidential all knowledge and information not within the public domain which may be acquired in the course of carrying out this assignment and the information shall not be directly or indirectly disclosed to any person whatsoever, except with the written permission of KPLC.
3. The expert will waive all copyrights of documents, data and information prepared as part of this assignment in favor of KPLC.