



Kenya Marine Fisheries Socioeconomic Development (KEMFSED) Project
P.O. Box 58187-00200
NAIROBI

MINISTRY OF MINING, BLUE ECONOMY AND MARITIME AFFAIRS
STATE DEPARTMENT FOR BLUE ECONOMY AND FISHERIES

TERMS OF REFERENCE FOR FIVE COUNTY TECHNICAL ASSISTANTS -
PROCUREMENT
(PROJECT: KEMFSED COUNTY LEVEL)

Credit Number: IDA 65400
PROJECT NUMBER: P163980

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1.0. PROJECT BACKGROUND

The Government of Kenya, through the State Department of Blue Economy and Fisheries, (SDBE&F) and with support from the World Bank, is implementing the Kenya Marine Fisheries and Socio-Economic Development (KEMFSED) project, which aims at supporting the country in its efforts to leverage emerging opportunities in the Blue Economy. The development project's overall goal is to improve management of priority fisheries and mariculture and increase access to complementary livelihood activities in coastal communities. The KEMFSED project, is implemented in Kenya's coastal counties including Kwale, Mombasa, Kilifi, Tana River, and Lamu, and aims to strengthen the management of fisheries that are priority to coastal livelihoods, thereby securing stocks at sustainable levels of harvesting. At the same time, the project will strengthen coastal households' access to complementary livelihood activities toward diversifying sources of household income to reduce dependence on capture fisheries. By better managing and conserving marine and inland water resources, reducing illegal fishing activity, and enhancing the value of the fish products in the value chains, the sector is expected to enhance its contribution to the overall economy.

The project is comprised of the following three components:

- a) **Component 1:** Governance and Management of Priority Marine Fisheries will focus on improving the management of priority marine fisheries in Kenyan waters. In furtherance of the same PDO, fisheries governance interventions will be promoted through strengthened co-management of nearshore fisheries, and infrastructure development to support the management of fisheries at both the national and county levels.
- b) **Component 2:** Coastal Community Empowerment and Livelihoods will contribute to the PDO by strengthening livelihoods in coastal communities through a combination of technical and financial support for the implementation of livelihood, social welfare, and environmental subprojects; provision of scholarship grants and complementary capacity building and mentoring of beneficiaries;
- c) **Component 3:** Project Management this Component will finance support for project management at both national and county levels to ensure coordinated and timely execution of project activities.

The key implementation support to KEMFSED project is the focus on procurement of goods and services, procurement of consulting and non-consulting services during the project period. The same support is expected to be granted to Common Interest Groups (CIGs), who will receive grants from KEMFSED project. The implementation of the World Bank project is subject to strict procurement regulations that have been set out by the World Bank. These regulations have been put in place to ensure that the procurement process is transparent, competitive, and cost-effective. Additionally, the procurement process must be fair and impartial, with no discrimination against any particular supplier or vendor. The regulations also require that all procurement documents and contracts be clearly written and executed in accordance with the rules and procedures laid out by the World Bank and Government of Kenya, Public Procurement and Disposal Act of 2015.

2.0. OBJECTIVES OF THIS ASSIGNMENT

The main objective of the assignment for the CTA – Procurement is to provide procurement and contract management services to the KEMSFED's CPIU. This is intended to strengthen the procurement and contract management capacity of the CPIU and to accelerate the implementation of the project activities and ensure procurement and execution of project activities within scope, time, and quality to achieve value for money.

3.0 SCOPE OF THE CTA – PROCUREMENT POSITION AND SPECIFIC TASKS

The scope of the CTA - Procurement responsibilities in the CPIU KEMFSED project will include reviewing and handling the technical, commercial, and legal aspects of procurement in consultation with County Project Coordinator, and Procurement Specialist at all stages of the project cycle, including analysis of systemic and other procurement issues, procurement planning, design, implementation and management, and capacity training of other staff.

3.1 Key tasks of the assignment

Reporting to the County Project Coordinator (CPC), and working closely with relevant technical experts, the specific tasks will include but not limited to:

- a) Provision of operational advice to the agencies on concepts, policies and procedures for procurement of goods and services and selection of consultants;
- b) Ensuring that all procurement activities for the project at the county, community and partner institutions levels are carried out in accordance with the applicable World Bank's Procurement Regulations and Government of Kenya (GoK's) Procurement Laws as appropriate.
- c) Coordination of procurement of project works, goods, non-consulting services consulting services at county, community, and partner institutions level as appropriate;
- d) Preparation of annual county procurement plans in collaboration with other members of the CPIU based on approved Annual Work Plan and Budget (AWP&B) and submitting same for approval by the CPSC and NPCU. ;
- e) Preparation, publication/advertisement, and distribution of procurement opportunities including invitations for bids (IFB), request for quotations, requests for expressions of interest (ROE) for all project procurement activities.
- f) Preparation and issuance of appropriate procurement documents for goods, works, non-consulting services and consulting Services in conformance with the applicable World Bank Procurement Regulations and Government of Kenya (GoK's) Procurement Laws as appropriate.
- g) Supporting the receipt and opening of quotations, bids and proposals.

- h) Supporting the evaluation of quotations, bids and proposals as appropriate.
- i) Supporting the preparation of notifications of intentions to award and contract awards and publication of contract contracts as required.
- j) Assisting in drafting of contract documents in line with award decisions and preparation and issuance of debriefing letters and responses to procurement-related complaints;
- k) Monitoring the implementation of approved procurement plans;
- l) Preparing and updating monthly procurement plans and Vehicle Usage Returns to the CPIU and NPCU and Preparation of regular procurement progress reports;
- m) Training Community Driven Development Committee members on procurement methods, storage, handling of goods, and related documentation;
- n) Providing technical advice and training to Community Driven Development Committees in procurement matters;
- o) Creating and regularly updating a databank on unit prices of items commonly used in the implementation of community sub-projects, e.g., materials, labour, etc. and ensuring that the data is made easily accessible to communities preparing sub-projects, and at the same time it will serve as a reliable source of information during supervision of sub-projects;
- p) Administering the procurement process and managing the implementation of contracts for goods, services and works required by beneficiary communities;
- q) Participating in relevant Procurement committee meetings and assisting with the preparation of committee reports;
- r) Maintaining high quality procurement files and contract registers for review by supervision missions and auditors; and archiving relevant procurement and contract records;
- s) Assist in the preparation and submission of procurement status reports and procurement performance reviews and reporting;
- t) Undertake any other duties assigned by the CPC.

4.0 DURATION OF THE ASSIGNMENT

The assignment will be an overall period of twenty-four (24) months. The assignment will be for an initial period of twelve (12) months with a probation period of six (6) months. This period is subject to continuity for a further and final twelve months (12) based on satisfactory performance, extension of the project, budget availability and operational needs.

The positions shall be based in each of the KEMFSED implementing coastal Counties of Kwale, Mombasa, Kilifi, Tana River and Lamu.

5.0 REPORTING REQUIREMENTS AND TIMELINES FOR DELIVERABLES

The CTA - Procurement will be expected to deliver the following outputs:

Table 1: Reporting requirements

S/No.	Deliverables/Reports	Timelines after contract commencement	Format of submission
1.	monthly report and monthly time sheet indicating activities undertaken within the month, and the outputs of the assigned activities as support of service performance for invoiced payment claim, by the Consultants.	Within 7 days after the end of the reporting month	Soft copy

6.0 PAYMENT SCHEDULE/REMUNERATION

The CTA- Procurement shall be remunerated based on a monthly rate, which will be negotiated with the successful candidate during Negotiations. Remuneration will be based on national competitive rates, commensurate with the selected candidate's area of expertise and work experience, provided he or she has satisfactorily fulfilled all requirements stipulated here in above.

Payment shall be monthly upon submission and approval of the monthly reports. Costs incurred by the CTA - Procurement outside the CPIU will be reimbursed upon submission of a statement of expense and verifiable supporting documentation to the CPC.

7.0 MINIMUM REQUIREMENTS FOR CTA - PROCUREMENT QUALIFICATIONS AND EXPERIENCE

The CTAs - Procurement shall possess the following minimum qualifications and experience:

- a) A minimum of a Bachelors' Degree in Procurement, Management, Business Administration, Accounting, Law, Engineering or closely related field from a university recognized in Kenya.
- b) Diploma qualification in procurement/supplies management from an institution recognized in Kenya.
- c) Be a registered with valid membership and annual practicing license from KISM or equivalent professional body recognized in Kenya.
- d) At least 5 Years of general experience in related field with minimum of 3 years of specific work experience in similar assignments like; procurement of works, goods and services for GoK, Donor funded projects like World Bank, European Union, UNDP, etc;

8,0 MANAGEMENT AND ACCOUNTABILITY OF THE ASSIGNMENT

The State Department for the Blue Economy and Fisheries is the Client for these services. The CTA - Procurement will report to the County Project Coordinator, on behalf of the KEMFSED NPC and Principal Secretary

9,0 OBLIGATIONS OF THE CLIENT

The Client will provide:

- a) Suitable furnished office space
- b) Telecommunication
- c) Suitable Office Equipment
- d) Transport to field assignments, as and when required

Where travelling individually on project duties, subsistence allowance shall be paid in the equivalence of the Public Service Job Group "N" rates. All individual travel shall be approved prior to the task by the County Project Coordinator.

10,0 OBLIGATIONS OF THE CTA - PROCUREMENT

The CTA - Procurement shall perform and carry out the Services with all due diligence, efficiency and economy, in accordance with generally accepted professional standards and practices, and shall observe sound management practices. The TA shall always act, in respect of any matter relating to this Contract or to the Services, as a faithful adviser to the County Project Coordinator, and shall at all times support and safeguard the Project's legitimate interests in any dealings with the third parties. The CTA - Procurement has an obligation to disclose any situation of actual or potential conflict that impacts on capacity to serve the best interest of the Client, or that may reasonably be perceived as having this effect. Failure to disclose said situations may lead to the disqualification of the TA or the termination of his/her Contract.

The CTA - Procurement will be required to complete an annual evaluation, which shall be conducted at the end of each contract anniversary year. The evaluation will seek to establish the performance of the CTA - Procurement in the execution of the contract over the period.

11.0 CONFIDENTIALITY, PROPRIETY RIGHTS OF CLIENT IN REPORTS AND RECORDS.

- i. All the reports, data, and information developed, collected, or obtained from the implementing agencies etc, Client, and other Institutions during this exercise shall belong to the Client. No use shall be made of them without prior written authorization from the Client.
- ii. At the end of the Services, the CTA shall relinquish all data, manuals, reports and information (including the database, codes, and related documentation) to the Client and shall make no use of them in any other assignment without prior written authority from the Client.